

**Committee:** Licensing Committee  
**Date:** Tuesday 15 December 2009  
**Time:** 6.30 pm  
**Venue:** Bodicote House, Bodicote, Banbury, OX15 4AA

### **Membership**

<b>Councillor Eric Heath (Chairman)</b>	<b>Councillor Tony Ilott (Vice-Chairman)</b>
<b>Councillor Fred Blackwell</b>	<b>Councillor Margaret Cullip</b>
<b>Councillor Mrs Diana Edwards</b>	<b>Councillor Michael Gibbard</b>
<b>Councillor P A O'Sullivan</b>	<b>Councillor George Parish</b>
<b>Councillor G A Reynolds</b>	<b>Councillor Rose Stratford</b>
<b>Councillor Douglas Webb</b>	<b>Councillor John Wyse</b>

## **AGENDA**

**1. Apologies for Absence and Notification of Substitute Members**

**2. Declarations of Interest**

Members are asked to declare any interests and the nature of that interest which they may have in any of the items under consideration at this meeting.

**3. Petitions and Requests to Address the Meeting**

The Chairman to report on any requests to submit petitions or to address the meeting.

**4. Urgent Business**

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. **Minutes** (Pages 1 - 4)

To confirm as a correct record the Minutes of the meeting of the Committee held on 7 October 2009.

6. **Minutes of meeting Thursday 29 October 2009 of Licensing Sub Committee** (Pages 5 - 6)

To note the minutes of the Licensing Sub Committee meeting held on 29 October 2009.

7. **Gambling Act 2005 - Revised Statement of Licensing Policy** (Pages 7 - 46)

Report of Head of Urban and Rural Services

**Summary**

To seek final approval of revisions to the Statement of Licensing Policy.

**Recommendations**

The Committee is recommended:

- (1) To accept the amendments to the Statement of Licensing Principles as presented and adopt the revised Statement of Licensing Principles for publication.

8. **Hackney Carriage Vehicle Associations** (Pages 47 - 50)

Report of Head of Urban and Rural Services

**Summary**

1. To brief the Committee on the position with associations representing the taxi trade.
2. To secure approval for minimum requirements the Council requires taxi trade association to meet for the Council to consider them to be representative of the trade.

**Recommendations**

The Committee is recommended:

- (1) To note the position with trade associations across the District.
- (2) To approve the minimum requirements required from trade associations: being properly constituted, hold AGM's to elect Association Officers, to minute meetings, and to provide annual list of members.
- (3) To authorise officers to consult formally only with trade associations that meet these requirements.

## **9. Taxi License Applications and Appeals Process (Pages 51 - 60)**

Report of Head of Urban and Rural Services

### **Summary**

1. To secure approval for an amendment to the Council's Constitution and to the Scheme of Delegation relating to licensing activities within the Council.
2. To secure approval for revised Licensing Committee processes specifically in relation to dealing with Licence appeals by Hackney Carriage Vehicle (HCV) and Private Hire Vehicle (PHV) licence holders.
3. To secure approval for changes to the HCV and PHV license application process, specifically the Knowledge Test and disability awareness training.
4. To secure approval for inclusion of additional Conditions on HCV and PHV drivers licences.

### **Recommendations**

The Committee is recommended:

- (1) To approve amendment to the Scheme of Delegation to clarify delegation to Head of Urban and Rural Services of enforcement powers and associated actions relating to both the Licensing Act 2003 and Gambling Act 2005.
- (2) To approve the amendments to the Taxi Licensing Appeals process as set out in this report by removing from Licensing Committee responsibility the function of receiving and hearing appeals.
- (3) To recommend to Council that the Council's Constitution is amended to reflect the recommendations in 1 and 2 above.
- (4) To approve the changes proposed for the Knowledge Test and Disability Awareness training for HCV and PHV licence applicants/holders as set out in this report.
- (5) To approve the inclusion of additional Conditions on HCV and PHV driver licences as set out in this report.

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence should be notified to [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk) or (01295) 221591 prior to the start of the meeting.

### **Declarations of Interest**

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item. The definition of personal and prejudicial interests is set out in Part 5 Section A of the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

**Personal Interest:** Members must declare the interest but may stay in the room, debate and vote on the issue.

**Prejudicial Interest:** Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

### **Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

### **Queries Regarding this Agenda**

Please contact Alexa Coates, Legal and Democratic Services [alexa.coates@cherwell-dc.gov.uk](mailto:alexa.coates@cherwell-dc.gov.uk) (01295) 221591

**Mary Harpley**  
**Chief Executive**

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