

## **EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

<b>Committee:</b>	Licensing Committee	<b>Date:</b>	Wednesday, 22 March 2023
<b>Place:</b>	Council Chamber - Civic Offices	<b>Time:</b>	7.00 - 7.30 pm
<b>Members Present:</b>	Councillors R Morgan (Chairman), S Heather, P Keska, T Matthews, L Mead, Caroline Pond, D Stocker, D Sunger and J M Whitehouse		
<b>Members Present (Virtually):</b>	Councillors		
<b>Other Councillors:</b>	Councillors		
<b>Other Councillors (Virtual):</b>	Councillors		
<b>Apologies:</b>	J Jennings, I Hadley, A Lion, M Sartin and P Stalker		
<b>Officers Present:</b>	A Hendry (Democratic Services Officer), D King (Licensing Manager), A Buckley (Higher Level Apprentice (Internal Communications)) and M Thompson (Interim Acting Service Director (Technical))		
<b>Officers Present (Virtually):</b>	J Leither (Democratic Services Officer)		

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### **15. Webcasting Introduction**

The Chairman reminded everyone present that the meeting would be broadcast live to the internet and would be capable of repeated viewing, which could infringe their human and data protection rights.

### **16. Declarations of Interest**

There were no declarations of interest made by the Councillors present pursuant to the Council's Member Code of Conduct.

### **17. Any Other Business**

The Committee noted that there was no additional business for consideration at the meeting.

### **18. Minutes of the Licensing Committee**

**RESOLVED:**

That the minutes of the meeting held on 01 November 2022 be taken as read and signed by the Chairman as a correct record.

It was noted that the Licensing statistics would be circulated separately (*now attached to these minutes*).

#### 19. Minutes of the Licensing Sub-Committees

The minutes of the following meetings of the Licensing Sub-Committee be taken as read and signed by their Chairmen as a correct record:

08 November 2022 (am);	17 January 2023 (am);
08 November 2022 (pm);	17 January 2023 (pm);
17 November 2022;	07 March 2023.
06 December 2022;	

#### 20. Coronation Road Closures and Extended Licensing Hours

The meeting noted that following the success of the simplified application for road closures held to celebrate Her Majesty the Queen's Platinum Jubilee in June 2022, the Licensing Committee agreed at its meeting on 1st November 2022 to adopt the same process for the Coronation of His Majesty The King and Her Majesty The Queen Consort.

As agreed in November the Council has put in place special relaxations to make it easier for residents to come together and celebrate this momentous occasion.

Residents wishing to host a street party still need to apply for a temporary road closure however, for non-commercial events held on 6<sup>th</sup>, 7<sup>th</sup> or 8<sup>th</sup> May 2023, the Council has determined to waive the fees normally associated with such applications and to simplify the application process.

The Government had also consulted on whether to relax licensing hours for the sale of alcohol (on-sales only) and late-night refreshment on Friday 5<sup>th</sup>, Saturday 6<sup>th</sup> and Sunday 7<sup>th</sup> May 2023.

This has been agreed, and this would now extend the opening hours from 23.00 to 01.00 on these dates however the relaxation will not apply to off licences, supermarkets, or late-night takeaways.

#### **Resolved:**

That the Committee noted the update.

#### 21. Road Closure Policy

The Committee noted that Epping Forest District Council had the power to issue temporary Road Closure Orders for special public events such as a public procession, street party, festival etc. under s.21 Town Police Clauses Act 1847. As the powers came under the Town Police Clauses Act, 1847, it was noted that the Licensing Committee had the power to agree this policy change without going to full council for adoption, contrary to the report's recommendation.

Currently the Council did not have a policy that sets out the general approach to regulation under the Act, guides administration of its functions and its expectations in relation to road closure applications for special events. If adopted the policy and process will simplify the process, provide clarity to residents, and assist the Council in ensuring that an appropriate balance was drawn between the interests of those wishing to apply for a road closure, and those who might be affected by such activities.

Currently the Council did not have a road closure policy, however, given the success of the process adopted for both Her Majesty The Queens Platinum Jubilee Celebration and the forthcoming Coronation of His Majesty The King and Her Majesty The Queen Consort, it was recommended that the Licensing Committee agree the policy. Officers noted that in case of any objections received for an application, the ward councillors and the relevant town and parish councils would be consulted.

**Resolved:**

The Licensing Committee agreed the proposed road closure policy.

**22. Gambling Act 2005 - Statement of Licensing Principles**

The Committee noted that the Gambling Act 2005 required all licensing authorities to prepare and publish a statement of licensing principles that they propose to apply in exercising their functions under the Act, commonly known as a policy statement. The policy must be reviewed every 3 years and where reviewed and changes proposed, licensing authorities must consult on any revision. The statement must then be re-published.

The policy statement sets out the licensing authorities' general approach to regulation under the Act, guides administration of its functions and its expectations in relation to operators with premises in the locality. It will assist in ensuring that an appropriate balance was drawn between the interests of those wishing to provide and take part in legal gambling, and those who might be affected by such activities.

The current policy was approved by the Council in 2020 and only minor amendments have been made to reflect the latest guidance and to update the area profile in line with the Essex County Council Census 2021 and the Office for National Statistics data.

The Committee agreed the revised statement of Gambling licensing principles.

**Resolved:**

1. The revised statement of licensing principles be agreed; and
2. The Licensing Committee recommend to Full Council to adopt the revised statement of licensing principles.

**23. Review of Current and Future Training Needs for the Committee**

The Committee noted that training arrangements would be made for any new members appointed to the Committee in the new municipal year and also refresher training for any current members that would like it.

Members should have refresher training at least every 3 years and when any new legislation changes came in.

**24. REVIEW OF LICENSING SUB-COMMITTEE PROCEDURES**

Members would like the covering report to summarise all conditions that had been agreed by the applicants so that they did not have to hunt through the background papers and try and work out which extra conditions had been agreed before the meeting.

**25. Matters Arising**

D King noted that a consultation report had gone before this committee in November 2021 questioning the need for a 150mtr consultation area. This was over and above what the council was legally required to do. They noted that in doing so it costs the Licensing section more than was generated in income which was unaffordable in these tight financially times and when licensing was required to act under a cost recovery basis.

Officers had looked at what the Planning Section did about consultations on planning applications and noted that they only informed the adjacent properties or if it was a large development, they would look at that under a case-by-case basis. On this principal and with the financial constraints facing the council and the resource element, this was something that they were looking to remove.

They would continue to consult with the relevant ward councillors and the Parish or Town Councils, who could choose to consult on a wider basis if they wished.

The meeting noted this revised way of consultations for future applications.

**CHAIRMAN**