

Minutes of the Meeting of the Licensing Committee held on 7 July 2015 at 7.00 pm

Present: Councillors Michael Stone (Chair), Martin Kerin, Ben Maney, Bukky Okunade, Jane Pothecary, Joycelyn Redsell, Graham Snell and Kevin Wheeler

Apologies: Councillors Roy Jones (Vice-Chair), Colin Churchman, Robert Gledhill and Deborah Stewart

In attendance: Paul Adams, Principal Licensing Officer
Gavin Dennett, Head of Public Protection
Adam Rulewski, Legal Services
Jenny Shade, 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.

1. Minutes

The Minutes of the Licensing Committee, held on 18 December 2014, were approved as a correct record.

The Chair asked for clarification on Item 10 of the minutes as no report on the results of the consultation of the setting of the licensing fees had been submitted. The Officer stated that the full consultation report would be brought to the committee in September; ensuring that the full consultation had been done properly and could be presented to the committee as one report.

2. Items of Urgent Business

There were no items of urgent business.

3. Declaration of Interests

No interests were declared.

4. Applications Received

The Principal Licensing Officer introduced the report to Members explaining that the report contained details of applications received under the Licensing Act 2003 and Gambling Act 2005 for the period of the 1 January 2015 to 31 May 2015 and recommended that the contents of the report be noted.

It was explained to members that some of these applications were for temporary events undertaken within the borough which held less than 500 people.

Members were referred to Appendix A that provided details of all applications received for any new/variation/minor variation for a premises licence or club premises certificate of a temporary event notice; or any type of gambling premises licence for the above period.

RESOLVED:

That the contents of the Report be noted.

5. Deregulation Act 2015

The Principal Licensing Officer introduced the report to Members explaining that the report provided a summary of the implications of the Deregulation Act 2015 in relation to Alcohol and Entertainment Licensing and Taxi/Private Hire Licensing and recommended that the contents of the report be noted.

The Officer referred members to Items 2.1 and 2.2 of the agenda for clarification on the Licencing Act 2003 and The Local Government (Miscellaneous Provisions) Act 1976.

Members were informed of the implications in relation to the alcohol and entertainment licence which were listed within the report at page 16.

The Officer further reported that as from 1 October 2015, the Deregulation Act 2015 will amend The Local Government (Miscellaneous Provisions) Act 1976 for Duration of Licences and Private Hire Vehicle Sub Contracting.

The Officer stated that no guidance had been issued by the Department of Transport and that a further report would be presented to members of any policy to fee changes that needed to be made in relation to these changes.

Councillor Snell asked that someone from Thurrock would need to take responsibility for the sub-contractors that were from outside the borough. The Officer confirmed that the responsibility would be with the operator who takes the initial booking and would then have accountability for that vehicle and driver.

Councillor Redsell asked if sub-letting has been happening in Thurrock now and why would they sub-let. The Officer confirmed that the sub-letting was not happening in the borough and these changes were being imposed by the Government. The Officer confirmed that they have a good working relationship with neighbouring boroughs and felt that issues with any drivers or vehicles used in the borough would be reported.

Councillor Okunade questioned why the changes to the Licensing Act were happening. The Officer stated that it is part of the Government Agenda of cutting red tape.

The Chair stated that he was not happy with the changes to the Private Hire Vehicle Sub Contracting and agreed with comments made by Councillors Snell and Redsell.

Councillor Maney questioned why these changes were only just coming to the Licencing Committee when they had already been decided by Government. The committee should have seen sight of them before and had the opportunity to discuss and comment.

The Chair asked for clarification on Item 1.4 – Temporary Event Notices (TENs) – With the increase in the number of TENs that can be applied for would this now allow premises that have already been refused licenses to apply. The Officer confirmed that TENs would only be applied for in the following two situations:

1. Where no licence is held at all at premises ie. School or Community Centre, and that premises wants to put on licensable activities.
2. Where licenced premises were looking to extend their opening hours on a one off event and not as a regular event.

The Officer further confirmed that local residents cannot object to TENs.

RESOLVED:

That the contents of the report be noted.

6. Queens Public House

The following item did not appear on the agenda.

The Chair asked the Principal Licensing Officer to update the members on the recently revoked licence on the Queens Public House.

The Officer stated that the licences for the Queens Public House were revoked early in 2015; an appeal submitted by Queens Public House incomplete but was agreed by the court and time was allowed to submit the outstanding papers. The first hearing is set for the 17 July 2015, where a date will be set for a full hearing. In the meantime, the Queens Public House can continue to open until the court has made a decision. The Officer stated that this item will be reported back to members.

Councillor Kerin asked for clarification on what process would be followed if the Court decided that the licence should not be revoked. The Councillor stated that as this was his Ward he had received lots of casework through his surgery regarding this. The Officer confirmed that monitoring of the premises does and would continue to take place.

Councillor Potheary asked the Officer if there was any period of time that a further review could be submitted, The Officer explained that there was a limit for residents for submitting a further review but there were none for Responsible Authorities.

The meeting finished at 7.35 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**