

LICENSING COMMITTEE

DRAFT MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 18 FEBRUARY 2013 AT COMMITTEE ROOM C - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Desna Allen, Cllr Richard Beattie, Cllr Rod Eaton, Cllr Malcolm Hewson, Cllr Jon Hubbard (Substitute), Cllr George Jeans, Cllr Jacqui Lay, Cllr Bill Moss, Cllr Pip Ridout, Cllr Bill Roberts and Cllr Jonathon Seed (Chairman)

Also Present:

Stuart Figini (Democratic Services Officer), Kate Golledge (Public Protection Manager, North and West, Safer Communities and Licensing) and Paul Taylor (Senior Solicitor)

1 Apologies

There were no apologies.

Councillor Jon Hubbard filled the Liberal Democratic vacancy on the Committee for this meeting only.

2 Minutes

The minutes for the Licensing Committee meeting held on 14 September 2012 was presented and it was,

Resolved:

To approve and sign the minutes of the meeting held on 14 September 2012 as a correct record.

3 Chairman's Announcements

The Chairman thanked members for their support and contributions over the years at Licensing Committee meetings. He also thanked in particular the officers for their advice, help and support during his time as Chairman.

4 **Declarations of Interest**

There were no declarations of interest.

5 **Public Participation**

There was no public participation.

6 **Minutes of the Licensing Sub-Committees**

The minutes of the Northern Area Licensing Sub-Committee meetings held on 29 November and 14 December 2012 were presented, and it was

Resolved:

To approve the minutes of the meetings held on 29 November and 14 December 2012.

7 **Street Collection Policy**

The Committee considered the report of the Public Protection Manager Licensing, Public Protection Services, Kate Golledge, seeking Members views about the need to review and amend the Council's current policy in relation to Street Collections.

Members were reminded that the current policy was agreed by the Committee in February 2012 and implemented in April 2012. The Chairman explained that a complaint had been received from a local branch of a national charity that they wanted more than two days permitted to collect money on the streets of the Wiltshire Council area. It was suggested that the policy could be amended to take this issue into account and allow charities to collect for more than two days subject to the additional days being available within 28 days of the collection.

Members expressed some concern that the small local charities could be overlooked by the public if the national charities had additional collection days, however, it was noted that the public probably had a fair idea of the charities they would support and there would not be a notable difference in the amounts collected if there were two charitable collections on the same day.

Resolved:

That the proposed changes to the Council's current Street Collection Policy be approved subject to the additional changes detailed below:

- Paragraph 1, line 1, second word 'must' to be replace with 'should'
- Paragraph 2, line 1, add the words 'or other exceptional circumstances' after the word disaster

- **Paragraph 4 to read**
 - **Each charity can apply for two street collections per town or village per year.**
 - **Each collection will last for no more than the duration on one whole day.**
 - **If additional days are requested the Council will accommodate this request if made within 28 days of the collection and if no other permit has been granted for the requested day or location.**
 - **Any additional days granted will be to a maximum of 3 days per annum.**

8 Fit and Proper Policy

The Committee considered the report of the Public Protection Manager Licensing, Public Protection Services, Kate Golledge, informing Members of the need to amend the Council's policy regarding consideration of criminal records for existing Hackney Carriage drivers, Private Hire Drivers and Operators.

The Public Protection Manager explained that officers needed to consider an applicant's criminal record and the relevance of that record when determining if the person was a 'fit and proper' person to hold a licence as detailed above.

Resolved:

That the proposed amendments to the Council's policy on the relevance of convictions for Hackney Carriage drivers, Private Hire drivers and Operators be approved.

9 Guidance to Town and Parish Councils on Making Representations

The Committee considered the report of the Public Protection Manager Licensing, Public Protection Services, Kate Golledge, informing Members about the guidance drafted by the Licensing Service to aid Town and Parish Councils on how to make representations to the Licensing Authority in connection with applications received under the Licensing Act 2003.

The Chairman explained the importance for the Town and Parish Councils to know when licensing applications were made and it was suggested that each time an application was received by the Licensing Service, in addition to members receiving a list of the application(s), it was also sent electronically to all the Clerks of Town and Parish Councils and Parish Meetings so that the notification coincides with the 28 day consultation period.

Resolved:

- 1. That the proposed Guidance attached to the report be agreed**

2. That the Licensing Service be asked to include the finalised Guidance in the next Town and Parish Newsletter and add it to the Licensing guidance pages on the Wiltshire Council website
3. That the Licensing Service be asked to send an electronic list of new Premises and variation applications made under the Licensing Act 2003, when received, to Members and all Clerks of Town and Parish Councils and Parish Meetings so that the notification coincides with the 28 day consultation period

10 **Home office Alcohol Strategy Consultation**

The Committee considered the report of the Public Protection Manager Licensing, Public Protection Services, Kate Golledge, informing Members about the response of the Licensing Authority to the current Home Office consultation on the measures proposed to promote the Governments Alcohol Strategy.

The Chairman reminded the Committee that in March 2012 the Home Office had announced a range of measures in the Alcohol Strategy to radically reshape the approach to alcohol and reduce excessive drinking. The report set out the measures and proposals.

Members noted that the closing date for the consultation was 6 February 2013 and the Licensing Authority's response to the consultation was attached to the report, which included three responses from Councillors.

Resolved :

That the report and responses of the Licensing Authority to the Home Office consultation on the Alcohol Strategy be noted.

11 **Dates of Future Committee Meetings**

Members noted the dates of future meetings of the Licensing Committee, as detailed below, all to start at 10:30am:

- 28 May 2013
- 2 September 2013
- 2 December 2013
- 3 February 2014

12 **Urgent Items**

There were no urgent items

(Duration of meeting: 10.30 - 11.15 am)

The Officer who has produced these minutes is Stuart Figini, of Democratic & Members' Services, direct line 01225 718376, e-mail stuart.figini@wiltshire.gov.uk

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