

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 26 November 2007**

Councillors: Tony Linden (*Chairman*), Peter Argyle, Jeff Beck, Billy Drummond, Adrian Edwards, Manohar Gopal, Mollie Lock, Gwen Mason, Andrew Rowles, Quentin Webb, Keith Woodhams (Vice Chairman)

#### **PART I**

##### **1. APOLOGIES.**

Apologies for the inability to attend the meeting were received on behalf of Councillors Owen Jeffrey, Paul Bryant and Geoff Findlay

##### **2. MINUTES.**

The Minutes of the meeting held on 17 July 2007 was amended (Ref page 5 section 7 paragraph 5) and approved as true and correct record and signed by the Chairman.

##### **3. DECLARATIONS OF INTEREST.**

None.

Chairman's remarks – Councillor Tony Linden made the following statements.

There was a requirement to hold 2 meetings of the Licensing Committee during the first quarter of 2008. These meetings would address:

- A review of taxi signage on private hire vehicles offered for executive hire services
- Annual review of the Taxi Tariff and the Annual Reports from Responsible Authorities

#### **4 LICENSING POLICY (Alcohol and Entertainment)**

Brian Leahy (Senior Licensing Officer) reported to Members that a review of the Licensing Policy had been carried out by their working party and extensive consultation had been sort from the list of Organisations and Businesses referenced in appendix C. The number of responses received was restricted to 3 returns. The responses addressed minor wording changes or points of clarification. Overall, the Policy document was complimented for its clarity and it met Government guidelines.

For ease of understanding, appendix A showed the modifications made to the original Policy document and these were highlighted in red ink.

Cllr Keith Woodhams thanked both the Member working party and officers for their work and noted that use of highlighting the changes in red was very helpful to Members. The revised Policy document was a credit to the working party. He proposed that the revised Policy document should be approved.

Cllr Adrian Edwards raised a question in relation to Section 10.2. Since the introduction of non-smoking licensed premises – customers that still wanted to smoke tended to congregate out side licensed premises where access along the pedestrian footway was being obstructed. What was the Licensing Authority going to do about this problem? Brian Leahy clarified that this problem could not be addressed by the Licensing Authority as it was not covered by the 4 licensing objectives. The problem was being addressed by Thames Valley Police and was being treated as an obstruction of

the footway. The Licensing Authority would only become involved if representations were received from a Responsible Authority, or an Interested Party that called in the licence of a premise for review.

It was noted that the outcome of a review of a licensed premise cannot set a precedent for other licensed premises.

Cllr Gwen Mason confirmed that she had seen both PCSOs and the Town Centre sergeant addressing the obstruction problem.

Cllr Jeff Beck asked for clarification on a premise to understand what areas customers were entitled to consume alcohol and where smoking was permitted. Brian Leahy provided the details on the premise concerned.

Cllr Adrian Edwards raised a question in relation to Section 14.5. Had any action been taken by the Licensing Authority under the penalty scheme? Brian Leahy confirmed that no action had been taken. It would require extensive research and to date he was unaware of any other Local Authority taking such action. He was aware of examples of enforcement action being taken by Trading Standards and the Police. A Tesco Express store in Sidcup had been prosecuted for repeated underage sales and had lost its alcohol licence for 3 months.

It was noted that West Berkshire Council did operate a positive approach to this matter through a responsible retailer scheme.

Cllr Billy Drummond raised a question in relation to Section 4.8.3. Could licence hearings take place in the evening which was much more convenient for those Members who were in full daytime employment? Brian Leahy confirmed that both the trade and their legal representation had a strong preference for day time hearings. A few hearings had been held with a start time as late as 5.30p.m.

The chairman asked for a Member to second the motion to approve the revised Policy document.

Cllr Jeff Beck seconded that the revised Policy document should be approved.

**RESOLVED** that to approve the revised Licensing Policy.

Voting was unanimous.

The revised Licensing Policy would now be taken forward for approval at a full Council meeting on Tuesdays 11<sup>th</sup> December 2007.

Next meeting of the Licensing Committee will take place in early January, date to be agreed, to review taxi signage.

Date of the next meeting to be confirmed to Members in writing.

*(The meeting commenced at 6.30 p.m. and closed at 7.05 p.m.)*

Note: Members watched a presentation of a 20 minute DVD used to provide training to new taxi drivers on how to manage and communicate effectively with disabled passengers.

CHAIRMAN .....

Date of Signature: .....