

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

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| Committee: | Licensing Committee | Date: | Wednesday, 17 October 2018 |
| Place: | Council Chamber - Civic Offices | Time: | 2.30 - 2.50 pm |
| Members Present: | Councillors R Morgan (Chairman), J Jennings (Vice-Chairman), L Hughes, P Keska, S Neville, C P Pond, B Rolfe, M Sartin and D Stocker | | |
| Other Councillors: | Councillors | | |
| Apologies: | N Bedford, I Hadley, S Heather, L Mead and J M Whitehouse | | |
| Officers Present: | J Nolan (Service Director (Commercial & Regulatory Services)), K Tuckey (Licensing Manager) and A Hendry (Senior Democratic Services Officer) | | |

1. Declarations of Interest

There were no declarations of interest pursuant to the Members Code of Conduct.

2. Any Other Business

No other business had been raised.

3. Minutes of the Licensing Committee

RESOLVED:

That the minutes of the meeting held on 18 April 2018 be taken as read and signed by the Chairman as a correct record subject the alteration of minute item 17, final paragraph to read "...Perhaps the committee should reconsider this..."

4. Minutes of the Licensing Sub-Committees

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

- a) 03 April 2018;
- b) 23 April 2018;
- c) 16 May 2018;
- d) 20 June 2018;
- e) 23 July 2018;
- f) 07 August 2018; and
- g) 23 August 2018.

5. Applications Received under the Licensing Act 2003

The Committee noted the number of applications received and determinations of those applications from 4th April 2018 to 03rd October 2018.

Councillor Sartin asked if there was any statistics on how many taxi licenses we issued per year. Ms Tuckey, the Licensing Manager said that they could provide figures on how many new and how many renewals they had per year.

Councillor Morgan noted that a taxi appeal was mentioned in the last minutes, could an update be given on the outcome of this. The Licensing Manager said that a licence revocation had been appealed in the summer. The appellant had wanted only a suspension and not a revocation, which he got until November; when he could reapply again. Councillor Morgan asked if there had been any costs made. He was told that the appellant had been ordered to pay the Council's costs and was fined as well.

6. Licensing Act 2003 Statement of Policy - Periodic Review

The Service Director Commercial and Regulatory Services, Mr Nolan introduced the revised Licensing Act Statement of Policy. The Licensing Act 2003 required that Licensing authorities revised their policy statements at defined intervals. A new draft policy was prepared and a consultation exercise was undertaken. He noted that there were no major changes proposed for this revision and there were only a few responses. Responses to the consultation was receive from three parties, Essex Police, The Village Halls and Community Buildings Advisor and the Rural Communities Council of Essex. Their amendment were accepted and incorporated into the final draft.

Councillor Neville asked about paragraph 1.39 of the guidance which referred to 'a statutory timescale' that 'was imposed' was there a document we could point to where this came from and in 1.40 it mentions 'other parties' who were they? The Licensing Manager said that in the letter they sent out on consultation on the 150mtr radius set out an explanatory note on this. This information was also on our website. We can signpost this in the guidance.

Councillor Sartin asked if members of the Committee could have copies of that letter for information. The Licensing manager said that she would email them a copy.

Councillor Sartin then asked if the added Police conditions could restrain us in any way. Mr Nolan said that no, they could not, as it was just advice for us and was not binding.

RESOLVED:

That the Licensing Committee recommend to Council the revised Licensing Act Statement of Policy for adoption.

7. Joint Meeting of Licensing Sub-Committee Chairmen

The Chairman of the Licensing Committee reported back on the recent meeting of the joint chairmen of the Licensing Sub-committees held in September 2018.

It was agreed that as part of good practice Licensing Sub-Committees' had to be consistent in their decisions and that this seemed to be going well at present.

Officers had also informed them of a TENS application that was more than it first appeared. Having thought of it as a small 'Zen Fest' no objections had been raised either from officers or local residents. However, officers found out that it was to be a music festival and the organisers were very new to this type of thing. This resulted in Licensing officers having to instruct the organisers of their duties and responsibilities

and in the end having two officers attend the festival to ensure their compliance. In the end the festival was not a great success and no problems were had.

It was also noted that at a recent Essex Licensing Forum our sub-committees were held up as examples of good practice.

Also, Mr Nolan noted that a new White Paper on Taxis was going through Parliament at present to revamp the taxi licensing legislation. When this was made law we would have to revise our taxi licensing rules.

8. Review of Licensing Sub-Committee Procedures

There were no matters to be discussed under this item.

9. Review of Current and Future Training Needs for the Committee

It was noted that after the next set of elections there would need to be more training arranged for any new members and as a refresher for current members. One member had still not been trained and Ms Tuckey would be doing this soon, if any member wanted a refresher they could sit in on this training. They just needed to get in touch with her.

It was noted that this year we had Roger Butterfield taking the members on a one day course. Members were happy with the new trainer saying that he presented a different type of training course and perspective from the previous trainer, James Button. They suggested that we should alternate between the two.

10. Matters Arising

(1) It was noted that at the Resources Select Committee the previous night, Members had asked about statutory charges. Mr Nolan said that the Council was not allowed by law to make a profit but just cover its costs. He related that Uttlesford District Council had charged more and this had resulted in them having to pay it back, the bill coming to more than a million pounds.

(2) Officers were asked if they now had permission to review the DVLA checks, they were told that this was not a problem anymore and that they did now have access to the data.

11. Date of Next Meeting

The meeting noted the date for their next meeting, 24th April 2019.

CHAIRMAN