

Thurrock: A place of opportunity, enterprise and excellence, where individuals, communities and businesses flourish

Licensing Committee

The meeting will be held at **7.00 pm** on **7 July 2015**

Committee Room 1, Civic Offices, New Road, Grays, Essex, RM17 6SL

Membership:

Councillors Michael Stone (Chair), Roy Jones (Vice-Chair), Colin Churchman, Oliver Gerrish, Robert Gledhill, Martin Kerin, Steve Liddiard, Ben Maney, Bukky Okunade, Jane Potheary, Joycelyn Redsell, Graham Snell, Deborah Stewart and Kevin Wheeler

Substitutes:

Councillors Chris Baker, Russell Cherry, Charlie Key and Susan Little

Agenda

Open to Public and Press

	Page
1. Apologies for Absence	
2. Minutes	5 - 8
To approve as a correct record the minutes of the Licensing Committee meeting held on 18 December 2014.	
3. Items of Urgent Business	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972	
4. Declaration of Interests	
5. Item 5 - Applications Received	9 - 14
6. Deregulation Act 2015	15 - 18

Queries regarding this Agenda or notification of apologies:

Please contact Kenna-Victoria Martin, Senior Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **26 June 2015**

Information for members of the public and councillors

Access to Information and Meetings

Members of the public can attend all meetings of the council and its committees and have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

Recording of meetings

This meeting may be recorded for transmission and publication on the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is to be recorded.

Members of the public not wishing any speech or address to be recorded for publication to the Internet should contact Democratic Services to discuss any concerns.

If you have any queries regarding this, please contact Democratic Services at Direct.Democracy@thurrock.gov.uk

Guidelines on filming, photography, recording and use of social media at council and committee meetings

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

If you wish to film or photograph the proceedings of a meeting and have any special requirements or are intending to bring in large equipment please contact the Communications Team at CommunicationsTeam@thurrock.gov.uk before the meeting. The Chair of the meeting will then be consulted and their agreement sought to any specific request made.

Where members of the public use a laptop, tablet device, smart phone or similar devices to use social media, make recordings or take photographs these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

Thurrock Council Wi-Fi

Wi-Fi is available throughout the Civic Offices. You can access Wi-Fi on your device by simply turning on the Wi-Fi on your laptop, Smartphone or tablet.

- You should connect to TBC-CIVIC
- Enter the password **Thurrock** to connect to/join the Wi-Fi network.
- A Terms & Conditions page should appear and you have to accept these before you can begin using Wi-Fi. Some devices require you to access your browser to bring up the Terms & Conditions page, which you must accept.

The ICT department can offer support for council owned devices only.

Evacuation Procedures

In the case of an emergency, you should evacuate the building using the nearest available exit and congregate at the assembly point at Kings Walk.

How to view this agenda on a tablet device



You can view the agenda on your [iPad](#), [Android Device](#) or [Blackberry Playbook](#) with the free modern.gov app.

Members of the Council should ensure that their device is sufficiently charged, although a limited number of charging points will be available in Members Services.

To view any “exempt” information that may be included on the agenda for this meeting, Councillors should:

- Access the modern.gov app
- Enter your username and password

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

Vision: Thurrock: A place of **opportunity**, **enterprise** and **excellence**, where **individuals**, **communities** and **businesses** flourish.

To achieve our vision, we have identified five strategic priorities:

1. Create a great place for learning and opportunity

- Ensure that every place of learning is rated “Good” or better
- Raise levels of aspiration and attainment so that residents can take advantage of local job opportunities
- Support families to give children the best possible start in life

2. Encourage and promote job creation and economic prosperity

- Promote Thurrock and encourage inward investment to enable and sustain growth
- Support business and develop the local skilled workforce they require
- Work with partners to secure improved infrastructure and built environment

3. Build pride, responsibility and respect

- Create welcoming, safe, and resilient communities which value fairness
- Work in partnership with communities to help them take responsibility for shaping their quality of life
- Empower residents through choice and independence to improve their health and well-being

4. Improve health and well-being

- Ensure people stay healthy longer, adding years to life and life to years
- Reduce inequalities in health and well-being and safeguard the most vulnerable people with timely intervention and care accessed closer to home
- Enhance quality of life through improved housing, employment and opportunity

5. Promote and protect our clean and green environment

- Enhance access to Thurrock's river frontage, cultural assets and leisure opportunities
- Promote Thurrock's natural environment and biodiversity
- Inspire high quality design and standards in our buildings and public space

Minutes of the Meeting of the Licensing Committee held on 18 December 2014 at 7.00 pm

- Present:** Councillors Michael Stone (Chair), Ben Maney (Vice-Chair), Roy Jones, Brian Little, Robert Ray and Pauline Tolson
- Apologies:** Councillors Sue Little, Bukky Okunade, Joy Redsell, John Purkiss and Sue Shinnick
- In attendance:** Gavin Dennett, Environmental Health and Trading Standards Manager
Tony Sprackling, Principal Health and Safety Officer
Nicola Watson, Environmental Health Officer
Simon Scrowther, Legal Representative
Kenna-Victoria Martin, Senior Democratic Services Officer
-

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

6. Minutes

The Minutes of Licensing Committee, held on 8 July 2014, were approved as a correct record.

7. Items of Urgent Business

There were no items of urgent business declared.

8. Declaration of Interests

There were no declarations of interest.

9. Adoption of legislation to allow for improved regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis within Thurrock

The Head of Public Protection introduced the report to Members explaining that the report was asking the Committee to recommend that Full Council agree to adopt the model bylaw under the Local Government Miscellaneous Provisions Act.

Members were informed that by having the bylaw in place it would enable the Council to register any persons and premises undertaking activities as skin piercing within the borough. It was explained to Members that the rationale behind the decision to introduce the legislation was that activities such as skin piercing and tattooing carried a risk of infection and having premises

registered firstly made them aware to the council and secondly enabled officers to carry out visits and ensure that training was adequate and that hygiene standards are being correctly applied.

It was notified to the Committee that the aim of the work being carried out by officers was to reduce the possibility of blood born infection which could be transmitted by these types of activities.

Officers clarified for Members that the model bylaw excluded acupuncture activity taken by a dentist or someone being supervised directly by a dentist. The rationale behind the decision was that dentists should have sufficient training and knowledge to prevent the transmission of infection and infection control procedures.

Members enquired as to whether the model bylaw was up and running within Thurrock and as to whether the Council would be adapting it. It was further enquired as to how much the fee for registration would cost. Officers explained that as infection issues in relation to skin piecing had been recognised a series of model bylaws had been drafted to be used by Local Authorities. Members were informed that the fee for skin piecing registration would be a one off fee of £120.

Following further questions from Members, the Committee were informed that once a premise had registered with the Council they would have an initial visit during which officers would check training and hygiene standards. Any subsequent visits would be on a level of risk basis.

The Committee were advised that officers had a schedule of works to complete should Council agree to adopt the bylaw, consultation with businesses would be incorporated and would be carried out in a variety of different ways including advertising in local publications and speaking with people working in such premises.

RESOLVED:

That Licensing Committee:

- 1. Recommend Council agree to adopt Sections 14-17 inclusive of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Local Government Act 2003 Section 120, which deals with the regulation of Acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis**
- 2. Recommend to Council that following the implementation period for the adoption of the resolution in relation to Sections 14-17 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by The Local Government Act 2003 Section 120, the Council adopt the model bylaw which can be found in Appendix**

10. Setting of licensing Fees for Consultation

The report was introduced to the Committee by the Head of Public Protection, who explained to Members that licensing fees were varied from time to time and that there were a number of ways officers could set fees they were, a statutory set fee, a locally set reasonable fee that has by statute, a capped maximum amount and a locally set reasonable fee with no maximum cap.

Members were advised that the licences which held a fee were listed within the report at pages 28-31 and although the Council may not currently need all of the licences listed, it was felt that it would be best practice to have them approved should the Council receive an application in the future.

It was queried by the Committee as to the length of the consultation, Officers informed Members that the consultation period varied between the different legislations, however the consultation would be planned for the longest period stated.

Members enquired as to how the Council would correspond with the different parties involved and were notified that Officers would advertise the consultation within local publications and would write to those parties who represented any licence holders.

RESOLVED:

That the Licensing Committee agree for consultation with local stakeholders on all fees that are subject to an increase or decrease as detailed in appendix A, with the results of the consultation to be reported to the next Licensing Committee.

