

Note: Minutes indicated as **DRAFT** will remain so until approved at the next meeting of the Committee

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON 13 February 2007

Councillors: Andrew Rowles (*Chairman*) (P), Peter Argyle (AP), Paul Bryant (P), Billy Drummond (AP), John Farrin (*Vice-Chairman*) (P), Geoff Findlay (P), Manohar Gopal (P), Sally Hannon (P), Roger Hunneman (AP), Owen Jeffery (P), Tony Linden (P), Mrs Irene Neill (P), Alexander Payton (P), Quentin Webb (P)

PART I

34. APOLOGIES.

Apologies for the inability to attend the meeting were received on behalf of Councillors Peter Argyle, Billy Drummond and Roger Hunneman.

35. MINUTES.

The Minutes of the meeting held on 5 December 2006 was approved as true and correct record and signed by the Chairman.

36. DECLARATIONS OF INTEREST.

None.

37 ANNUAL REVIEW OF THE TAXI TARRIFF

Brian Leahy (Senior Licensing Officer) introduced the paper to confirm the Council's position on setting a maximum taxi fare tariff. Councils are not obliged to set a maximum fare for their area but West Berkshire has set a maximum fare in the past. Officers have consulted with the Trade and Police and again there was general support for setting a maximum tariff.

The Officer referred Members to the current maximum fare tariff that was listed in appendix 1 and to the proposed formal response on setting a new tariff rate in appendix 2. The proposed increase equates to a 2.5% increase which was in line with inflation.

At the Chairman's request, standing orders were suspended to allow Mr Nemeth representative from the West Berkshire Hackney Carriage and Private Hire Operators Association to address the Committee.

Mr Nemeth made the following comments to Members:

- The trade were asking for a 2.5% increase that was in line with inflation
- The trade remained in favour of the Council setting a maximum fare tariff and asked Members to set a maximum fare tariff again in 2007/08.
- He confirmed that the public could negotiate individual fares.

Two questions were put to Mr Nemeth by Members:

1. Councillor Geoff Findlay – Did any customers negotiate fares?

- There were a number of regular customers that negotiated discounted fares. The maximum tariff was important in setting a limit that prevented unscrupulous fares being charged.

2. Councillor Paul Bryant – How did the current fare structure compare to other Berkshire Unitaries? He was referred to page 4 of the report that documented those comparisons.

Standing orders were re-instated.

There followed a short discussion.

RESOLVED that to approve the recommended tariff.

Voting was unanimous

38 ANNUAL REPORT OF RESPONSIBLE AUTHORITIES

Standing orders were suspended.

The Chairman Councillor Andrew Rowles made a brief introductory address to the meeting. He welcomed all the representatives from the Responsible Authorities in connection with the Licensing Act 2003 and invited those present to make verbal reports to the meeting and to respond to any questions raised by Members.

Local Authority Licensing Perspective – John Priest, Environmental Health & Licensing Manager

The authority has responsibility for a wide range of licensing:

- Private taxis – 127 licenses, Hackney Carriages – 177 Licenses. Good working relationship with the taxi trade. Provision of disabled access facilities on taxis has settled down to a reasonable level of support
- Animal Welfare business and Street Trading licenses were fully delegated to officers
- Gambling act came out in the last year and West Berkshire's gambling policy has been approved. Basic training had been completed with Members but the -number of gambling licenses expected was only about 13 licenses and these would only be encountered infrequently. Some revision training may be required.
- Alcohol licenses – Premise licenses 550, Personal licenses 784, Temporary Events Notices (TENs) 606. Transition during 2006 was broadly successful. No reviews of licenses had been called in within West Berkshire. There was an issue for all Local Authorities that the Government had not implemented a national database for personal licenses and the Trade remain confused about the rules relating to TENs.

Members' questions and comments to John Priest:

1. Councillor Sally Hannon – What could be done to protect local residents from the cost issues when challenging a license?
 - Local residents could request a review of a license without any threat of incurring costs. To take a license to appeal however could have cost implementations.
2. Councillors Tony Linden and Quentin Webb raised a number of concerns relating to training needs:
 - New Councillors elected in May 2007 would require extensive training on licensing policies and license hearings
 - Members were unclear on the Member reserve role at hearings
 - There was a need to integrate licensing policies where possible

3. Councillor Geoff Findlay - requested that a timetable was set to review the Council's alcohol licensing policy in light of the first year practical experience of the new act.
4. Councillor Quentin Webb – was there a licensing policy on buskers?
 - A licensing scheme was in place managed by David Appleton (Head of Cultural Services) It was confirmed that there was a working group reviewing the council's policy on licensing buskers and a paper was due to go to committee at the end of February.

West Berkshire Hackney Carriage & Private Hire Association – Rodney Nemeth, Trade representative

- The transition to the new licensing act had been seamless to the taxi trade
- He had no issues to report and was pleased with the rapport that existed with the Council
- Extended licensing hours had extended the working day for taxi drivers from 2.00 to 4.00 am particularly on Friday, Saturday and Sunday evenings

Members' questions to Mr Nemeth

1. Councillor Paul Bryant – What effect had the new licensing act had on the taxi trade?
 - Taxi drivers were working longer hours
 - There was a more steady demand for late night taxi services which was easier to meet
 - There had been no change in passenger behaviour.
2. Councillor Quentin Webb – were the Market Street arrangements for taxi trade effective?
 - Improvement overall was good and the trade were pleased with the arrangements
 - Call forward system into Market Street needed to be resolved and this was in plan for the summer.

