

# Committee Agenda



**Epping Forest  
District Council**

## **Licensing Committee Wednesday, 10th October, 2007**

**Place:** Council Chamber, Civic Offices, High Street, Epping

**Time:** 2.00 pm

**Democratic Services Officer** Gary Woodhall (Research and Democratic Services)  
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### **Members:**

Councillors M Woollard (Chairman), Mrs P Smith (Vice-Chairman), K Chana, M Cohen, R D'Souza, Mrs R Gadsby, Ms J Hedges, P House, Mrs M McEwen, P McMillan, R Morgan, T Richardson, Mrs P K Rush and J Wyatt

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<p><b>PLEASE NOTE THE START TIME OF THE MEETING</b></p>
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### **1. APOLOGIES FOR ABSENCE**

### **2. DECLARATIONS OF INTEREST**

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

### **3. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution require that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order (6) (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks notice of non-urgent items is required.

### **4. MINUTES OF THE LICENSING COMMITTEE (Pages 5 - 10)**

To confirm the minutes of the Licensing Committee meeting held on 19 April 2007 (attached).

**5. MINUTES OF THE LICENSING SUB-COMMITTEES**

Copies of the minutes from the Sub-Committee's meetings will be available for the relevant Chairmen to sign off.

**6. APPLICATIONS RECEIVED UNDER THE LICENSING ACT 2003**

Under the Licensing Act 2003, officers are required to report on the numbers of applications received and the determinations of those applications. The following table outlines the applications received for the period up to 30 September 2007.

**(a) Premises Licence Applications/Variations**

Number of new applications	2
Number of renewals	360
Change of Designated Premises Supervisor	49
Number of applications for variation	5
Number of applications granted under delegated authority	14
Number of applications considered by the Sub-Committee	5
Number of applications granted subject to conditions	5
Number of applications refused	1
Number of appeals to Magistrates	0
Temporary Event Notices	145
Reviews	0

**(b) Personal Licence Applications**

Number of applications received	43
Number of applications granted under delegated authority	43
Number of applications refused	0
Number of appeals to Magistrates	0

**7. APPLICATIONS RECEIVED UNDER THE GAMBLING ACT 2005****(a) Betting Office Applications**

The following table outlines the applications received for the period up to 25 September 2007.

Number of applications received	23
Number of applications granted	13

**8. MISCELLANEOUS LICENSING APPLICATIONS RECEIVED**

The following table lists the other applications received for the period up to 30 September 2007.

- (i) Sex Shop, North Weald – Granted;
- (ii) 4 x Gaming Machines, Last Post Public House – Granted; and

(iii) Street Trading Licence, Rebels Diner – Revoked.

**9. REVIEW OF LICENSING SUB-COMMITTEE PROCEDURES**

To review the proceedings of the Licensing Sub-Committee held during the preceding period and identify any problems of procedure, policy and organisation that have adversely affected the running of the meetings.

**10. REVIEW OF THE COUNCIL'S LICENSING FUNCTION**

The review of the Council's Licensing Function has been temporarily suspended as a result of the current management restructure.

**11. REVIEW OF LICENSING POLICY**

The triennial review of the Council's Licensing Policy is currently underway; officers will report on comments received thus far.

**12. REVIEW OF CURRENT AND FUTURE TRAINING NEEDS FOR THE COMMITTEE**

To highlight any further training considered necessary for the members tasked with discharging the Council's Licensing function.

**13. MATTERS ARISING**

To consider any further matters arising in respect of the Council's Licensing function, not covered elsewhere on the agenda.

**14. DATE OF NEXT MEETING**

The next meeting of the Licensing Committee has been scheduled for 16 April 2008 at 2.00pm in the Council Chamber.

