

## LICENSING COMMITTEE

Meeting - 10 July 2013

Present: Mr Walters (Chairman)  
Mrs Simmonds, Mr Brown, Mr Denyer, Mr Pepler, Mrs Royston, Mr Samson  
and Mr D Smith

Apologies for absence: Mr Egleton and Ms Vigor-Hedderly

### 1. APPOINTMENT OF CHAIRMAN

The election of Councillor Walters as Chairman of the Committee was noted.

### 2. APPOINTMENT OF VICE-CHAIRMAN

The election of Councillors Simmonds as Vice-Chairman of the Committee was noted.

### 3. CONSULTATIVE GROUP

Following an explanation of the role of the Consultative Group it was

**RESOLVED** that the Chairman and Vice-Chairman, together with Mr Denyer and Ms Vigor -Hedderly, be appointed to the Consultative Body for consultation on delegated matters or urgent decisions between meetings.

### 4. MINUTES

The minutes/notes of the following meetings of the Licensing Committee were confirmed and signed by the Chairman:

- 10 October 2012
- 30 January 2013 (virtual meeting)
- 27 March 2013 (virtual meeting)

### 5. AMENDMENTS TO LICENSING ACT 2003 OFFICER & LICENSING SUB-COMMITTEE DELEGATIONS ARISING OUT OF THE POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011.

The Committee at its meeting on 10 October 2012 had agreed various new delegations and amendments to the Scheme of Delegations following changes made to the Licensing Act 2003 by the Police Reform and Social Responsibility Act 2011 ("2011 Act") including delegations regarding Temporary Event Notices (TENs).

As a result of new Home Office guidance it was now necessary to amend, update and add to the delegations in so far as they related to TENs the Committee received a report setting out in an appendix a number of proposed changes to the delegations to Licensing Committee, Licensing Sub-Committee and Officers/Director of Services.

**RECOMMENDED to COUNCIL** that the proposed changes to the delegations as set out in the appendix to the report be agreed.

### 6. LICENSING ACT 2003 POLICY THIRD REVIEW 2013

In accordance with the Licensing Act 2003 as amended by the Police and Reform and Social Responsibility Act 2011 the Council was now required to review its Licensing Policy and the Committee received a report attaching a revised draft Licensing Policy as a basis for consultation.

## Licensing Committee - 10 July 2013

During the discussion the Committee agreed that to add to clarity the process for the notification as set out in the final paragraph of section 13.2 should be amended to read:

In addition to the legal requirements for advertising applications the licensing section will, in the case of new applications or full variation applications, write to District Councillors and Parish Councils advising them of the receipt of an application. In addition, where appropriate, the licensing section will also undertake a process of neighbourhood notification, which will involve writing to residents and businesses considered to be immediate neighbours of premises which are the subject of the application. The extent of the neighbourhood notification being a matter of fact and degree in each case to be determined by the Council's Licensing Team based upon whether an individual's residence or business are likely to be directly affected by the premises.

Following the discussion during which the Chairman thanked the Licensing Manager for all her hard work on preparing the report and draft Policy the Committee

| <b>RESOLVED that</b> |  |
|----------------------|--|
| 1                    | The draft Licensing Policy Statement attached at Appendix A as amended above be approved as a basis for consultation for a period of 8 weeks, commencing in July 2013.   |
| 2                    | The results of the consultation exercise be reported back to the Licensing Committee at its meeting of 9 October 2013 with the intention of referring the final Licensing Policy Statement to the Council on 10 December 2013 for adoption |

### 7. SCHEDULE OF DELEGATED DETERMINATIONS

#### **Delegated Determinations made by the Licensing Officer in respect of Personal Licences**

The Committee reviewed and noted a list of the delegated determinations made by the Licensing Officer covering Personal Licences during the period 7 March 2013 - 19 June 2013.

#### **Delegated Determinations made by the Licensing Officer in respect of Premises Licences**

The Committee reviewed and noted a list of the delegated determinations made by the Licensing Officer covering Premises Licence and Minor Variation to Premises Licences during the period 7 March 2013 - 19 June 2013.

#### **Delegated Determinations made by the Licensing Sub-Committee**

The Committee reviewed and noted a list of the delegated determinations made by the Licensing Sub-Committee during the period 7 March 2013 - 19 June 2013.

### 8. LICENSING ACT 2003 - PREMISES / CLUB PREMISES APPLICATIONS PENDING

The Committee received a report from the Director of Services of details of applications for Premises Licences pending to date.

**RESOLVED** that the report be noted.

### 9. LICENSING SUB-COMMITTEE

The minutes of the following meetings of the Licensing Sub-Committee were received:

- 11 February 2013
- 6 March 2013
- 16 April 2013
- 16 May 2013
- 23 May 2013.

**10. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING**

The Committee received a report from the Director of Services on details of licences issued during the period 10 January 2013 to the present time.

**RESOLVED** that the report be noted.

**11. LICENSING OF STREET COLLECTIONS**

The Committee received a report from the Director of Services on details of street collection permits issued for 2012-2013. It was noted that the list of street collections would change on a daily basis as and when applications were received.

**RESOLVED** that the report be noted.

**12. LICENSING OF HOUSE-TO-HOUSE COLLECTIONS**

The Committee received a report from the Director of Services showing the house-to-house collection permits issued for the 2012 - 2013. The schedule to the report also included details of charity collections where Home Office exemption certificate had been granted. It was noted that the list of house-to-house collection permits would change on a daily basis as and when applications were received.

The report contained some details of collections that had already taken place. This was because Charities were required to submit returns to the Licensing Team containing details of their collections and amounts raised. These returns were due in after the collections had taken place and show as outstanding on the report if the return had not yet been received.

**RESOLVED** that the report be noted.

**13. ANY OTHER BUSINESS**

**1. Amended Guidance Issued Under Section 182 of the Licensing Act 2003**

A copy of the Amended Guidance was issued to members of the Committee present - copies would be sent to those members not in attendance.

**2. Licensing Sub-Committee Hearing Training**

The Chairman confirmed that he had attended a Hearings training course with one of the Council's Solicitors and was pleased to note from attending the course that the Council followed best practice with regard to Hearings and thanked the officers involved.

The meeting terminated at 6.22 pm