



Licensing Committee Tuesday, 18th October, 2005

Place: Council Chamber, Civic Offices, High Street, Epping

Room: Committee Room 1

Time: 10.00 am

Democratic Services Officer Adrian Hendry (Research and Democratic Services)
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Members:

Councillors M Cohen (Chairman), Mrs M Sartin (Vice-Chairman), Mrs J Davis, R D'Souza, Mrs R Gadsby, F Maclaine, L Martin, Mrs M McEwen, P McMillan, R Morgan, T Richardson, Mrs P K Rush, Mrs P Smith, Ms S Stavrou and K Wright

PLEASE NOTE THE START TIME OF THE MEETING

1. APOLOGIES FOR ABSENCE

2. DECLARATION OF INTEREST

(Head of Research and Democratic Services) To declare interests in any item on this agenda.

3. TO SIGN OFF THE MINUTES OF THE LICENSING SUB-COMMITTEES.

Copies of the minutes of the sub committee meetings will be available for the relevant chairmen to sign off.

4. REPORT TO COMMITTEE ON THE CURRENT SITUATION WITH REGARD TO APPLICATIONS UNDER THE LICENSING ACT 2003

Under the Licensing Act 2003 officers are required to report on the numbers of applications received and the determinations of those applications. In order that the committee receives the most up to date data, figures will be tabled. The data will be reported for the following categories:

Premises Licence applications

Numbers of applications expected (based on figures supplied by the Magistrates Court);
Numbers of applications received;
Number of applications granted under delegated authority by officers;
Number of applications for variation considered by sub-committee;
Number of applications granted (subject to conditions);
Number of applications refused;
Number of appeals to Magistrates Court.

Personal Licence applications

Numbers of applications expected (based on figures supplied by the Magistrates Court);
Numbers of applications received;
Number of applications granted under delegated authority by officers;
Number of applications for variation considered by sub-committee;
Number of applications refused;
Number of appeals to Magistrates Court.

5. TO REVIEW THE ORGANISATION AND RUNNING OF THE LICENSING SUB-COMMITTEES SO FAR AND IDENTIFY ANY MATTERS OF CONCERN ARISING.

Members are asked to review the proceedings of the Licensing Sub-Committee meetings held so far and identify any problems of procedure, policy and housekeeping that may have adversely affected the running of the meetings.

Officers feel that in general the introduction of the new licensing regime has been a success. We have received no complaints and indeed two major brewery Chains and the British Institute of Innkeeping (BII) have complemented us on our service and policy. The views of committee members on the progress so far would also be welcome.

6. TO REVIEW THE NEED FOR ALL BACKGROUND PAPERS FOR AGENDA ITEMS AND TO DISCUSS THE POSSIBLE PARING DOWN OF THE PAPERS TO THE MINIMUM NEEDED TO MAKE AN INFORMED DECISION.

A number of meetings of the Licensing Sub-committee have now taken place. Over the course of these meetings officers have produced the agenda in a number of different ways in order to determine the most appropriate approach. Consideration was given to the need to provide Members, Responsible Authorities and Interested Parties with sufficient information, balanced against the production of large and wasteful agendas.

The current agenda structure consists of an agenda document listing individual applications with an indication of representations received together with a report "bundle" which has a copy of the application form and copies of all representations received.

Members are asked to endorse the current approach.

7. TO CONSIDER ANY ACTION REQUIRED IN RESPONSE TO THE LACK OF REPRESENTATIONS FROM THE POLICE OR FIRE AUTHORITY.

To date no representations have been received from the Police or Fire Authorities with regard to either premises or personal licences. Members are requested to consider this situation and to give guidance to officers as to any action required.

8. TO DECIDE ON A CONSISTENT APPROACH TO APPLICATIONS FOR AN EXEMPTION FROM DISPLAYING A LICENCE PLATE ON A PRIVATE HIRE VEHICLE.

Officers are receiving an increasing number of applications for an exemption from displaying a licence plate on a private hire vehicle.

The primary reason for the application appears to be the desire to provide a chauffeur service to celebrities and VIP's. The contention is that such customers will not use the applicant if a plate is displayed on the vehicle.

The vehicles involved tend to be high range prestige cars. Applicants often present the sub-committee with letters of support from agencies willing to use their services only if a plate exemption is granted.

It has been noted that there has been some inconsistencies in the granting or otherwise of these applications.

It may be that Members wish to delegate these decisions to officers or it may be that they wish to continue deciding on these applications at sub-committee. In either case it is suggested that a clear policy is needed to ensure a consistent approach. Such a policy would need to consider (amongst other things) the type of vehicle, the nature of the work undertaken, the exclusivity of that type of work, the need for a contract to exist, the requirement for an identification mark of some sort, etc.

9. TO REVIEW ANY CURRENT AND FUTURE TRAINING NEEDS OF THE COMMITTEE.

Members are asked to review the need for any further training. The Gambling Act 2005 received Royal assent this year and is thought to come into force in 2006/07, training for this will be provided nearer its introduction.

10. TO DISCUSS FUTURE WORKLOADS.

The introduction of the Licensing Act 2003 will be fully complete on the 24th November 2005 (the second appointed day) it is expected that the number of meetings of the sub-committees will substantially reduce after that.

Following the second appointed day meetings will be called to consider contested new premises and personal licence application, contested transfers and the usual public hire related matters. Officers envisage that no more than one meeting of the sub-committee will be called each month. This should mean that in an ideal world individual members will only have to sit on two or three sub-committees per year.

11. ANY OTHER BUSINESS

12. DATE OF NEXT MEETING

The calendar for the municipal year provides for a meeting of this Committee on 20 April 2006.