

# **LGA Taxi Licensing Conference**

## **6 February 2024**

### **Member Training**

**Mike Smith**

Senior Specialist for Licensing and Community Safety  
Guildford Borough Council

# Councillor Training



## **Guildford in numbers:**

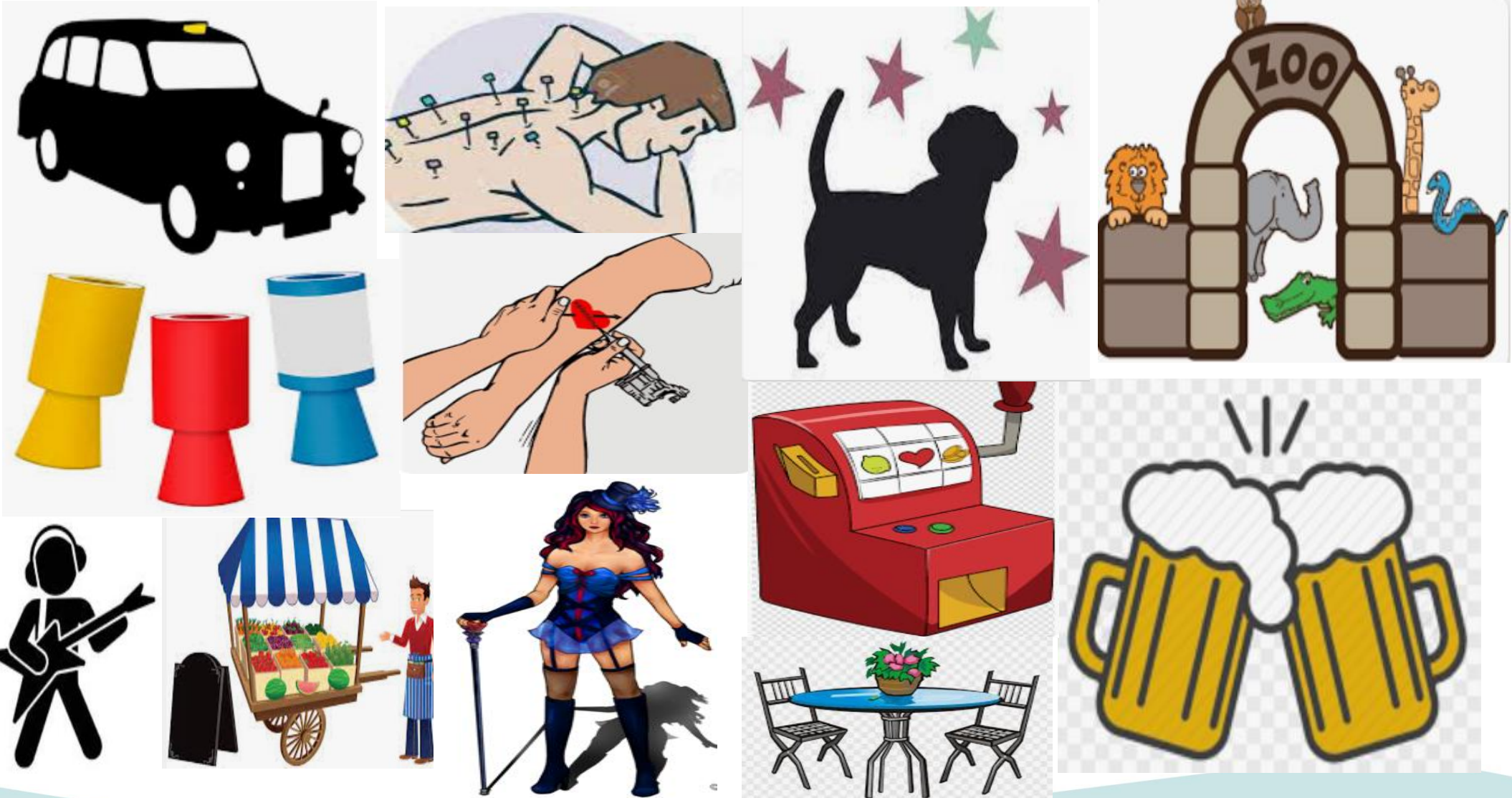
- 645 licensed premises
- 25 gaming/betting premises
- 390 licensed vehicles
- 600 licensed drivers
- 55 animal activity premises

