

LICENSING COMMITTEE 9TH FEBRUARY 2010

PRESENT: Councillor Pacey (Chair)
Councillor Sutherland (Vice-chairs)
Councillors Bava, Burr, Capleton, Duffy, Gay, Green,
K. Jones and Shepherd

APOLOGIES: Councillor S. Jones, Radford and Tormey

6. MINUTES

The minutes of the meeting of the Committee held on 20th October 2009 were confirmed as a correct record and signed.

7. DISCLOSURE OF PERSONAL INTEREST

Councillor Shepherd declared a personal interest in respect of item 6 – Pavement Café Licensing as a member of Leicestershire County Council.

FUNCTIONS UNDER THE LICENSING ACT 2003

8. LICENSING ACT 2003 – LIAISON MEETINGS BETWEEN THE COUNCIL, THE POLICE (AND TRADING STANDARDS)

This item was included as a standing item on the agenda to enable a summary of discussion at any liaison meetings which had taken place since the last meeting of the Committee to be reported (between Police Licensing Sergeants, the Council's Licensing Officers, a representative(s) of the Council's Environmental Health Service, the Chair and Vice-chairs of the Committee and, if possible, a representative(s) of Leicestershire Trading Standards). The meetings were aimed at improving working relationships and the sharing of information, particularly in respect of complaints relating to licensed premises and enforcement.

In accordance with previous decisions of the Committee, Local Licensing Sergeant J. Simpson (Leicestershire Police) and Alcohol Control Officer Mr M. Wicks (Trading Standards) had been invited to attend this meeting and were in attendance to assist the Committee with the consideration of this item, together with the Council's Licensing Manager.

The Chair requested that the Committee's thanks to Local Licensing Sergeant Simpson be recorded as he had recently received a promotion and would no longer be attending the Committee.

RESOLVED that the position with liaison between the Council, the Police and Trading Standards be noted.

Reason

Having considered the information, the Committee had no areas of concern or actions that it wished to include as part of its decision.

OTHER LICENSING MATTERS

9. HACKNEY CARRIAGE LICENSING – PROPOSED FARE INCREASE

A report of the Director of Partnerships and Customer Services was submitted regarding Hackney Carriage Licensing - Proposed Fare Increases (item 5 on the agenda filed with these minutes).

The Licensing Manager attended the meeting to assist the Committee with the consideration of this item.

RESOLVED

1. that consideration of the report regarding Hackney Carriage Licensing – Proposed Fare Increases be deferred to the next meeting of the Committee on 6th April 2010 to allow interested parties within the taxi trade the opportunity to submit any further comments and proposals and for those to be incorporated in the report;
2. that the deadline for additional comments and proposals to be submitted to the Licensing Manager is 5th March 2010;
3. that the report to the next meeting also considers whether a fixed point can be set in each year by when proposals for changes to hackney carriage fares must be received.

Reasons

1. To allow the Committee to consider a report which incorporates any additional comments and proposals received to ensure appropriate consideration of the matter.
2. To ensure that any additional comments and proposals are submitted to the relevant officer within an appropriate timescale to allow them to be included in the report.
3. It would be helpful to have an agreed timescale for the receipt of comments to ensure that each year proposals are received in time to be included in the report.

10. PAVEMENT CAFÉ LICENSING – PROPOSAL TO RESCIND POLICY

A report of the Director of Partnerships and Customer Services was submitted regarding Pavement Café Licensing – Proposal to Rescind Policy (item 6 on the agenda filed with these minutes).

The Licensing Manager attended the meeting to assist the Committee with the consideration of this item.

RESOLVED

1. that subject to an agreement with the County Council being reached on a consultation process as referred to in resolution 3. below, the policy relating to the issue of pavement (or street) café licences for the Borough be rescinded;
2. that it be **recommended to Council** that the delegation to the Licensing Committee in Part 3 of the Constitution to determine applications for pavement café licences be deleted;
3. that the Director of Partnerships and Customer Services, in conjunction with the Committee Chair and Vice-chairs be granted delegated authority to reach agreement with the County Council on the formal consultation procedures to be followed for pavement licence applications.

Reasons

1. To enable the function to be undertaken by Leicestershire County Council as happens elsewhere in the County.
2. To reflect the removal of this responsibility from the Committee.
3. To ensure that an appropriate consultation procedure is agreed to allow all relevant licensing issues to be considered by relevant parties.

Notes:

1. These minutes are subject to confirmation as a correct record at the next meeting of the Committee on 6th April 2010.
2. No reference may be made to these minutes at Council on 1st March 2010 unless notice to that effect is given to the Head of Democratic Services by five members of the Council by 5pm on Thursday, 18th February 2010.