



Licensing Committee

**A meeting of the Licensing Committee will be held at the Council Offices,
Springfields, Towcester, Northants NN12 6AE
on Tuesday 31 July 2012 at 5.00 pm**

Agenda

1	Apologies for Absence and Appointment of Substitute Members
2	Appointment of Chairman for 2012/13
3	Appointment of Vice-Chairman for 2012/13
4	Declarations of Interest
5	To Confirm Minutes of the Meeting of the Committee held on 20 March 2012 (Pages 1 - 2)
6	An Update on Licensing Matters - Report of Senior Licensing Officer (Pages 3 - 6)
7	Urgent Business (previously agreed with the Chairman)

Sue Smith
Chief Executive
23 July 2012

Licensing Committee Members:

Councillor Ann Addison
Councillor Judith Baxter
Councillor Carole Clarke
Councillor Andrew Grant
Councillor Chris Lofts
Councillor Paul Titchener

Councillor Bob Atkinson
Councillor Kath Bonner-Dunham
Councillor Janet Eliot
Councillor John Kilmister
Councillor Blake Stimpson
Councillor Tony Wilkinson

Queries Regarding this Agenda

If you have any queries about this agenda please contact Louise Aston, Democratic and Elections, louise.aston@cherwellandsouthnorthants.gov.uk, 01295 221601

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

In Case of Fire

Please read the Fire Instructions before the meeting starts. If the fire alarm sounds the Democratic Services Officer will ensure that attendees leave the building immediately and assemble in the Councillors' car park.

Agenda Item 5

Minutes of a meeting of the LICENSING COMMITTEE of South Northamptonshire Council held in the Committee Room, Council Offices, Springfields, Towcester on Tuesday 20 March 2012 at 5.00 pm.

PRESENT:

Councillor Ann Addison - Chairman
Councillor Robert Atkinson Councillor Andrew Grant
Councillor Judith Baxter Councillor John Kilmister
Councillor Kath Bonner-Dunham Councillor Christopher Lofts
Councillor Carole Clarke Councillor Blake Stimpson
Councillor Janet Eliot Councillor Paul Titchener
Councillor Tony Wilkinson

IN ATTENDANCE:

David Macey - Licensing Team Leader
Emma Faulkner - Democratic & Elections Officer

15. Minutes

The Minutes of the meeting of the Committee held on 20 September 2011 were confirmed as a correct record and signed by the Chairman.

16. Matters Arising

Councillor Janet Eliot asked if a response had been received regarding payment of invoices by instalments, as referred to in Minute 10 on page LC 5. The Licensing Team Leader reported that Street Traders were the only applicants allowed to pay by instalments, as it was written in to the Council's procedure.

17. Apologies for Absence

There were no apologies for absence.

18. Declarations of Interest

There were no declarations of interest.

19. An update on Licensing Matters

The Licensing Team Leader presented his report, which gave an update on Licensing Matters since the last meeting.

The report covered:

- Licensing Act
- Gambling Act
- Taxi Licensing
- Silverstone
- Enforcement
- Licensing Hearings
- Policies

In connection with enforcement activity, the Licensing Team Leader reported that an operation had been held in Milton Keynes on 14 March 2012. 45 vehicles had been stopped, 27 of which were sent to the depot for inspection. Of those 27, 20 were vehicles registered with Milton Keynes Council, six with SNC and one with Central Bedfordshire. 18 of the Milton Keynes vehicles failed, and four of the SNC vehicles failed. The SNC failures were related to having a nail in the tyre, not displaying a 'no smoking' sign and faulty lights.

Regarding changes to the Live Music Bill detailed in Appendix 2 to the Licensing Team Leader's report, the Committee asked what would happen in premises that wanted to have live music after 11pm. The Licensing Team Leader explained that in those circumstances individual premises would still need appropriate conditions, and in the event of non-compliance with the conditions sub-Committee hearings could be held.

In connection with the two policies included at Appendices 3 and 4, the Committee asked a number of questions relating to access for inspection for enforcement issues, and which offences were now included on the Home Office list. The Licensing Team Leader agreed to check all the points raised and amend the policies as necessary before they were considered by Cabinet.

The Committee also requested that the annexe references in each document be checked before being referred to Cabinet.

