



Minutes of the meeting of the **General Licensing Committee** held in Committee Room 2 - East Pallant House on Wednesday 23 March 2016 at 9.30 am

**Members Present:** Mr J Ridd (Chairman), Mr H Potter (Vice-Chairman), Mr P Budge, Mr J W Elliott, Mr L Macey, Mr G McAra, Mrs P Plant and Mr D Wakeham

**Members not present:** Mr Graeme A F Barrett, Mr P Roger Barrow, Mr John C P Connor and Mrs Denise A Knightley

**Inattendance by invitation:**

**Officers present all items:** Mrs Katherine Jeram (Member Services Officer), Mr Alex Barson (Licensing Technician), Mr Nicholas Bennett (Legal and Democratic Services Manager) and Mr Laurence Foord (Licensing Manager)

11 **Chairman's Announcements**

The Chairman did not make any announcements.

12 **Minutes**

**Resolved**

That the Minutes of the meeting held on 21 October 2015 be approved and signed by the Chairman as a correct record.

13 **Urgent Items**

The Chairman advised that there were no urgent items to be considered at this meeting.

14 **Declarations of Interests**

No interests were declared at this meeting.

15 **Public Question Time**

The Chairman advised that no public questions had been submitted.

16 **Adoption of the Council's Sexual Entertainment Venues Policy for the period 2016 to 2021**

The Committee considered this report concerning the Council's draft Sexual Entertainment Venues Policy for the period 2016-2021 (copy attached to the official minutes).

Mr Foord provided some background information insofar as the Council adopted the amended provisions of the Local Government (Miscellaneous Provisions) Act 1982 as a result of the Policing and Crime Act 2009. The current Policy, which broadly set out the approach to be taken by the Licensing Authority should an application be received, had remained in place since its first adoption in 2011 and now required a review, as the current Policy was due to expire. It remained the case that the District did not currently have any sexual entertainment venues that required licensing. The draft Policy would be subject to a four week period of public consultation before being recommended to Council for adoption of the final version.

### **Resolved**

- (a) That the draft revised Sexual Entertainment Venues Policy (the Policy) is approved for public consultation;
- (b) That authority be delegated to the Head of Housing and Environment Services to consider any representations arising from the consultation exercise and, provided the representations do not require significant amendments to the draft Policy, to recommend adoption to Council on 17 May 2016 (with minor amendments if considered appropriate) following consultation with the Cabinet Member for Environment; and
- (c) In circumstances where significant amendments to the Policy are required that these are reported back to the General Licensing committee for further consideration.

### **Recommended**

That the Policy (as amended in accordance with paragraphs (b) and (c) above) be approved and published.

## **17 Proposed Changes to the Existing Licence fees for Hackney Carriages and Private Hire Licences**

The Committee considered this report (copy attached to the official minutes).

Mr Foord introduced the report and explained that the Local Government (Miscellaneous Provisions) Act 1976 has been amended by the Deregulation Act 2015 and now required local authorities to offer three year Driver Licences and five year Private Operator Licences as the norm. It was, however, still permissible to issue yearly licences but only when appropriate to the circumstances of each case. This requirement was intended to help reduce the financial and administrative burden upon the hackney carriage and private hire trade. To establish the correct charge a comprehensive review of the fees has been undertaken including a re-assessment of the other fees associated with the licensing regime. He referred to

appendix 1 of the draft Fees Policy, which had been devised based on the key legal parameters and case law governing the setting of fees, which must only be on a cost recovery basis.

It was noted that the proposed fees would come into effect from 1 May 2016 unless any objections were received or withdrawn in respect of the proposed fees during the consultation period, which in that case the Committee would be required to consider before making a decision on the implementation of the fees.

In response to members' questions, Mr Barson explained in detail the methodology used to calculate the proposed fees and ensure they were as accurate as possible. The issue of refunds was discussed if a licence was given up before the end of the three or five year period and Mr Foord explained that it was not intended to offer refunds due to their complexity, but this matter could be reviewed if necessary once the changes had taken place. Following a suggestion by a member as to whether an option to renew every year should automatically be allowed for all applicants, members considered that this should not be that case and that one year licenses should only be allowed on a case by case basis depending on the circumstances.

### **Resolved**

- (a) That the proposed fees policy for the Hackney Carriage and Private Hire Licensing Regimes set out within Appendix 1 of the report be adopted; and
- (b) That the proposed Licence fees for 2016/17 for Hackney Carriages, Private Hire Vehicles and all Hackney Carriage/Private Hire Drivers Licences and all Private Hire Operators Licences within the Chichester District which are set out at Appendix 2 of the report be approved for public consultation.

The meeting ended at 11.30 am

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CHAIRMAN

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Date: