

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the CDC LICENSING & REGULATION COMMITTEE held on **30 MARCH 2017**

PRESENT: Councillor J J Rush - Chairman
" C J Jackson - Vice Chairman

Councillors: E A Walsh
M J Harrold
P M Jones
C M Jones
P N Shepherd
N I Varley

APOLOGIES FOR ABSENCE were received from Councillors E A Culverhouse, M Flys, G K Harris, R J Jones, D J Lacey, C J Rouse and F S Wilson

ALSO IN ATTENDANCE: Councillors J E MacBean and D M Varley

14 MINUTES

The Minutes of the meeting held on 14 December 2016, copies of which had been previously circulated, were discussed in detail. The Legal Officer advised that these Minutes were draft Minutes and could be amended by Members if they did not agree the content. The Licensing Manager referred to an email which had been sent to Members by the Trade and explained the concerns raised about whether the draft Minutes were an accurate record of the meeting in particular in respect of door stickers.

The Chairman asked the Committee if they considered that the draft Minutes reflected what was discussed and agreed by Members at the meeting and in particular if it had been understood that it was the Hackney Carriage door stickers which would be the subject of further consultation with the Trade. Members confirmed that the Minutes did reflect what was discussed and agreed at the meeting.

It was also noted that there would be a further report to the Committee following consultation with the Trade, at which Members would consider representations received and options as recorded in the Minutes. One Member also commented that the design and size of door stickers generally (or alternative side livery) could be considered at this meeting if necessary following consultation with the trade. Members would then recommend the draft Policy with or without further modification to Full Council for adoption.

RESOLVED

The Minutes of the meeting on 14 December 2016 were agreed by the Committee and signed by the Chairman as a correct record.

15 DECLARATIONS OF INTEREST

There were no declarations of interest.

16 LICENSING ACT 2003 POLICY REVIEW 2017

A review of the Licensing Policy was required every five years under the Licensing Act 2003. It was proposed to begin a consultation in April 2017 for a period of 8 weeks. The suggested amendments were shown on the draft Policy at Appendix 1 and the Committee was asked to consider and approve or amend the draft Policy for public consultation.

Members were asked to give particular consideration to the existing areas subject to Cumulative Impact Policies (CIP) and consider whether they were still applicable. It was explained that CIP areas were those with a large number of licenced premises. That it was harder to obtain a licence or extension to a licence in these areas if there were objections because there was a requirement to prove there would be no impact. The removal of the CIP would be helpful to the businesses in these areas so evidence had been sought to see if they were still necessary.

The Committee were advised that Chalfont St Peter had become much quieter around the pubs with the decline of Winkers nightclub and there had been a low level of complaints linked to licenced premises. Similarly Old Amersham seemed to have changed and had become more restaurant based. It was advised that the law had changed regarding live music and a licence was no longer needed for most of these types of events. Any noise nuisance would be dealt with by Environmental Health. Members considered the evidence gathered in Appendix 6, including the data supplied by the police and other consultees.

It was generally agreed that there should be support for the small and medium businesses in these areas, provided that there were safeguards in place to tackle public nuisance.

The draft Licensing Policy in Appendix 1 was then discussed in more detail. The wording in paragraph 4.7 on page 26, requiring that applicants should make "themselves aware" of the Statement of Licensing Policy was not considered adequate, as applicants must be fully aware of the policy. It was

agreed to change the wording to read “make themselves aware and comply with” the Statement of Licensing Policy.

The Licensing Manager also referred to the requirements of the Immigration Act 2016 which came into force in April 2017 regarding Premises and Personal Licences which needed to be referred to in the draft Policy.

It was noted that the results of the consultation exercise would be reported back to the Licensing & Regulation Committee at its meeting on 6 July 2017 and the final draft Policy would be recommended to Council for adoption on 17 October 2017 (with effect from 13 November 2017).

RESOLVED

- 1. That based on the evidence before Members both of the CIPs be withdrawn.**
- 2. That reference to the Immigration Act 2016 be added to the draft Policy.**
- 3. That reference to Minor Variations at paragraph 4.5 of the draft Policy be separated to create a new standalone paragraph.**
- 4. To amend paragraph 4.7 of the draft Policy to include the words “and comply with” as stated above.**
- 5. To delegate the final wording of the draft Policy before public consultation to the Head of Healthy Communities in consultation with the Chairman.**

NB Councillor N Varley entered the meeting at 6.50 pm during the above item. Councillor D Varley entered the meeting at 7.00 pm and Councillor J MacBean entered the meeting at 7.04 pm.

The meeting ended at 7.20 pm