Thames Valley Police – Inspector Roger Cartwright

- Alcohol licensing was a concern for the police – binge drinking culture remains and was still clearly linked to crime
- Overall it was being well managed in West Berkshire – venues were well managed, licensees were well trained.
- Police were working longer hours to cover the extended opening hours but the workload had been smoothed during the early mornings.
- More PCSOs were being recruited and the additional resource would be deployed to hot spots.
- Pub Watch was working well.
- Alcohol Designation Orders were working well
- Magistrate Exclusion Orders were under evaluation
- No licensing reviews had taken place in 2006
- Threats still remain as licensed premises can quickly change in their quality of management

- In the future, as part of neighbourhood policing initiative, it was hoped that closer working with communities would be achieved and the police would be better able to address the community's worries and perceptions.

Members' questions and comments to Inspector Cartwright:

1. Councillor Sally Hannon – under aged drinking had moved onto the streets as they were unable to gain easy access to pubs. Were the licensed extended hours being taken up and were there any rural issues to report?
 - Not all extended hours options were being taken up
 - A few rural pubs were cause for concern but generally most rural pubs were well run.
2. Councillor Geoff Findlay – Binge drinking – what was the picture in Newbury?
 - Binge drinking culture was still there, but there was a slow change in drinking habits taking place. The experience was that rural pubs were not under the same pressures.

Royal Berkshire Fire & Rescue Service – Guy Pegler, Fire Safety Officer

- Procedural arrangements with West Berkshire were very good with very few issues being raised through 2006. One issue was for an application concerning a temporary structure (marquee) where no plan was available.

Members' questions and comments to Guy Pedlar:

1. Councillor Geoff Findlay – There were a number objections to the earlier licensing hearings from RBF&RS that were not covered under the licensing act
 - There was now new legislation that had placed premises under separate fire regulations.

West Berkshire Safeguarding Children's Board – Ros Haynes, Service Improvement Manager

- Working with Brian Leahy to review procedures on the safeguarding and protection of children and vulnerable persons on licensed premises
- A leaflet was being produced for licensees to raise awareness on safeguarding children and identifying shared responsibilities.

Members' questions and comments to Ros Haynes:

1. Councillor Paul Bryant - were there any issues with the licensing act?
 - None as yet, needs more work for example – better controls on cigarette machines in pubs
 - As a statutory consul tee issues could be raised in future hearings

West Berkshire Trading Standards Officer – Sean Murphy, Trading Standards Manager

- Trading Standards were working to reduce under age alcohol and tobacco consumption. Approaches were being made through schools and the retail trade. Test purchasing had shown very significant improvements over the last 12 months.
- Launched a responsible alcohol & tobacco retailer scheme (Details of the scheme were circulated to Member for their information)
- Producing training materials for use by retailers and schools
- 2 new powers were being implemented – temporary closure of premises found persistently selling to under aged customers and the implementation of fixed penalty fines for under aged selling.

Members' questions and comments to Sean Murphy:

1. Councillor Geoff Findlay – was pleased to hear about the improvement with test purchasing and asked Trading Standards to continue with regular test purchasing initiatives. He regarded supermarkets to be among the worst offenders and asked Trading Standards to address this issue.

Licensed Victuallers Association – Des Williams, Chairman Newbury District

- He represented both town and rural licensed premises
- The licensing act had been a non-event and the transition had been simple
- Problem pubs remained the same
- Mandatory training of licensees had improved professionalism and reduced problems
- Extended hours applied for were not fully used
- Exit from premises had been much calmer
- Much more serious control in the new act and greater enforcement has had a positive effect
- Overall a better scenario and improved relationship with Council
- Licensees won't take risks with under aged drinkers – most town pubs restrict entry to 18+
- Off-licenses and supermarket need greater controls

Members' questions and comments to Dews Williams:

1. Councillor Manohar Gopal: - supermarket trading was much more prevalent as alcohol prices were set so keen compared to licensed premises
2. Councillor Geoff Findlay: - he had not seen more drunken people emerging from licensed premises but was concerned at the level of under aged drinking on the streets.

Newbury Pubwatch – Pete Sadler:

- There were 33 outlets in Newbury pub watch scheme
- Transition had worked well
- Training was useful
- Good relationship with Council

- No under 18s let into pubs
- Supermarkets were the main issue with under aged sales

There were no Member questions for Pete Sadler.

West Berkshire Environmental Health – Paul Anstey, Principal Environmental Health Officer

- Reported a very significant drop in the number noise complaints relating to licensed premises in 2006/07 when compared to 2005/06
- No noise prosecutions had been taken out

Members' questions and comments to Paul Anstey:

1. Councillor Quentin Webb – Raised the issue of noise complaints associated with TENs events and was this related to whether windows were closed?
 - Windows were checked as part of site visits, any breaches were followed up within 1 or 2 working days.

The Chairman thanked all the speakers for their contributions which had provided Members with valuable feedback on the Licensing Act. It was agreed to hold this review and discussion with Responsible Authorities on an annual basis.

Next meeting of the Licensing Committee will take place in early June 2007, starting at 6.30 p.m. in the Council Chamber. Date of the next meeting to be confirmed to Members in writing.

(The meeting commenced at 6.30 p.m. and closed at 8.15 p.m.)

CHAIRMAN

Date of Signature: