

**Medway Council**  
**Meeting of Licensing and Safety Committee**  
**Tuesday, 29 January 2019**  
**6.00pm to 6.28pm**

**Record of the meeting**

Subject to approval as an accurate record at the next meeting of this committee

**Present:** Councillors: Bhutia, Bowler, Mrs Diane Chambers (Chairman), Etheridge, Fearn, Godwin, Griffin, Kemp and McDonald

**In Attendance:** Laura Caiels, Legal Advisor  
Mark Lees, Licensing Manager  
Stephen Platt, Democratic Services Officer

**752 Apologies for absence**

There were none.

**753 Record of meeting**

The record of the meeting held on 26 June 2018 was agreed and signed by the Chairman as correct.

**754 Urgent matters by reason of special circumstances**

There were none.

**755 Declarations of disclosable pecuniary interests and other interests**

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

There were none.

## 756 Licensing Compliance and Enforcement Annual Report

### Discussion

The Committee considered the Licensing Compliance and Enforcement Annual Report covering the period April 2017 to March 2018. Statistics for 2016/2017 were also included for comparison, as were statistics for the period April to September 2018 to bring the report further up to date.

The Licensing Manager reported that the position remained relatively unchanged over the two and a half years covered in the report. In response to questions and comments from members of the Committee, he made the following points:

- The possibility of establishing the level of repeat offending would be investigated and the outcome reported to members of the Committee.
- The low level of prosecutions was seen as a positive as it reflected the effectiveness of enforcement action which followed a stepped approach with low level interventions first, leading to prosecution only if these did not have the desired effect.
- Hackney Carriage and Private Hire Drivers who had been issued with penalty points under the Council's penalty points scheme were generally only brought before the Licensing Sub-Committee if they accumulated the number of points that triggered a review of their licence. The Chairman advised that the Sub-Committee had considered appeals against the issuing of points and also pointed out that the number of occasions that a driver had been issued with points was a good indication of re-offending.
- Under the points system, points became 'spent' after two years.
- In order to give some context, future reports would show the total number of licence holders in each category.
- The Licensing Team liaised with Transport for London (TfL) on matters relating to Uber and they assisted in local intelligence-led operations. If obtainable, statistical information on the number of Uber drivers locally would be provided in future reports and TfL would be invited to a future meeting of the Committee to discuss the issue.
- Inspections of taxi operators at their offices was difficult due to their low staffing levels. However, they were required to keep detailed records of bookings and to submit these to the Licensing Team for inspection on request.
- The Environmental Enforcement Team would be asked if an update report on scrap metal dealer enforcement could be brought to a future meeting of the Committee.
- The possibility of an article in Medway Matters on bogus charity collections would be investigated.

### Decision

The Committee:

- (a) noted the Licensing Compliance and Enforcement Annual Report;

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- (b) requested that, if obtainable, the level of repeat offending be reported to Committee members;
- (c) requested that future reports include the number of licence holders in each category and also any available information on Uber;
- (d) requested that TfL be invited to attend a future meeting of the Committee to discuss Uber related issues;
- (e) requested that an update report on scrap metal dealer enforcement be brought to a future meeting of the Committee; and
- (f) requested that consideration be given to an article on bogus charity collections being placed in Medway Matters.

### **757 Membership of the Licensing and Safety Committee and its Sub-Committees**

#### **Discussion**

Members considered a report on the membership of the Committee and its Sub-Committees following Full Council's review of the allocation of seats on the Committees of the Council on 24 January 2019. It was reported that Full Council had determined that the Licensing and Safety Committee seat allocated to the former UKIP Group be re-designated as a vacant seat to which the political groups were not entitled.

The Committee considered the implications of Full Council's decision on the vacant seat on Panel A of the Licensing Hearing Panels and Licensing 1982 Act Hearing Panels.

#### **Decision**

The Committee:

- (a) noted that Full Council had determined that the Licensing and Safety Committee seat allocated to the former UKIP Group be re-designated as a vacant seat to which the political groups were not entitled; and
- (b) agreed that the vacancy on Panel A of the Licensing Hearing Panels and the Licensing 1982 Act Hearing Panel be filled by members of the Committee in turn, selected on an alphabetical basis as required, subject to availability and any Ward Councillor conflicts.

#### **Chairman**

**Date:**

**Licensing and Safety Committee, 29 January 2019**

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