

EAST DORSET DISTRICT COUNCIL

LICENSING COMMITTEE

Minutes of the Meeting held on 23rd February, 2010 at 10.00 a.m.

Present:-

Councillor P. W. Richardson - Chairman

Councillor Mrs J. M. Hazel - Vice-Chairman

Present: Councillors M. C. Birr, A. A. J. Clarke, Mrs L. M. Dedman, R. C. Dudman, D. Morgan, D. G. L. Packer and N. Smith.

Also in attendance: Mr S. Ricketts (Licensing Manager), Miss R. Young (Licensing Officer) and Ms L. Ellis (Committee Officer).

513. Apologies for Absence

Apologies for absence were received from Councillors Mrs A. Holland, J. E. Little and Mrs M. B. Osner.

514. Declarations of Interest

Councillor N. Smith declared a personal interest in Minute No 521. (Licensing Act 2003 - Review Application - Martins, Pinehurst Road, West Moors) and remained present.

515. Minutes

The Minutes of the meeting held on 27th October, 2009 were confirmed and signed as a correct record.

516. Presentations by the Public

There were no questions, petitions or deputations received on this occasion.

DELEGATED BUSINESS

517. Hackney Carriage and Private Hire Licence Fees Review - 2010 - 2012

A report was submitted, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

The Committee was requested to review the fees payable by applicants for hackney and private hire licences for the period April 2010 - 2012.

RESOLVED, that the fees for 2010 - 2012, as recommended in the table shown at Paragraph 9.1 of the report, be adopted to come into force as from 1st April, 2010.

Voting: Unanimous

518. Hackney Carriage Fares 2010 - 2012

A report was submitted, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in

the Minute Book.

Members were asked to consider an increase in the amount taxi drivers charged for journeys.

RESOLVED that, as from a date to be set by the Licensing Manager in April 2010, all East Dorset District Council licensed taxis shall have their meters calibrated to record the fare structure detailed in paragraph 9.1 of the report.

Voting: Unanimous

519. Hackney Carriages - New Policy and Conditions - To be predominately used in East Dorset

A report was submitted, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

The Committee was requested to agree new policies and conditions, in relation to Hackney Carriages. This would allow for the enforcement of case law following R (APP Newcastle City Council) v Berwick-Upon-Tweed Borough Council.

Also circulated to the Committee were copies of two letters received in response to the consultation on the new policy and conditions, a copy of which is circulated as Appendix 'D' to these Minutes in the Minute Book.

RESOLVED that the policies detailed in paragraph 8 of the report be adopted.

Voting: Unanimous

520. Licensing Act 2003 - Review Application - Convenience Store (Mace), Verwood

A report was submitted, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'E' to these Minutes in the Minute Book.

Following an overview from the Licensing Manager, Members were requested to consider an application from Dorset County Council's Trading Standards to review the premises licence granted to Verwood Motors Ltd.

Discussion then followed on the application, alongside the yellow and red card policy. Following this, the Committee agreed to the licence amendments.

RESOLVED that:-

(a) Members make the amendments to the licence, as detailed in Paragraph 12.2 of the report; and

(b) the Decision Notice include the reasons, as detailed in paragraph 12.3.

Voting: Unanimous

521. Licensing Act 2003 - Review Application - Martins, Pinehurst Road, West Moors

A report was submitted, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'F' to these Minutes in the Minute Book.

Members were requested to consider an application from Dorset County Council's Trading Standards to review the Premises Licence granted to Martin McColls Ltd, following an overview by the Licensing Manger.

The Committee was also informed that paragraph 13.2 should be amended to read Paragraph 11.4.1., not Paragraph 11.2.3.

Following discussion on the application, as well as the red and yellow card policy, the Committee agreed that the suggested amendments be made to the licence.

RESOLVED that:-

- (a) **Members make the amendments to the licence, as detailed in Paragraph 12.2 of the report; and**
- (b) **the Decision Notice include the reasons as detailed in paragraph 13.**

Voting: 4 For, 1 Against.

(Councillor N. Smith declared a personal interest in this item and remained present).

522. Proposal to Exempt Small Live Events From the Licensing Act 2003 - Consultation Document

A report was submitted, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'G' to these Minutes in the Minute Book.

Members were requested to respond to the Department for Culture, Media and Sport consultation document on the proposal to exempt small live music events from the requirement of a licence under the Licensing Act 2003.

RESOLVED that the responses to the Government's questions in Paragraph 7 of the report, be submitted as the Council's comments.

Voting: Unanimous

523. Proposal to Clarify the Definition of 'Entertainment Facilities'

A report was submitted, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'H' to these Minutes in the Minute Book.

The Committee were requested to respond to the Department for Culture, Media and Sport consultation document on the proposal to clarify the definition of 'entertainment facilities' under the Licensing Act 2003.

RESOLVED that the Council reply to the consultation document, as

detailed in paragraph 7, of the report.

Voting: Unanimous

524. New Mandatory Conditions and Other Miscellaneous Changes to the Licensing Act 2003

A report was submitted, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'I' to these Minutes in the Minute Book.

An overview was provided by the Licensing Manager on a number of fundamental changes proposed to the Licensing Act 2003.

RESOLVED that Members note the proposed changes in law with particular attention to paragraph 9 in respect of the new powers for District Councillors.

Voting: Unanimous

525. Exclusion of Press and Public

RESOLVED that in view of the nature of the business to be transacted it is likely that if members of the public were present during the following item there would be disclosure to them of 'exempt information' as described in the category indicated and they be therefore excluded from the meeting in accordance with Section 100A (4) of the Local Government Act 1972.

DELEGATED BUSINESS

526. Private Hire Vehicles - Dual Plating Policy

Exempt Information - Category 2 (Identification of an individual)

A report was submitted, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'J' to these Minutes in the Minute Book.

Members were requested to decide whether the Council should license vehicles for private hire when they were already licensed by another authority, resulting in two licences being simultaneously held on vehicles.

The meeting ended at 11.38 a.m.

CHAIRMAN