

# EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Licensing Committee **Date:** Thursday, 30 August 2012

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 2.30 - 3.35 pm

**Members Present:** Councillors K Angold-Stephens (Chairman), A Lion (Vice-Chairman), A Boyce, K Chana, L Leonard, A Mitchell MBE, R Morgan, Mrs M Sartin, Ms G Shiell, Mrs P Smith, P Spencer, Mrs T Thomas and D Wixley

**Other Councillors:** Councillors G Waller

**Apologies:** Mrs R Gadsby and N Wright

**Officers Present:** A Hendry (Democratic Services Officer) and A Mitchell (Assistant Director (Legal))

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## 1. Declarations of Interest

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

## 2. Minutes of the Licensing Committee

### RESOLVED:

That the minutes of the meeting held on 11 April 2012 to be taken as read and signed by the Chairman as a correct record subject to the spelling of Councillor Sartin's name correctly in minute item 18 and the deletion of the words "Sainsbury's at" in the first line of the third paragraph of minute item 20.

Councillor Lion shared some research he had undertaken on the cost of the installation of meters in Hackney Carriages. He had ascertained that one company could install a meter for £299 including VAT and fittings. He also established that another company could install a type of meter that fitted to the existing mirror for a cost of £399.

These meters could be installed whenever the existing licence was being renewed.

## 3. Taxi Ranks

The Committee considered the latest report updating them on the need and location of new taxi ranks in the district. At their last meeting in April 2012 they had considered an initial report and asked for a more detailed report on proposals for taxi ranks within the District to be brought to a special meeting in August.

The Committee noted the outcome of the consultation undertaken. They also noted that after the April meeting, Licensing Officers contacted the owners of any private

land that was identified as a potential taxi rank and the highway authority in respect of any areas which were public highway.

The Committee considered the five supermarkets that had agreed to enter into further discussions with this Authority prior to the land being used as a taxi rank. The supermarkets were:

- Tesco's stores, Epping;
- Marks & Spencer, Loughton;
- Sainsbury's, Loughton;
- Waitrose, Buckhurst Hill; and
- Sainsbury's, Ongar.

They noted that the parking areas next to supermarkets were usually owned by the supermarkets concerned and as it was private land the consent of the land owners must be obtained prior to the land being used as a taxi rank. The consultation determined that the majority of people were in favour of having taxi ranks put in.

After discussing the merits of having taxi ranks in supermarkets, the Committee agreed they were in favour of letting officers proceed with negotiating on the placing of ranks in the supermarket areas which the Committee considered should be progressed.

The Committee then considered the placing of ranks at local stations and on the public highway. They noted that some stations owned the land concerned while others adjoined the public highway, therefore the agreement of the highways authority was needed and a traffic order had to be made. Officers had met with representatives from the North Essex Parking Partnership (NEPP) to discuss whether Essex County Council would agree to permit taxi ranks to be constructed on the highway and what would be NEPP's requirements. The following locations had been identified as possible rank locations:

- Epping High Street outside Barclays Bank;
- Loughton Station;
- Loughton High Street;
- Debden near Churchill Public House; and
- Waltham Abbey on the service road at the rear of the Co-operative.

It was noted that NEPP had about 52 other traffic proposals to consider and that the establishment of taxi ranks would be low on their priority list, with safety schemes taking precedent. A way forward would be we could employ the partnership on our behalf and pay for the work ourselves. This would need a Cabinet commitment for funding.

As a general point, it was noted that the Licensing section would enforce the use of the ranks and the highways agency would look after maintenance of the sites.

The Committee considered the proposed site at Debden and noted that that area was currently under development and this may well affect the site of any ranks. The Committee agreed that this site should not be pursued at present due to the uncertainty of the current development.

It was noted that the area around Loughton Station was publically owned and although it did have a rank it was not an official one as yet. The council would have to advertise the works and draw up a road traffic order. If, as seems likely the council would have to finance these schemes itself, then it was very probable that nothing would happen this financial year. The Committee agreed it needed to decide what it wanted and to put in place long term plans. They would have to look at each scheme

in more detail and decide what they were going to ask Cabinet to finance. Clarification on costs for each site was therefore also needed.

One possible way forward was to ask that the Supermarkets pay for the works themselves as it was on their land and that our officers provide all the help and advice that they could. This should be a general principal for any development proposed on all private property and not just for supermarkets.

**RESOLVED:**

- (1) That the progress made on the consultations be noted;
- (2) That the Senior Licensing Officer be instructed to proceed with negotiations with the following supermarkets:
  - Tesco's Stores, Epping;
  - Marks and Spencer's, Loughton;
  - Sainsbury's Loughton;
  - Waitrose, Buckhurst Hill; and
  - Sainsbury's, Ongarwith a view to supporting them to help them establish a taxi rank on their land at their own expense.
- (3) That the following areas be further researched and costed with the help of North Essex Parking Partnership to enable a detailed financial case to be put to the Cabinet:
  - Epping High Street, outside Barclays Bank;
  - Loughton Station;
  - Loughton High Street, by the green near 'Luxe's' nightclub; and
  - Waltham Abbey, on the service road at the rear of the Co-operative.
- (4) The Committee agreed that they did not have any other areas they wished to consider at the present.

**4. Annual Fees - Suspension of Premises Licence and Club Premises Certificate**

The Committee received a report updating them on the new procedures for collecting fees and suspension of premises licence and club premises certificates.

Prior to the 25<sup>th</sup> April 2012, the Licensing Act 2003 set down a statutory annual fee due by all Licence Holders. If the licence holder failed to pay the fee it became a debt due to the Council, but the licence/certificate continued.

The collection of this debt was through the County Court and recovery was time consuming and expensive.

The Police Reform & Social Responsibility Act 2011 ('the 2011 Act') introduced changes to the Licensing Act 2003, to make provision for licensing authorities to suspend licences due to non-payment of fees. This provision came into effect on 25<sup>th</sup> April 2012.

The 2011 Act allowed for a "grace period" period of 21 days for licence/club certificate holders to pay their fees. If the fee remained unpaid then the licensing authority must give the licence/club certificate holder a minimum of two days notification that the licence/club certificate would be suspended. If it was suspended the licence/club certificate must be reinstated as soon as the fee was paid and the

authority must notify the licence/certificate holder when their licence/club certificate had been reinstated.

The annual fees for a number of club premises certificates and premises licences were now becoming due for payment. In June of this year, there were ten outstanding licence fees on the AIMS system and this represented a very small increase over the last years. This was a new procedure and members would be kept updated as to its effect.

**RESOLVED:**

That the procedure for collecting fees and suspension of Premises Licences and Club Premises Certificates introduced by the Police Reform & Social Responsibility Act 2011 be noted.

**5. Any Other Business**

It was noted that there was no urgent business for consideration by the Committee.

**6. Date of Next Meeting**

The date of the next scheduled meeting was noted.

**CHAIRMAN**