

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

At a meeting of the Licensing Committee held on
Thursday, 28 October 2004 at 10am

PRESENT: Councillor RE Barrett – Chairman

Councillors:	R Hall	Mrs SA Hatton
	JA Hockney	Mrs HF Kember
	Mrs JA Muncey	Mrs CAED Murfitt
	Dr JPR Orme	A Riley

Councillor SGM Kindersley, Environmental Health Portfolio Holder and Technical Officer Ray Firth, Cambridgeshire Fire and Rescue were in attendance by invitation.

1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors EW Bullman, J Shepperson, and Dr JR Williamson and PC P Sinclair.

2. MINUTES OF LAST MEETING

2.1 The Chairman was authorised to sign the Minutes of the meeting held on 6th September 2004.

3. DECLARATIONS OF INTEREST

3.1 None received.

4. APPEAL DECISION BY MR HR

4.1 The appeal decision by Mr HR was noted.

5. SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL'S STATEMENT OF LICENSING POLICY

5.1 Following approval for consultation purposes of the draft Licensing Policy at the meeting held on 6th September 2004, Members were requested to consider an amended Policy that had taken into account recommendations received arising from the consultation process. The draft Policy had been circulated to over 900 consultees and 9 responses had been received by the closing date. It was noted that in general the views of the consultees were supportive of the Policy and the recommendations made were to clarify certain points and strengthen key sentences. The Authority was also complimented on producing a well balanced and fair policy.

5.2 One of the consultees in his response had raised a number of issues relating to a Public House situated opposite his house; the Licensing Officer reported that the consultees' concerns had been passed onto the relevant officers for investigation.

5.3 The Chief Environmental Health Officer reported that several responses had been received since the agenda had been published; these were from the British Institute of Inkeeping, RSPCA, CAMRA and Comberton Parish Council.

5.4 Disappointment was expressed that the Police had not responded in detail to the Policy,

particularly in respect of the resourcing impact. It was however noted that PC Sinclair was aware of the implications. It was also noted that although the Fire Service had had no comments on the Policy, several meetings had taken place between their representatives and the Licensing Officer regarding the processing of applications from their aspect.

- 5.5 The amended Policy was considered by Members on a page-by-page basis.
- 5.6 An explanation was requested concerning the phrase 'cumulative impact' at paragraph 4 and in response the Licensing Officer explained that it meant a concentration of licensed premises within close proximity of each other and in those circumstances, the Police could impose set opening hours in order to avoid a noise nuisance. It was noted that, if required, legislation was available to deal with noise nuisance from public houses.
- 5.7 In answering a query regarding grouping together applications from the same area, Members were informed that they could be, however any subsequent hearings would have to be held separately.
- 5.8 A spelling error was found at paragraph 13.

The Licensing Committee

RECOMMENDS to Cabinet and Council that the Licensing Policy be adopted.

6. SUB-COMMITTEE STRUCTURE FOR DETERMINING LICENSING HEARINGS UNDER THE LICENSING ACT 2003

- 6.1 Members considered the contents of the report and in response to a query relating to local Members hearing an application concerning premises in their village, it was noted that local Members could make a recommendation, but not form part of the hearing decision.
- 6.2 The Licensing Committee considered the sub-committee structure to hear licensing applications and agreed:

- (a) the formula for the structure of the sub-committee as laid out in Appendix A of the report to deal with hearings in respect of the Licensing Act 2003,
- (b) the appointment of the following Members to Chair the Sub-Committees:

Councillors: Mrs JA Muncey
Mrs CAED Murfitt
A Riley
NJ Scarr
J Shepperson
Dr JR Williamson

three substitutes were also appointed, they were:

Councillors: Mrs A Elsby
R Hall
Mrs SA Hatton

- (c) delegated authority was given to the Chairman and Vice-Chairman of Licensing Committee in consultation with the Chief Environmental Health Officer to approve the membership of each of the 36 Sub-Committees.

- 6.3 Following formal discussion of the above item, the Assistant Solicitor informed Members that further training sessions would be organised during January and February 2005 in respect of chairing the hearing panels. The Environmental Portfolio Holder indicated that training should be mandatory for the appointed chairmen and was advisable for all other Members too.
- 6.4 It was noted that the Head of Legal Services would be organising a visit to a Magistrate's Court for Members of the Licensing Committee prior to the hand over of responsibility for licensing regulations to local authorities.
- 6.5 As there were several key issues affecting the Council in the forthcoming months with the possibility of clashes between meetings and licensing hearings, it was suggested that Members availability be coordinated and a schedule of hearings programmed one month in advance.

The Meeting ended at 11.20 a.m.
