

Minutes of the Licensing Committee held on 7th December 2011 from 7.00 p.m. to 8.04 p.m.

Present: Chris Hersey (Chairman)
Mims Davies (Vice-Chairman)

David Dorking
Kathy Dumbovic
Richard Goddard *
Ginny Heard *

Bruce Forbes
Jacqui Landriani
Gordon Marples
Gary Marsh

Bob Mainstone
John O'Brien *
Peter Reed
Robert Salisbury
Emily White

* Absent.

10. SUBSTITUTES AT MEETINGS OF COMMITTEE – COUNCIL PROCEDURE RULE 4

The Committee noted that no substitutes had been appointed in accordance with Council Procedure Rule 4 – Substitutes at Meetings of Committees etc.

11. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Goddard and Heard.

12. DECLARATION OF INTERESTS

No Declarations of Interest were made.

13. MINUTES

The Minutes of the meeting of the Committee held on 21st September 2011 were approved as a correct record and signed by the Chairman.

14. HACKNEY CARRIAGES

The Committee received an update on Hackney Carriages from Alec Lee, the Council's Licensing Officer. He gave Members an overview of events for the calendar year.

He informed Members that he had been involved in nine organised Taxi and Private Hire safety checks in partnership with Police, Vosa, the Benefits Agency and West Sussex Schools Transport. Two of these checks took place at Gatwick Airport and involved the Border Agency. During these checks two MSDC licensed drivers were arrested as their Visa's had expired.

Over the year 133 vehicles were checked with 33 being found from outside the District. Of those 133, 21 vehicles were issued with immediate prohibition notices by Vosa. Seven of these vehicles were licensed by Wealden District Council and one by Reigate and Banstead Borough Council. The remaining vehicles were all Mid Sussex licenced and all were suspended until the defects were rectified.

The main reasons for prohibition notices being issued were:

Defective tyres, seatbelts. damage to body work, locked doors, defective exhaust systems, missing wheel nuts and split drive shaft gaiters. In addition of working with the other licensing bodies Benefits Officers have looked into about a dozen people who may be working and claiming various benefits.

The year has seen the following events:-

- six drivers have appeared before the Licensing Committee with five having their licenses revoked. The offences were are follows:-
 - two illegal drivers were arrested at Gatwick Airport;
 - one driver was convicted of drink driving;
 - one driver convicted and jailed for money laundering; and
 - one driver was given advice following being convicted of being drunk and disorderly and assaulting two police officers.

There have been 43 complaints from the taxi trade and members of the public. 23 have related to issues with Wealden Licensed vehicles. These were passed to Wealden District Council to investigate.

The draft Taxi Licensing Policy is currently under public consultation. To date there have been 87 replies out of the 670 sent out which represent about 14%.

The Law Commission Advisory Group has been set up by the Government with the aim of review existing legislation and looking at introducing new up to date legislation by the end of this parliament.

15. MSDC LICENCE CONDITIONS FOR TOURING CARAVAN AND CAMP SITES

The Committee received a report on licence conditions for touring caravan and camp sites in the district.

Lynne Standing, Head of Housing, Environmental Health and Building Control introduced the report and explained that, under Section 269 of the Public Health Act 1936, the Council has power to licence touring caravan and camp sites. She explained that the standard licence conditions, as set out in Appendix 1 to the report, would safeguard public safety on existing and future sites.

RESOLVED

That:-

- (1) licence conditions for touring caravan and camp sites, as set out in Appendix 1 to the report, be adopted; and
- (2) all relevant camp sites, as set out in paragraphs 4.1 to 4.3 of the report, be required to hold such a licence.

16. COMMITTEE WORK PROGRAMME

The Committee received their Work Programme for 2012/13. It was noted that there is one more programmed meeting of this Committee on 6th March 2012.

This is to be amended to include the draft Taxi Policy returning to the Licensing Committee on the 6th March 2012 before going to BMS in April 2012.

RESOLVED

That the Committee Work Programme be noted and amended as agreed.

17. LIQUOR LICENSING PANEL MINUTES

The Committee received and confirmed the minutes of the Liquor Licensing Panel held on 19th September ~~2004~~ 2011. These minutes were signed by the Chairman of the Committee.

Chairman.