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Licensing Committee **Date:** Thursday, 19 April 2007

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 2.00 - 2.47 pm

**Members Present:** M Cohen (Chairman), Mrs P Smith (Vice-Chairman), Mrs P Brooks, P House, R Morgan, Mrs S Perry, Mrs C Pond, Mrs P K Rush, K Wright and J Wyatt

**Other Councillors:**

**Apologies:** Mrs R Gadsby, Mrs M McEwen, P McMillan and M Woollard

**Officers Present:** J Nolan (Environmental Health Manager), K Tuckey (Environmental Services) and A Hendry (Democratic Services Officer)

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### 9. Declarations of Interest

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

### 10. Any Other Business

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

### 11. Minutes of last meeting dated 18 October 2006

The minutes of the Licensing Committee dated 18 October 2006 be taken as read and signed by the Chairman as a correct record.

### 12. Minutes of the Licensing Sub-Committees

The Chairman requested that the minutes of the sub-committee meeting be produced as quickly as practically possible after each meeting.

#### RESOLVED:

That the minutes of the following meetings of the Licensing Sub-Committee be taken as read and signed by the relevant Chairmen as a correct record:

- 5 October 2006;
- 2 November 2006;
- 7 December 2006;
- 11 January 2007;
- 5 April 2007.

### 13. Report to Committee on the current situation with regard to applications under the Licensing Act 2003

The meeting noted the current situation with regard to the applications received under the Licensing Act 2003 and the figures supplied that related to the period up to 31 March 2007. It was noted that there were 10 new premises applications and 29 renewals, 6 were considered by the sub committees. The Committee noted that there was only one review carried out. Also noted was that there were 41 personal licence applications.

Councillor Wyatt asked if we had ever refused a premises application, the Environmental Health Manager said that they had not, they had mostly relied on imposing conditions rather than refusing an application.

**RESOLVED:**

That the report to the Licensing Committee on the current situation in respect of applications under the Licensing Act 2003 be noted.

**14. Review of Licensing Sub-Committee Procedures**

(a) The Chairman commented that he was happy that the sub-committees had worked well with the mix of new and experienced members, although the more experienced members tended to take the lead. He would like the newer members to take the chairmanship at least once to increase their experience. It was noted that even though a member was not sitting on a sub committee they were always welcome to attend a meeting as an observer to see how things worked.

Councillor Morgan was happy that the meetings were now held in the Council Chamber as it was a more appropriate setting. He also thought it was a good idea that new members should take the chair after they had gained some experience.

(b) Councillor Wyatt asked that the address on application forms for taxi drivers matched their address on their driving licence. It was explained by officers that they had no control as to whether an applicant changed their address on their driving licence. However if they suspected anything was wrong, officers did run further checks on the applicant and asked to see other proof of identity and current address.

(c) Councillor Mrs Rush made a plea that at a suitable time in the proceedings, say at 1pm, a lunch break was called as a matter of routine. The Chairman should make this clear at the start of proceeding to the Sub Committee and the applicants. The committee agreed that they should do this as a matter of routine.

**15. Gambling Act Progress**

The Environmental Health Manager distributed a paper (attached) that showed the proposed fees for the coming Gambling Act applications. The charges were not always set at the government maximum, which were shown in brackets, but at the predicted cost to the council. The Government had declared that Licensing Authorities are not allowed to charge more than cost and that it should be at no cost to the tax payers. The fees were worked out on the sections projected costs and also in consultation with other authorities. They could always be changed after the first year if it was felt they were set at the wrong level.

It was noted that if needed, Casino fees would need to be set at the maximum to enable the council to bring in outside help.

Councillor Cohen asked if some of the charges had been set too low, he was told that they were set according to the expected work they would generate.

Asked if the charges could be reviewed, the Environmental Health Manager replied that there was to be an annual review of the charges.

Councillor House asked if we would monitor the premises to check compliance and will this cost be covered. He was told that this was built into the annual licence fee and it was not envisaged that more than an annual check would be needed.

Councillor Morgan asked in regard to gaming machines, would guidelines be given to sub-committees as regards to objections and layout. He was told that yes, guidance would be given.

**RESOLVED:**

That the Committee endorsed the fees shown, subject to an annual review.

**16. Review of Licensing**

The Environmental Health Manager explained that it was intended to undertake a full review of the current Public Hire Licensing policy. Members set the policy thirteen years ago, and it was time that it was reviewed again. Some of the areas that would need reviewing are the livery of taxis, if they should have meters, should there be rebates on green taxis and what about disabled access to taxis. Also, all vehicles are currently tested at the Langstone Road depot, is this fair?

The Environmental Health Manager will circulate a letter asking for ideas from members and the trade bodies as to what they would like to see reviewed. The subsequent suggestions would be presented to the Licensing Committee and probably on to the main Overview and Scrutiny Committee. If this review resulted in any policy changes then it would have to go to Council for adoption.

**17. To review any current and future training needs of the committee**

The committee noted that there were no major legislative initiatives coming up the year to warrant any special training. There was however, the annual member training on licensing coming up on 21 June 2007 and this was recommended as a refresher course for all committee members.

**18. Any Other Business**

(a) Councillor House raised his concerns that with the no smoking legislation coming into force, smokers would be driven outside pubs. This may lead to pressure to grant more outside entertainment licences. The Environmental Health manager replied that experience in Ireland and Scotland had shown that there was an increase in noise complaints, but these were dealt with separately. It should be remembered that all establishments could be called in for review.

(b) Councillor Morgan asked about the cost of transferring alcohol licensing from magistrates to Local Councils, at the time it was thought that it would cost thousands of pounds. He was assured that at present they were breaking even.

(c) Councillor Mrs Pond wanted to know it was true that the British Legion had obtained a blanket national licence for all of England. The Environmental Health manager assured her that there was no such thing as a national licence.

(d) The Committee thanked Kim Tuckey for producing the “who’s taking you home” card warning about illegal minicabs, it was much appreciated and well produced.

**19. Date of Next Meeting**

The next meeting of the Licensing Committee had been scheduled for Wednesday 10 October 2007, at 2pm in the Council Chamber.

**CHAIRMAN**



## Gambling Act – Proposed Fees

Premises Type	Transitional Fast-Track Application £	Transitional Non-Fast Track Application £	New Application £	Annual Fee £
Existing Casinos	n/a	n/a	n/a	n/a
New Small Casino	n/a	n/a	8000 (8000)	5000 (5000)
New Large Casino	n/a	n/a	10000 (10000)	10000 (10000)
Regional Casino	n/a	n/a	15000 (15000)	15000 (15000)

Bingo Club	170 (300)	200 (1750)	200 (3500)	180 (1000)
Betting Premises (excluding Tracks)	170 (300)	200 (1500)	200 (3000)	180 (600)
Tracks	170 (300)	200 (1250)	200 (2500)	180 (1000)
Family Entertainment Centres	170 (300)	200 (1000)	200 (2000)	180 (750)
Adult Gaming Centre	170 (300)	200 (1000)	200 (2000)	180 (1000)

	Application to Vary £	Application to Transfer £	Application for Re-Instatement £	Application for Provisional Statement £	Licence Application (provisional Statement holders) £	Copy Licence £	Notification of Change £
Existing Casinos	n/a	n/a	n/a	n/a	n/a	25 (25)	50 (50)
New Small Casino	4000 (4000)	1800 (1800)	1800 (1800)	8000 (8000)	3000 (3000)	25 (25)	50 (50)
New large Casino	5000 (5000)	2150 (2150)	2150 (2150)	10000 (10000)	5000 (5000)	25 (25)	50 (50)
Regional Casino	7500 (7500)	6500 (6500)	6500 (6500)	15000 (15000)	8000 (8000)	25 (25)	50 (50)
Bingo Club	130 (1750)	130 (1200)	130 (1200)	130 (3500)	130 (1200)	25 (25)	50 (50)
Betting Premises (excluding Tracks)	130 (1500)	130 (1200)	130 (1200)	130 (3000)	130 (1200)	25 (25)	50 (50)
Tracks	130 (1250)	130 (950)	130 (950)	130 (2500)	130 (950)	25 (25)	50 (50)
Family Entertainment Centres	130 (1000)	130 (950)	130 (950)	130 (2000)	130 (950)	25 (25)	50 (50)
Adult Gaming Centre	130 (1000)	130 (1200)	130 (1200)	130 (2000)	130 (1200)	25 (25)	25 (25)

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