



# LICENSING

## Committee

17th January 2011

### MINUTES

#### Present:

Councillor Michael Braley (Chair), Councillor Anita Clayton (Vice-Chair) and Councillors Michael Chalk, Simon Chalk, Jack Cookson, Andrew Fry, Carole Gandy, Adam Griffin, Bill Hartnett, Robin King, Wanda King, Jinny Pearce, Brenda Quinney and Roger Hill

#### Also Present:

Inspector Ian Joseph, West Mercia Constabulary

#### Officers:

C Flanagan and S Garratt, M Kay (Licensing Team Manager) and S Wilkes (Business Manager, Community Protection)

#### Committee Officer:

Ivor Westmore

#### 27. APOLOGIES

Apologies for absence were received on behalf of Councillors Kath Banks and Nigel Hicks. Councillor Roger Hill substituted for Councillor Kath Banks.

#### 28. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 29. MINUTES

##### RESOLVED that

**the minutes of the meeting of the Licensing Committee held on 29th November 2010 be confirmed as a correct record and signed by the Chair.**

#### 30. LICENSING ACT REVIEW

Officers presented a review of the functions carried out in relation to the Licensing Act 2003 by the Council as local Licensing Authority over the last year. A comparison of a number of the key measures

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Chair

such as complaints of under 18's being sold alcohol, smoking on licensed premises or noise and disorder related issues for the previous two years indicated that there were very few instances of these difficulties and that the situation was generally stable. This data, taken alongside feedback from Officers, demonstrated that key messages continued to be adopted by those operating licensed premises. Smoking on licensed premises had not been the subject of any complaints, for example.

The Licensing Authority reviewed the premises licence of one licensed premises during the course of the year following complaints of under-age sales of alcohol. This had resulted in the Designated Premises Supervisor being changed, staff having to undergo ongoing training and adoption of the 'Challenge 25' scheme.

The Business Manager, Community Protection, Worcestershire Regulatory Service, provided an update on his team's activities during the course of the previous year. Details were provided of test purchase attempts across the County and within the Borough for both on- and off-licence premises. Failure rates had proved to be significantly higher for public houses as opposed to off-licence retailers which would inform future test purchase and enforcement activity. The need for close working between the Licensing Authority, Police and Trading Standards was emphasised, given the need to ensure that all such activity was intelligence-led.

Inspector Ian Joseph of West Mercia Constabulary provided an update on the Police's activity in relation to licensing matters over the previous year. It was noted, initially, that attendance generally at licensed premises had been reduced towards the end of 2010 and over the holiday period. This had led to one of the local night-clubs reducing its days of operation which had the potential to reduce the detriment to other aspects of policing. The use of drinks promotions and longer opening hours continued to be monitored by the Police and a number of interventions had been made during the course of the year where there was concern at the implications of specific proposals. There had been some Police activity to try and curb instances of drinking among the under 18's, which was often linked to anti-social behaviour.

Inspector Joseph provided a brief update on organisational developments within the West Mercia force, particularly as they affected Licensing. No final decisions had yet been made on proposals but it was expected that there would be two Community Safety Hubs serving the whole Force area. It was also expected that the present police licensing function for the Redditch area would be removed with licensing functions falling back to the local

forces to deliver as a consequence. There was some concern amongst Members at the move away from Divisional to Headquarters staffing of the Licensing function and Members sought and received an assurance that they would receive updates on progress with these changes.

The Committee endorsed the current practice of receiving six-monthly monitoring reports from the Police and Community Protection teams.

**RESOLVED that**

**the annual report on the Licensing Act 2003 be noted.**

**31. HACKNEY CARRIAGE - FARE TARIFF**

Officers presented a report which sought Members' consideration as to whether fares for the hiring of Hackney Carriages within the Borough should be altered and, if so, to what extent.

The Committee was informed that, since preparing the report, Officers had been made aware through the Taxi Forum that drivers wished to see an increase to help defray the rising cost of fuel in particular. Any increase implemented by the Authority would not oblige Hackney Carriage drivers to have their meters recalibrated to this higher fare level but it would provide the scope for them to have this done should they wish.

Members considered that the 6% increase which was now being recommended by Officers was quite reasonable given the circumstances. There was some concern that a proportion of drivers who did not recalibrate their meters charged on the basis of what customers ordinarily paid, but Officers did provide an assurance that checks were made on non-recalibrated meters on an annual basis. In addition, there were reported to be few complaints of such occurrences.

**RECOMMENDED that**

- 1) there be an increase in the Hackney Carriage fare rates in line with the current Retail price Index as detailed in paragraph 5.1 of the report and advertised as required under the Local Government (Miscellaneous Provisions) Act 1976; and**
- 2) authority be delegated to the Head of Environment, in consultation with the Chair of the Licensing Committee:**

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- (i) to consider any objections received, following public advertisement; and
- (ii) to modify the fare rates or confirm the fare rates unmodified, as appropriate; and
- (iii) to set a date when the fare rates shall come into operation in line with the statutory requirements as set out in paragraph 3.4 and 3.5 of the report.

## 32. LICENSING COMMITTEE WORK PROGRAMME - 2010-2012

Members noted that a number of the scheduled meeting might subsequently not be convened as the regular activities of the Committee did not require much beyond two or three meetings each year. Aside from the meetings at which regular reports on the Licensing Policy or the Licensing Act 2003 were received, it was acknowledged that additional meetings were dependant on sufficient business being available.

**RESOLVED that**

**the Work Programme for the Committee be noted.**

The Meeting commenced at 7.00pm  
and closed at 7.50pm

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Chair