# Councillor Training





# Local Authorities



# The Licensing Act 2003





# Councillor Training



**Flaws in the licensing system remain unresolved, says new Lords report**

11 July 2022



# Councillor Training

- “ ... the Home Office discuss with the Local Government Association, licensing solicitors and other stakeholders the length and form of the minimum training a councillor should receive before first being allowed to sit as a member of a sub-committee, and the length, form and frequency of refresher training.
- The section 182 Guidance should be amended to introduce a requirement that a councillor who is a member of a licensing committee must not take part in any proceedings of the committee or a sub-committee until they have received training to the standard set out in the Guidance.”

# Councillor Training



## Statutory Taxi & Private Hire Vehicle Standards

### 5.2 Training decision makers

- All individuals that determine whether a licence is issued should be required to undertake sufficient training.

July 2020



# Councillor Training

*“...We ask that you support this work by ensuring that all relevant local licensing officials have suitable training on matters of licensing and planning, including on the overall regimes and how the two regimes interact. We do not intend to mandate for a minimum standard or mandatory licensing training requirement - all local areas should be able to make their own decisions on what training is most valuable and necessary for their particular local needs, but we do encourage all areas to ensure that their local package is substantive. The Government will continue to support this by disseminating good practice and signposting new and updated training materials produced at a local level...”*

**Rt Hon Chris Philp MP Minister of State for Crime, Policing and Fire**  
**Email to all Las 15 January 2024**

# Councillor Training

## **R (Hope & Glory Public House Limited) v City of Westminster Magistrates (2011)**

- Magistrates should pay careful attention to the reasons given by the Licensing Authority
- Weight attached to the reasons must take into account their fullness and clarity, nature of the issues and evidence given on appeal
- Must decide that Licensing Authority decision is wrong on the basis of evidence before the court

# Councillor Training

## **Mu Mu Enterprises v North Somerset Council (2013)**

- A review was instigated
- Hearing was abandoned part way through
- A member of the sub-committee made a speech before most of the evidence had been given
- Made it clear, or gave impression, that she had already made her decision on the matter



# Councillor Training

## Local Government Association and Institute of Licensing: Training standard

The Local Government Association (LGA) and Institute of Licensing (IoL) want to drive consistently high standards in licensing. This training standard guidance has been designed to set out what the LGA and the IoL believe to be a basic level of licensing committee member training, although this does not constitute legal advice and should not be treated as such.



# Councillor Training

1. Attendance at and engagement in training provided by the local authority.
2. A full-day's training in licensing (or 2-3 shorter sessions).
3. Attend annual refresher training.
4. Completion of the LGA's free online training resources.
5. Having read and understood the local authority's policies and other relevant guidance e.g. the Section 182 guidance.
6. To have observed or shadowed a Sub-Committee before participating in one.

# Councillor Training

- Legislative overview
- Role of Committee in setting Policy
- Hearings and Evidence
- Decisions and Reasons
- Member conduct and proportionality



Statement of Licensing Policy  
Licensing Act 2003



Effective: 7 January 2021  
Version 1.1 – Policy for Approval following Consultation  
November 2020



# Councillor Training



# Councillor Training



# Councillor Training

- **LGA Councillor E- Learning:**  
<https://www.local.gov.uk/our-support/leadership-workforce-and-communications/councillor-development/our-e-learning-platform>
- **Institute of Licensing E-Learning:**  
<https://iol.cplonline.co.uk/default.aspx>
- **Cornerstone Barristers licensing training videos** (Includes a 'mock' hearing):  
<https://cornerstonebarristers.com/video/>





**Thank you**  
**Any Questions?**



[mike.smith@guildford.gov.uk](mailto:mike.smith@guildford.gov.uk)