

LICENSING COMMITTEE

Date and Time: Tuesday 5 April 2022 at 7.00 pm

Place: Council Chamber

Present:

Butler, Coburn, Davies, Delaney, Farmer (Chairman), Forster and Smith

In attendance: Kinnell (Portfolio Holder), Lamb

Officers: Mark Jaggard, Head of Place
Neil Hince, Environmental Health & Licensing Manager
Emma Coles, Licensing Team Leader, Shared Licensing Services
Andrew Wake, Senior Licensing Officer, Shared Licensing Services
Rebecca Borrett, Committee Services Officer

14 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 23 November 2021 were confirmed and signed as a correct record.

15 APOLOGIES FOR ABSENCE

None received.

16 DECLARATIONS OF INTEREST

Councillor Forster declared he is the trustee of a local charity with a non-prejudicial interest.

17 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that the Hackney Carriage trade in Hart district have approached the Shared Licensing team and requested a review of the tariffs they are permitted to charge following the impact to the trade from the COVID 19 pandemic compounded by the current increase in fuel prices and the rises in cost of living.

A consultation is underway with the trade to review the three proposals that have been put forward. Once the majority of the trade have agreed on one proposal it will be brought to Licensing committee for approval. At that point it will be subject to wider consultation.

This item is not being brought to this Committee as it has been given urgent delegation so not to delay the process.

18 DRAFT CHARITY COLLECTION POLICY

Members were asked to consider a draft Shared Licensing Service Charity Collection Policy and to approve it for consultation. There is no change to the detail from the previous Hart policy, apart from the addition of the Code of Conduct for people collecting via direct debits. Attention was drawn to Paragraph 4 of the report which shows as Appendix B and should read as Appendix 1.

Members asked about the impact of collection on credit or debit cards on payment terminals and were advised that the officers would need to confirm that they were categorised as cash for the purpose of this policy. Members agreed for this reason there needs to be clear rules for their use and suggested examples or advice from other authorities may be beneficial and officers confirmed an amendment to cover this will be explored.

DECISION

The Committee approved the draft Shared Licensing Service Charity Collection Policy for consultation, subject to the amendment as discussed, being agreed by the Head of Place in consultation with the Chair of Licensing Committee and the Portfolio Holder.

The Committee authorised the Head of Place to make minor administrative amendments to the Policy prior to consultation.

19 APPROVAL FOR ADOPTION OF THE SHARED LICENSING SERVICE STATEMENT OF LICENSING POLICY FOLLOWING CONSULTATION

Members were updated of the outcome of the public consultation on the draft Statement of Licensing Policy under the Licensing Act 2003. Officers advised only one representation was received and this was from Hampshire Police. From that there is no impact on the Policy or amendments required.

Members questioned if the consultation was a full public consultation or key stakeholders only. Officers confirmed it had been a full public consultation and extended to all responsible authorities. Member questioned if officers were satisfied the consultation was widely publicised enough and a representative range of responses received. Officers confirmed:

- It was emailed to all of the responsible authorities;
- Was published on the Hart District Council's public website; and
- Had been made available for a period of 12 weeks.

For these reasons Officers were satisfied everyone who wished to comment had done so.

Members questions what would prompt further amendments within the 5 years. Officers explained this would generally be a change to legislation or if local

circumstances changed, for example a lot of licensed premises applied in a short period in a locality. Members clarified location specific issues would therefore come to Committee that Member would discuss and in turn necessitate a review.

Members asked in response from Hampshire Police's consultation comments the report responded in all cases 'the Council is aware' or 'they are covered by the licensing objectives', how does the Council ensure these points are at the forefront, particularly for new or varied licenses? Officers confirmed Police engage with all applicants requesting late night permissions and where they are not satisfied, they would make a representation or look to mediate. As this does not affect all licensed premises Officers do not want to uniformly add.

Members asked in Append B - Delegation of Functions for decision making under the Licensing Act, which states 'if an objection made by Police and not disregarded by the Officers'; why would the Council disregard it? Officers confirmed there was no scenario where the Council would not accept a Police recommendation if there was a relevant offence. It was agreed to amend the wording to remove 'and not disregarded by Officers' and Members agreed this amended version can be taken to full Council.

Members asked with reference to CCTV if there is a minimum specification required regarding quality and usability and effectiveness in dark. Officers confirmed there are, and the Police are permanently adding to the clarify and standards they require. Officers confirmed conditions of areas to be covered can be included and if there is evidence to support a need, can be added by way of a minor variation.

DECISION

The Committee:

Endorsed the amended Shared Licensing Service Statement of Licensing Policy to be referred to Full Council for adoption. If adopted, it will be valid for a period of 5 years unless it is determined that an earlier review is necessary.

Recommended to full Council that the Statement of Licensing Policy is adopted.

Authorised the Head of Place to make minor alterations and typographical corrections to the Policy prior to its consideration by full Council.

The meeting closed at 7.30 pm