

LICENSING COMMITTEE
11TH OCTOBER 2011

PRESENT: Councillor Pacey (Chair)
Councillor Radford (Vice-chair)
Councillors Brown, Capleton, Gaskell, Jukes, Lowe, Poole, Shergill,
Smidowicz, M. Smith, Sutherland, Williams and Youell

APOLOGY: Councillor Newton (Vice-chair)

5. MINUTES

The minutes of the meeting of the Committee held on 31st May 2011 were confirmed as a correct record and signed.

6. DISCLOSURES OF PERSONAL INTEREST

No disclosures of personal interest were made.

FUNCTIONS UNDER THE LICENSING ACT 2003

7. 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.

The Licensing Manager reported that a new local Licensing Sergeant, Sergeant Lester, had been appointed, but that he had not yet had chance to meet with him.

RESOLVED

1. that the position be noted;
2. that Sergeant Lester be invited to attend a future meeting of the Committee.

Reasons

1. Effective liaison with those agencies assisted the Council in dealing with licensing issues and the Committee wished to be kept up to date with the position in that respect.
2. It would be useful for members of the Committee to meet Sergeant Lester.

8. LICENSING ACT 2003 – GOVERNMENT CONSULTATION – DEREGULATION OF ENTERTAINMENT LICENSING

A report of the Strategic Director of Housing, Planning and Regeneration and Regulatory Services was submitted to make the Committee aware of the consultation and seek approval for the process for responding to it (item 5 on the agenda filed with these minutes).

The Head of Regulatory Services and the Licensing Manager attended to assist the Committee. Further to the report, the Licensing Manager referred to members of the Committee having been sent a copy of the Government's consultation on this matter by email shortly after it had been published in September 2011.

The Committee discussed general concerns regarding the proposals and the impacts they would have on the licensing objectives in the Licensing Policy. In response to a concern from a member of the Committee, the Chair stated that it might be possible to discuss at a future meeting the implications of the provision of a 24 hour on call service from the Council in respect of noise nuisance complaints, although it was likely that such provision would not be possible, given the Council's current financial position.

RESOLVED

1. that the Committee's view that the proposal to remove licensing requirements on most types of regulated entertainment should not be supported be noted;
2. that the Head of Regulatory Services and Licensing Manager be asked to draft a response to the consultation based on Committee's position and the comments made/reasons given at this meeting, to be sent to all members of the Committee for comment;
3. that the Head of Regulatory Services be authorised to respond to the consultation, in consultation with the Chair and Vice-chairs of the Committee and once all members of the Committee have had the opportunity to comment on the draft response;
4. that the Head of Regulatory Services be asked to send copies of the Council's final response to the consultation to Members of Parliament representing the Charnwood area.

Reasons

1. The Committee was concerned that the proposals would have a significant impact on the Council's ability to prevent/deal with both public nuisance caused by noise and anti-social behaviour (particularly in relation to pubs,

clubs and other entertainment venues) and crime and disorder. That would have a significant detrimental impact on residents of the Borough, but also, other services were likely to experience increases in workload, for example, complaints regarding noise to Environmental Protection. In addition, the proposals would result in it being possible to organise large events without prior notice to the Council or other agencies, leading to serious public safety issues and, possibly no provision in relation to first aid, traffic management, etc., in addition to the public nuisance and crime and disorder concerns already outlined.

2. & 3. To enable a response to be submitted to the consultation before the closing date and which reflects the view of the Committee.
4. The Committee was strongly opposed to the proposals and considered that it would be useful for its views to be made known to those Members of Parliament.

OTHER LICENSING MATTERS

9. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING – BTEC REQUIREMENT - AMENDMENT

A report of the Strategic Director of Housing, Planning and Regeneration and Regulatory Services was submitted setting out a proposed amendment to the qualification requirement for Hackney Carriage and Private Hire drivers (item 6 on the agenda filed with these minutes).

The Head of Regulatory Services and the Licensing Manager attended to assist the Committee.

RESOLVED

1. that the educational requirements for Hackney Carriage and Private Hire drivers be amended to obtaining a suitable, relevant, recognised and accredited qualification;
2. that **it be recommended to Council** that the Head of Regulatory Services be given delegated authority to determine whether qualifications meet the educational requirements for Hackney Carriage and Private Hire drivers, and that the Constitution be amended accordingly.

Reason

1. & 2. To offer greater flexibility to licensed drivers to obtain a suitable qualification, while maintaining the standard in that respect.

Notes:

1. No reference may be made to these minutes at the Council meeting on 7th November 2011 unless notice to that effect is given to the Team Leader – Democratic Services and Mayoralty by five members of the Council no later than five working days following the publication of the minutes.
2. These minutes are subject to confirmation as a correct record of the Committee's decisions at the next meeting of the Committee.