The meeting finished at 7.20 pm

Approved as a true and correct record

CHAIR

DATE

Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk

This page is intentionally left blank

7 July 2015	ITEM: 5
Licensing Committee	
Applications Received	
Wards and communities affected: All	Key Decision: Key
Report of: Paul Adams – Principal Licensing Officer	
Accountable Head of Service: Gavin Dennett – Head of Public Protection	
Accountable Director: David Bull – Director of Planning and Transportation	
This report is: Public	

Executive Summary

This is a summary of applications received under the Licensing Act 2003 and Gambling Act 2005 for the period of the 1 January 2015 to 31 May 2015.

1. Recommendation(s)

1.1 That the Licensing Committee note the contents of the report.

2. Introduction and Background

2.1 Under the Licensing Act 2003 or the Gambling Act 2005 an application for a New/Variation/Minor Variation for a Premises Licence or Club Premises Certificate will be granted under officer delegation unless there is relevant representation received, from either a Responsible Authority or from Other Persons (Interested Party). Where a representation is made the application will be referred to the Licensing Sub Committee for determination. The same is for Temporary Event Notices.

3. Issues, Options and Analysis of Options

3.1 This report provides details at **Appendix A** of all applications received for any New/Variation/Minor Variation for a Premises Licence/Club Premises Certificate or a Temporary Event Notice; or any type of Gambling Premises Licence for the period of the 1 January 2015 to 31 May 2015.

4. Reasons for Recommendation

4.1 This report is for information only.

5. Consultation (including Overview and Scrutiny, if applicable)

4.1 There is no consultation required in relation to the contents of this report.

6. Impact on corporate policies, priorities, performance and community impact

6.1 None

7. Implications

7.1 Financial

Implications verified by: **Mike Jones**
Management Accountant

There are no financial implications in relation to this report.

7.2 Legal

Implications verified by: **Chris Pickering**
Principal Solicitor - Litigation & Employment

This report is for information only and there are no legal implications.

7.3 Diversity and Equality

Implications verified by: **Teresa Evans**
Equalities and Cohesion Officer

There are no Diversity or Equality implications in relation to this report.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

None

9. Appendices to the report

None

Report Author:

Paul Adams

Principal Licensing Officer

Licensing Team, Public Protection

This page is intentionally left blank

Item 5 - Applications Received Appendix 1

Date Received	Premises Name	Case Ref.	Premises Address	Summary Of Application	Result if not granted under delegated authority
	Betting Premises Licence				
23-Feb-15	William Hill	15/00217/BETOTH	28 St Johns Way Corringham Essex SS17 7LJ	New Betting Premises	
	Premises Licence				
23-Mar-15	The Crown And Anchor	15/00335/LAMIN	The Crown And Anchor 43 High Street Aveley South Ockendon Essex	Application for a minor variation to add conditions to the premises licence	
10-Apr-15	Civic Square Stores	15/00392/LAMIN	Civic Square Stores 7 Civic Square Tilbury Essex RM18 8AD	Application to change the plans of the premises	
23-Jan-15	The Harvester Restaurant	15/00098/LAMIN	The Harvester Restaurant Clockhouse Lane North Stifford Grays Essex RM16 5UR	To carry out internal alterations, remove existing fireplace and change fixed seating	
05-Mar-15	Old Courthouse	15/00257/LAMIN	Old Courthouse King Street Stanford Le Hope Essex SS17 0HL	Alterations to Premises Layout	
14-Jan-15	Bespoke Burger Co Ltd	15/00066/LAPRE	Cost U Less 2 Rayleigh Road Stanford Le Hope Essex SS17 0NE	Application for a new premises licence to authorise sale of alcohol for consumption on the	
11-Feb-15	Whytes Convenience Store	15/00175/LAPRE	Feeders R/L House 19 London Road Purfleet Essex RM19 1RJ	New Premises Licence to authorise sale of alcohol for consumption off the premises	
14-Apr-15	Thurrock Garden Centre	15/00416/LAPRE	Thurrock Garden Centre South Road South Ockendon Essex RM15 6DU	Application for a new premises licence to authorise sale of alcohol for consumption on	
30-Apr-15	Advance PL Limited	15/00513/LAPRE	Oddsit Licenced Bookmakers 587 - 589 London Road West Thurrock Essex RM20 4AR	Application for a new premises licence to authorise sale of alcohol for consumption off the	Granted at committee with change of hours applied.
20-Feb-15	McColls	15/00210/LAPRE	2 St Johns Way Corringham Essex SS17 7LJ	New application - Convenience Store	
14-Apr-15	Old Courthouse	15/00428/LAPRE	Old Courthouse King Street Stanford Le Hope Essex SS17 0HL	Alterations to Premises Layout	
12-May-15	Haddon Events	15/00543/LAPRE	Orsett Showground Rectory Road Orsett Essex	Application for a new premises licence to authorise live music, recorded music,	
11-May-15	Karis May Darling Foundation	15/00545/LAPRE	Gable Hall School Specialist Performing Arts And Vocational College Southend Road Corringham Essex SS17 8JT	Application for a new premises licence to authorise live music, recorded music,	
15-May-15	Aveley Kebab Van	15/00564/LAPRE	The Crown And Anchor 43 High Street Aveley Essex RM15 4BB	Application for a new premises licence to authorise late night refreshment	
04-Mar-15	Hope Brewery Ltd	15/00258/LAPRE	76 Corringham Road Stanford Le Hope Essex SS17 0AE	New Application - Premises Licence for Mail Order Only Off Sale	
27-May-15	Vom Fass Concessions Ltd	15/00604/LAPRE	Vom Fass Concessions Ltd Kiosk UM 12 Lakeside Shopping Centre West Thurrock Way West Thurrock Essex RM20 2ZH	Application for a new premises licence to authorise the sale of alcohol for consumption off	
07-Jan-15	Orsett Show Ground	15/00033/LAPRE	Orsett Showground Rectory Road Orsett Essex	4 day family event with family activities for Essex VW Camper Club	
	Licence Review				
12-Feb-15	Civic Square Stores	15/00171/LAPRE	Civic Square Stores 7 Civic Square Tilbury Essex RM18 8AD	Review by Licensing Team relating to no compliance of conditions	License suspended at Committee and additional conditions added. Decision not appealed.

