

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Licensing Committee held on
Tuesday, 22 June 2010 at 10.00 a.m.

PRESENT: Councillor Cicely Murfitt – Chairman
Councillor John F Williams – Vice-Chairman

Councillors:	Richard Barrett	Val Barrett
	Trisha Bear	Liz Heazell
	David McCraith	Alex Riley
Officers:	Myles Bebbington	Licensing Officer
	Gary Duthie	Senior Lawyer
	Maggie Jennings	Democratic Services Officer

Apologies for absence were received from Councillors Nigel Cathcart, Roger Hall, Sally Hatton, Janet Lockwood, Mervyn Loynes and Raymond Matthews.

1. DECLARATIONS OF INTEREST

None

2. MINUTES OF PREVIOUS MEETING

The minutes of the meetings held on 23 October 2009 and 27 May 2010 were agreed as a correct record.

3. REVIEW OF LICENSING (2003 ACT) POLICY

Prior to consideration of this item, the Licensing Officer circulated copies of a replacement for paragraph 12.10 and Annex D of the Licensing Policy. He also confirmed that underscoring of the text within the Draft Policy identified the recommended changes.

The Chairman announced that since publication of the agenda she had read the draft policy with the Licensing Officer and identified grammar and typographical errors. These changes would be included in the copy of the policy that would be recommended to the Leader, together with any amendments requested at the meeting.

As a result of consideration of the draft policy document, the following amendments were made:

- Para 2.6 delete *is recognised as a question of fact and*
- Para 3.1 substitute *recognises* for *will consider*
- Para 5.5 Replace last sentence with *For example, a Public House may open early morning for deliveries, maintenance etc but not to conduct a licensable activity such as the sale or supply of alcohol*
- Para 12.7 Amend to read ... *‘minor’ error. The interpretation of what is an obvious or minor factual error shall rest with*
- Para 12.8 Replace with *‘Pre-application dialogue between stakeholders is encouraged in order to address potential problems and avoid unnecessary hearings and appeals’*
- Para 12.10 Add to the existing text: *‘Applicants should be aware that a minor variation cannot be used to extend the hours for sale or*

supply of alcohol as defined in the legislation; furthermore it is the view of the Licensing Authority that the minor variation process should not generally be used for the increase in hours of live or recorded music'

- Para 14.1 Replace *need to apply for building control* **with** *need to comply with building control or planning legislation*
- Para 16.1 Amend *three* months in advance to *nine* months in advance
- Annex A, para 2.7 add *such as cans, bottles or glasses* after 'open containers'
- Annex A, para 3.7(c)(i) add *the application of* after 'where consideration for'
- Annex A, para 5.2(g)(iii) add *is present* after the words 'first-aider'
- Annex C Penultimate column – add *to* after 'relevant authority'
- Annex D Replace entire Annex with the wording as tabled at the meeting

Members also requested an explanation of the following terms:

- (a) Film exhibitions (para 1.5 refers)
- (b) Crib ignition (Annex A, para 5.2 (d) (ii) refers)

and that the Licensing Officer consider a course of action that Members and the public could follow when non-compliance of the Policy occurred.

Action: Licensing Officer

The Licensing Committee **RECOMMENDS** to the Leader of the Council, the draft Licensing Policy, as amended above, in order to commence the consultation process.

Post meeting notes:

- (a) An exhibition of a film means any exhibition of moving pictures subject to the following exemptions:
 - Demonstrate any product
 - Advertise any goods or services
 - Provide information, education or instruction. Or.
 - Consists or forms part of an exhibit put on show for any purpose of a museum or art gallery
 - Consists of the simultaneous reception and playing of a programme included in a programme service within the meaning of the Broadcasting Act 1990 (c.42)

This explanation was included in the revised Licensing Policy document.

- (b) Crib ignition - A crib is composed of wooden planks, glued together. Lint is attached to the bottom. After adding propane-diol the crib is placed on the test rig and ignited with a match. If no flaming or progressive smouldering is observed on both cover and interior material, the test is recorded as no ignition and the material passes the test.
- (c) **Advice for Members in the event of non-compliance with the Licensing Policy**

When members are contacted by the public regarding events they should be made aware (dependant on the nature of the complaint) that all premises licences along with hours and conditions are available for inspection via the SCDC website: <http://licensing.scambs.gov.uk/protected/wca/main.jsp>

Should this not supply the appropriate answer, ie is the local pub licensed to do ? or when should they close etc. Any subsequent questions should be directed to the licensing office on 01954 713132/713144 or 713204 or our e-mail address: licensing@scambs.gov.uk.

If the activity involves a noise issue the Councillor or public should be encouraged to contact the out of hours service on: 01253 501055 (this is a call centre that deals with complaints on our behalf and contacts the relevant duty officer)

4. **BARRINGTON - STREET TRADING CONSENT - RESOLUTION**

At its meeting on 13 July 2009, the Committee agreed to a request by Barrington Parish Council that all streets in the Parish be designated as Consent Streets. A Notice of Intention was advertised in the local press and no objections were received. The Licensing Officer stated that the Parish Council had subsequently confirmed its intention to proceed with the application. A further Notice would be advertised in the Cambridge Evening News for two consecutive weeks, with Consent Street Status taking effect from 22 July 2010.

The Licensing Committee,

RESOLVED to designate all streets within the village envelope of Barrington as Consent Streets under the terms of the Local Government (Miscellaneous Provisions) Act 1982.

The Meeting ended at 11.20 a.m.
