

MINUTES of a meeting of the LICENSING COMMITTEE held in the Board Room, Council Offices, Coalville on MONDAY, 29TH NOVEMBER 2004

Present: Councillor P A Hyde (Chairman) (In the Chair)

Councillors P Holland, D Howe, J T Male, A C Saffell, J B Webster, D H Wintle and R Woodward

Officers: Mr R Eaton, Mrs S Hooper, Miss M Lister and Ms E Warhurst

Apologies: Councillors J G Coxon, R A Evans and G Tacey

There were no declarations of personal or prejudicial interest.

423. MINUTES

... Consideration was given to the minutes of the meetings of the Licensing Committee held on 12 August, 15 September and 25 October 2004 (copies previously circulated and retained with the official copy of the minutes).

RESOLVED:

That the minutes of the meetings held on 12 August, 15 September and 25 October 2004 be approved and signed as a correct record.

424. CONSULTATION ON FEE LEVELS TO BE ESTABLISHED BY REGULATION UNDER THE LICENSING ACT 2003

Mr Eaton brought members' attention to paragraph 1.4 of the consultation document which stated the Government's expectation to set a level for fees which would fully cover the costs of a Local Authority. Costings had been made by Mr Eaton and an estimated figure of £128,017 would be raised in fees during the transitional period. However, after taking into account revenue, set up and delivery costs the total amount required would be nearer to £151,000. These costs do not take into account the costs of other Council departments, for example Environmental Health and Health and Safety. Mr Eaton concluded the fees would not cover the costs. Councillors agreed that this matter should be raised when responding to the consultation document.

Councillors showed concern that the proposed fee structure could not take into account all events. Some smaller temporary events might be crippled by the cost of licensing. This might, in turn, dissuade organisers of these events to continue to provide occasions which subsequently benefited their local community. Officers were not aware of any provision within the Licensing Act 2003 to waive fees on these occasions but would research the point. Councillors felt that there was a need to protect these events if no provision had been made and that councils should be afforded an element of discretion. Councillors agreed that this matter should be raised when responding to the consultation document.

Chairman's initials

A suggestion had been made by the Police that North West Leicestershire District Council join with Leicestershire Constabulary for a joint initiative for licensing enforcement. Mr Eaton reported that he would be attending a Countywide officers' licensing meeting on 30 November 2004 and would raise the point with those attending and report back to the members.

425. STATEMENT OF LICENSING POLICY

Members were asked by the Chairman for their comments on the document circulated with the agenda entitled "Comments on Draft Statement of Licensing Policy". Mr Eaton drew members' attention to the additional submissions circulated at the meeting entitled "Further Submissions".

Councillors agreed that the comments received by Leicestershire Fire and Rescue Service were very sensible and would avoid the need to re-issue the Policy when the Regulatory Reform Order came into force in 2005. This would be included in the Policy.

Note was also to be taken of the submission of Leicestershire County Council Social Services Department and the wording included in its submission especially regarding paragraph 9.2 of the Policy. Mr Eaton pointed out that councillors were at liberty to take account of comments raised or to chose to ignore them.

The submission by the Royal Society for the Prevention of Cruelty to Animals (RSPCA) referred strongly to circuses but the comments appeared to be more concerned with animal welfare than with the licensing function. It was decided that each circus application would be assessed on its own merits.

The submission made by Ashby de la Zouch Town Council included a request that specific reference should be made to town and parish councils in the list of consultees. It was noted that town and parish councils were not specified as statutory consultees but provision could be made as deemed appropriate.

Members agreed to include the comments made by Leicestershire Constabulary regarding the keeping of records of door staff by licensees in the Policy.

Members also noted the submission made by Osgathorpe Parish Council regarding bureaucratic overburdening of rural public house licensees. Councillors discussed the submission made by Equity asking for bold general statementing especially in regard to balancing cultural need and the licensing of open land by the Authority.

It was noted that the Legal Services Department would make forthcoming applications for event notices as suggested by the Government.

Councillors agreed that the letter containing their responses to the Consultation be copied to the local Member of Parliament. Councillors were also reminded that the Policy would be put before the full Council on 7 December 2004 for approval.

The meeting terminated at 6.32pm.

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Chairman's initials