Date Received	Premises Name	Case Ref.	Premises Address	Summary Of Application	Result if not granted under delegated authority
	Temporary Event Notice				
07-May-15	Bulphan PTA	15/00522/LATEMP	Bulphan Recreation Ground Church Road Bulphan Essex		
02-Mar-15	Aveley Bowling Club	15/00235/LATEMP	Bowling Green Aveley Recreation Ground High Street Aveley Essex		
03-Mar-15	Koala Park	15/00246/LATEMP	Park Area To Rear Of Darwin Road And Hobart Road Tilbury Essex		
06-May-15	Coalhouse Fort Association	15/00518/LATEMP	Coalhouse Fort Princess Margaret Road East Tilbury Essex RM18 8PB		
08-Apr-15	Corringham Bowling Club	15/00384/LATEMP	Corringham Recreation Ground Recreation Avenue Corringham Essex		
20-Apr-15	Orsett Village Hall	15/00448/LATEMP	Village Hall High Road Orsett Essex RM16 3LD		
20-Apr-15	Orsett Village Hall	15/00449/LATEMP	Village Hall High Road Orsett Essex RM16 3LD		
08-Jan-15	Dog And Partridge	15/00037/LATEMP	Dog And Partridge High Road North Stifford Grays Essex RM16 5UQ		
19-Mar-15	Little Belhus Country Park	15/00319/LATEMP	Little Belhus Restoration Compound Arisdale Avenue South Ockendon Essex		
13-Apr-15		15/00413/LATEMP	The Inn On The Green The Green Stanford Le Hope Essex SS17 0ER		
18-Mar-15	Cherrywod Scout Camp	15/00304/LATEMP	Cherry Wood Camp Site Arterial Road Purfleet Essex RM19 1TD		
27-Feb-15	Aveley Bowling Club	15/00233/LATEMP	Bowling Green Aveley Recreation Ground High Street Aveley Essex		
27-Mar-15	Thames Rugby Union Football Club	15/00342/LATEMP	Thames Rugby Union Football Club Garron Lane South Ockendon Essex		
06-Jan-15	Welcome Club	15/00020/LATEMP	The Welcome Club 1 Victoria Road Stanford Le Hope Essex SS17 0JF		
26-May-15	Horndon Feast And Fayre	15/00596/LATEMP	Village Hall High Road Horndon On The Hill Essex SS17 8LB		
27-Mar-15	High House Barns	15/00343/LATEMP	High House Production Park London Road Purfleet Essex RM19 1RJ		
29-Jan-15	Tudor Court Primary School	15/00135/LATEMP			
20-Apr-15	The Oak Pulic House	15/00452/LATEMP	The Oak Lodge Lane Grays Essex RM17 5RZ		
13-Apr-15	Horndon On The Hill C Of E Primary School	15/00409/LATEMP	Horndon On The Hill C Of E Primary School Hillcrest Road Horndon On The Hill Essex SS17 8LR		
31-Mar-15	The Corringham Village Hall	15/00359/LATEMP	Village Hall Springhouse Road Corringham Essex SS17 7LE		
02-Mar-15	Aveley Bowling Club	15/00236/LATEMP	Bowling Green Aveley Recreation Ground High Street Aveley Essex		
01-May-15	Visitor Centre	15/00494/LATEMP	Environment And Education Centre RSPB Nature Reserve Tank Hill Road Purfleet Essex RM19		
01-May-15	The Vineyards Open Space	15/00495/LATEMP	Land To Rear Of Gardeners Hall And The Glebe House High Road Fobbing Essex		
14-May-15	Little Thurrock Primary School Association	15/00560/LATEMP	Little Thurrock Primary School Rectory Road Grays Essex RM17 5SW		
15-May-15	Coalhouse Fort Association	15/00565/LATEMP	Coalhouse Fort Princess Margaret Road East Tilbury Essex RM18 8PB		
27-Jan-15	Stifford Clays Primary School	15/00113/LATEMP	Stifford Clays Primary School Whitmore Avenue Stifford Clays Grays Essex RM16 2JA		
08-Apr-15	Aveley Bowling Club	15/00383/LATEMP	Bowling Green Aveley Recreation Ground High Street Aveley Essex		
06-May-15		15/00519/LATEMP	16 Juniper Drive South Ockendon Essex RM15 6TW		
29-May-15	St Josephs Catholic Primary School	15/00613/LATEMP	St Josephs RC Primary School Scratton Road Stanford Le Hope Essex SS17 0PA		
26-May-15	Stifford Clays Primary School	15/00601/LATEMP	Stifford Clays Primary School Whitmore Avenue Stifford Clays Grays Essex RM16 2JA		
19-Feb-15	Thames Rugby Club	15/00214/LATEMP	Thames Rugby Union Football Club Garron Lane South Ockendon Essex		
28-May-15	Thames RFC	15/00607/LATEMP	Thames Rugby Union Football Club Garron Lane South Ockendon Essex		
13-May-15	Little Thurrock Primary School	15/00554/LATEMP	Little Thurrock Primary School Rectory Road Grays Essex RM17 5SW		
14-May-15	RSPB Charity	15/00559/LATEMP	Environment And Education Centre RSPB Nature Reserve Tank Hill Road Purfleet Essex RM19		
12-Mar-15	Rileys Snooker Club	15/00286/LATEMP	Stewards Flat 142 Clarence Road Grays Essex RM17 6RD		
15-May-15	Coalhouse Fort	15/00566/LATEMP	Coalhouse Fort Princess Margaret Road East Tilbury Essex RM18 8PB		

