

Minutes of the meeting of the Licensing Committee held on 14 February 2018 from 7.00 pm to 8.33 p.m.

Present: Jim Knight (Chairman)*
Ginny Heard (Vice-Chairman)

Michelle Binks
Richard Cherry
David Dorking*
Bruce Forbes

Steven Hansford
Christopher Hersey*
Margaret Hersey*
Jacqui Landriani

Anthea Lea
Gary Marsh
Howard Mundin
Geoff Rawlinson*
Peter Reed

* Absent

Also Present: Councillor Webster.

APPOINTMENT OF VICE-CHAIRMAN FOR THE DURATION OF THE MEETING

Councillor Heard noted that in the absence of the Chairman she would chair the meeting and nominated Councillor Marsh to be Vice-Chairman of the Committee for the duration of the meeting. This was agreed unanimously.

1. TO NOTE SUBSTITUES IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 4 – SUBSTITUTES AT MEETINGS OF COMMITTEES ETC.

None.

2. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillors Knight, Rawlinson, Dorking and Chris Hersey, Margaret Hersey.

3. TO RECEIVE DECLARATION OF INTERESTS FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

Councillor Binks declared a personal interest as the holder of a Premises Licence at Adastra Park Hassocks..

4. TO CONFIRM THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 10 MAY 2017.

The Minutes of the meeting of the Committee held on 10 May 2017 were confirmed as a correct record and signed by the Chairman.

5. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

None.

6. APPLICATION OF A NEW PREMISES LICENCE.

Paul Thornton, the Senior Licensing Officer introduced the report which gave an overview of the process to apply for and determine a new premises licence and a variation to an existing licence.

A Member asked whether a Designated Premises Supervisor needed to renew their licence every ten years. The Senior Licensing Officer told the Members that to be a DPS they must hold a Personal Licence which in the past required renewal every 10 years however legislation had changed meaning licence holders no longer needed to renew.

In response to a query from a Member about costs being awarded against the Council, the Senior Licensing Officer informed Members that Mid Sussex District Council had a decision appealed in 2007 in the Magistrates Court. This cost the Council £4500 however the premises had now handed back its licence.

A Member asked how broad the term entertainment was when considering an application. The Senior Licensing Officer stated that the term was defined as 'regulated entertainment'. For example if a premise advertises or sells tickets for live or recorded entertainment then this would constitute 'regulated entertainment'. However if a premise already holds a premises licence it is covered for regulated entertainment between 8:00am and 11:00pm.

Tom Clark clarified that the Liquor Licensing Panel was made up of three Members and the only restriction would be that a Member could not be part of the Panel if the application was located in their District ward. He also explained that the reason for this report coming to the Committee was that some Members felt that the whole Committee needed to be more informed about the application process. Members were asked to express their interest in being part of the Liquor Licensing Panel to the Democratic Services Officer.

The Chairman highly recommended to the Members of the Committee that they attend the next Panel and that they would all be notified when the next Panel is taking place.

The Senior Licensing Officer introduced the Current trends section of the report.

A Member queried whether a post-mortem meeting had taken place after the 'Little Mix' concert at the South of England Showground. The Senior Licensing Officer confirmed that a public meeting had taken place as well as private meetings between MSDC and the organisers.

A Member asked that if a minimum price of alcohol were introduced would it fall on MSDC as the principal licensing authority to enforce the change. The Senior Licensing Officer confirmed that it would fall under the jurisdiction of either MSDC or Trading Standards. However the minimum price of alcohol would usually be included in the conditions of any application if it were to be introduced.

The Chairman allowed Councillor Webster the Cabinet Member for Community, who was not a Member of the Committee to speak and he highly recommended that Members join the Liquor Licensing Panel. This was echoed by the Solicitor to the Council and those Members who were already part of the Panel.

The Chairman noted no more Members wished to speak so moved the Committee to the recommendation to note the report which was agreed unanimously.

RESOLVED

The Committee notes the report on Applications for a New Premises Licence.

7. UPDATE TO LICENSING COMMITTEE FOLLOWING INTRODUCTION OF PENALTY POINTS SCHEME AND 10 YEAR RESTRICTION ON LICENSING OF TAXI AND PRIVATE HIRE VEHICLES.

Jon Bryant, the Licensing Officer introduced the report which updated the Licensing Committee on the introduction of Penalty Points Schemes, which had been well received by the Trade. He also updated the Committee on the 10 year restriction on the Licensing of Taxi and Private Hire Vehicles policy that had been recently introduced. There had been a large increase in the amount of Hackney carriage and Private Hire vehicles under 8 years old since the policy had been introduced.

The Licensing Officer confirmed to Members that through the Penalty Points Scheme points would stay on their licence for 2 years. However the amount of points on a drivers licence would not be made available to the public.

A Member of the Committee who was also a Member of the Licensing Sub-Committee A informed the Committee that the introduction of the scheme had been an informative tool for the Sub-Committee.

A Member who was also the Chairman of the Licensing Sub-Committee A informed the Committee that there had been productive meetings with Yvonne Leddy, the Business Unit Leader for Building Control and Environmental Health regarding sanctions that could be imposed on drivers that don't comply with MSDC standards. He invited Members to attend future Sub-Committee A meetings but he did remind them that anything discussed at the Committee would be strictly confidential.

The Licensing Officer informed the Committee that drivers would have to receive 12 points on their licence before they would be referred to the Sub-Committee. He also noted that some conditions in the Mid Sussex District Council Taxi Licensing Policy were taken from the Hackney carriage byelaws and weren't subject to change by the Committee. In response to a Member's question he notified the Committee that drivers would have to apply to the Council for an exemption to not carry guide dogs due to illness or pathological fear.

The Licensing Officer went on to introduce the Vehicle Age Restriction Policy section of the report. He told the Committee that currently there were 154 Hackney carriage vehicles and 235 Private hire vehicles in the District. In response to a question from a Member he informed the Committee that a Hackney carriage did not need to be pre-booked whereas a Private hire did need to be pre-booked.

A Member informed the Committee that after the introduction of the Policy there had only been 1 application to the Sub-Committee for a vehicle over 10 years old. That application was refused by the Sub-Committee.

Officers told the Committee that the Unmet Demand Survey would be coming to the Committee for its 3 year review. The survey allows for the Council to defend its cap on Hackney carriage licences if the decision was taken to appeal.

The Chairman noted no more Members wished to speak and thanked the Officers for the report.

11. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.2 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

Yvonne Leddy, The Business Unit Leader for Building Control and Environmental Health informed the Committee that there would be licensing training in the near future and that it would be separated into two sessions, taxi licensing and liquor licensing. She also notified the Members that an update to the Animal Welfare regulations would be coming to the Committee as well.

Chairman.