07 July 2015	ITEM: 6
Licensing Committee	
Deregulation Act 2015	
Wards and communities affected: All	Key Decision: Key
Report of: Paul Adams – Principal Licensing Officer	
Accountable Head of Service: Gavin Dennett – Head of Public Protection	
Accountable Director: David Bull – Director of Planning and Transportation	
This report is: Public	

Executive Summary

This report provides a summary of the implications of the Deregulation Act 2015 in relation to Alcohol and Entertainment Licensing and Taxi/Private Hire Licensing.

1. Recommendation(s)

1.1 That the Licensing Committee note the contents of the report.

2. Introduction and Background

- 2.1 The Licensing Act 2003 provides the basis for the licencing of the sale/supply of alcohol, the provision of regulated entertainment and late night refreshment.
- 2.2 The Local Government (Miscellaneous Provisions) Act 1976 is one piece of legislation that regulates Private Hire Vehicles, Drivers and Operators, as well as Hackney Carriage Vehicles and Drivers.
- 2.3 The Deregulation Act 2015 received Royal Assent on the 26th March 2015 which amends both the Licensing Act 2003 and The Local Government (Miscellaneous Provisions) Act 1976.
- 2.4 In addition to the Deregulation Act 2015, the Legislative Reform (Entertainment Licensing) order 2014 took effect from 6 April 2015.

3. Issues, Options and Analysis of Options

Licensing Act 2003

- 1.1. The requirement to renew a personal Licence has now been abolished with effect from the 1st April 2015. In effect any licence that has an expiry date now does not expire and the licence will remain in force until it is revoked by a court or surrendered/lapses by the applicant or their circumstance.
- 1.2. The requirement to report a lost or stolen licence to the police before applying for duplicates has been abolished from the 26 May 2015.
- 1.3. The offence of selling liqueur confectionary has been repealed from the 26th May 2015, after that date any person of any age can buy liqueur confectionary in England and Wales.
- 1.4. The limit on the number of Temporary Event Notices (TEN) that can be applied for at a single premise will increase from 12 to 15 per year from 1 January 2016.
- 1.5. Live Music
 - Live unamplified music is deregulated between 08:00 – 23:00 on any premises.
 - Live amplified music is deregulated between 08:00 – 23:00 provided the audience does not exceed 500.
- 1.6. Recorded Music
 - Recorded music is deregulated between 08:00 – 23:00 in on-licensed premises provided that the audience does not exceed 500.
- 1.7. The following exemption applies for Local Authorities, Schools & Hospitals.
 - Live music or recorded music between 08:00 – 23:00 at the Local Authority/School/Hospital premises providing that the audience does not exceed 500 and the organiser has consent from the relevant School, Local Authority or Health Care Provider.
 - Any entertainment provided by or on behalf of a School relevant School, Local Authority or Health Care Provider on their own premises between 08:00 and 23:00.
- 1.8. The following exemption applies for Community Premises
 - Live or recorded music between 08:00 and 23:00 in a church hall, village hall, community hall or other similar community premises, that is not licensed to sell alcohol provided that, the audience does not exceed 500, and the organiser has consent for the performance from a person who is responsible for the premises.

- 1.9. There are also exemptions for travelling circuses, Greco-Roman wrestling and freestyle wrestling, incidental film exhibition, exhibition of films in community premises.

Private Hire and Hackney Carriage Licensing

- 1.10. From the 1st October 2015 The Deregulation Act 2015 will amend The Local Government (Miscellaneous Provisions) Act 1976 as follows:

1.11. Duration of Licences

- Introduction for Private Hire and Hackney Carriage drivers licences, a 3 year licence. The option will be available to the council to grant a licence for a lesser period, but this will only be where it is appropriate to the circumstances of the case.
- Introduction for Private Hire Operators Licences, a 5 year licence. The option will be available to the council to grant a licence for a lesser period, but this will only be where it is appropriate to the circumstances of the case.

1.12. Private Hire Vehicle Sub Contracting

- The ability of a private hire operator to sub-contract bookings to another legitimate private hire operator who may be outside the boundary of Thurrock and therefore licensed by another authority.

- 1.13. As yet there has been no guidance issued by the Department for Transport (DfT) in relation to these changes, a further report will be provided to the Licensing Committee in relation to any policy of fee changes that need to be made in relation to these changes.

4. Reasons for Recommendation

- 4.1 This report is for information only, a future report may be necessary if local policy or fee structures will require amendment following the changes to the Private Hire and Hackney Carriage licensing.

5. Consultation (including Overview and Scrutiny, if applicable)

- 4.1 There is no consultation required in relation to the contents of this report.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 This review will ensure the licensing service continues to be well managed and ensures that we can build pride, responsibility and respect to create safer communities.

7. Implications

7.1 Financial

Implications verified by: **Mike Jones**
Management Accountant

There are no financial implications in relation to this report.

7.2 Legal

Implications verified by: **Chris Pickering**
Principal Solicitor - Litigation & Employment

This is an update on changes to licensing legislation; there are no legal implications in relation to this report.

7.3 Diversity and Equality

Implications verified by: **Teresa Evans**
Equalities and Cohesion Officer

There are no Diversity or Equality implications in relation to this report.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- The Licensing Act 2003
- The Local Government (Miscellaneous Provisions) Act 1976
- The Deregulation Act 2015
- The Legislative Reform (Entertainment Licensing) order 2014

9. Appendices to the report

None

Report Author:

Paul Adams
Principal Licensing Officer
Licensing Team, Public Protection