RESOLVED: That subject to consultation the Cabinet be recommended to approve the two Policies referred to in the Licensing Team Leader's report, subject to the following amendments:

Sex Establishment Licensing Policy

Paragraph 2.3.1, point b to be amended to make specific reference to Sex Establishment Licences

Hackney Carriage and Private Hire Licensing Policy

Page 27, top of the page – Appendix reference to be corrected to appendix 9

The general Home Office list of offences to be checked, and the relevant pages updated in the Policy as required.

20. Urgent Business

There were no items of urgent business.

Chairman

(The meeting closed at 5.30 p.m.)

SOUTH NORTHAMPTONSHIRE COUNCIL

LICENSING COMMITTEE

AN UPDATE ON LICENSING MATTERS

REPORT OF LICENSING TEAM LEADER

31 July 2012

1 PURPOSE OF REPORT

The purpose of this report is to provide the Committee with an update on licensing matters.

2 INFORMATION

2.1 Licensing Act

In April this year the legislation changed regarding temporary event notices and the word 'vicinity' has been removed in connection with representations to applications.

Although 'vicinity' is no longer used as a measure with regards to representations, the comments made must still be relevant to the application.

Late TENs were also introduced. These can only be submitted in exceptional circumstances and the notice period has been reduced from ten to five working days. In respect of both normal and late TENs, Environmental Health can now make representations as well as the police.

2.2 Gambling Act

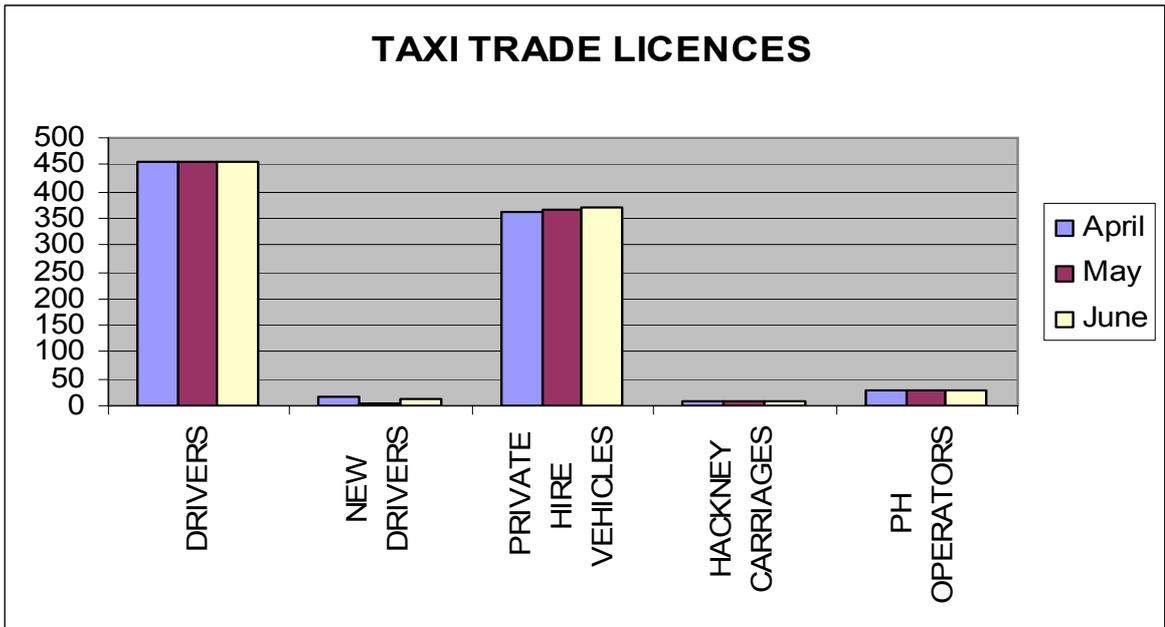
There have been no applications under the Gambling Act.

2.3 Taxi licensing

At the beginning of July there were:

- 457 licensed drivers with twelve new applications pending;
- 371 private hire vehicles;
- 7 hackney carriages (two of which are horse-drawn);
- 29 private hire operators.

The chart illustrates that there has been little variation in the numbers of licences in the past three months.

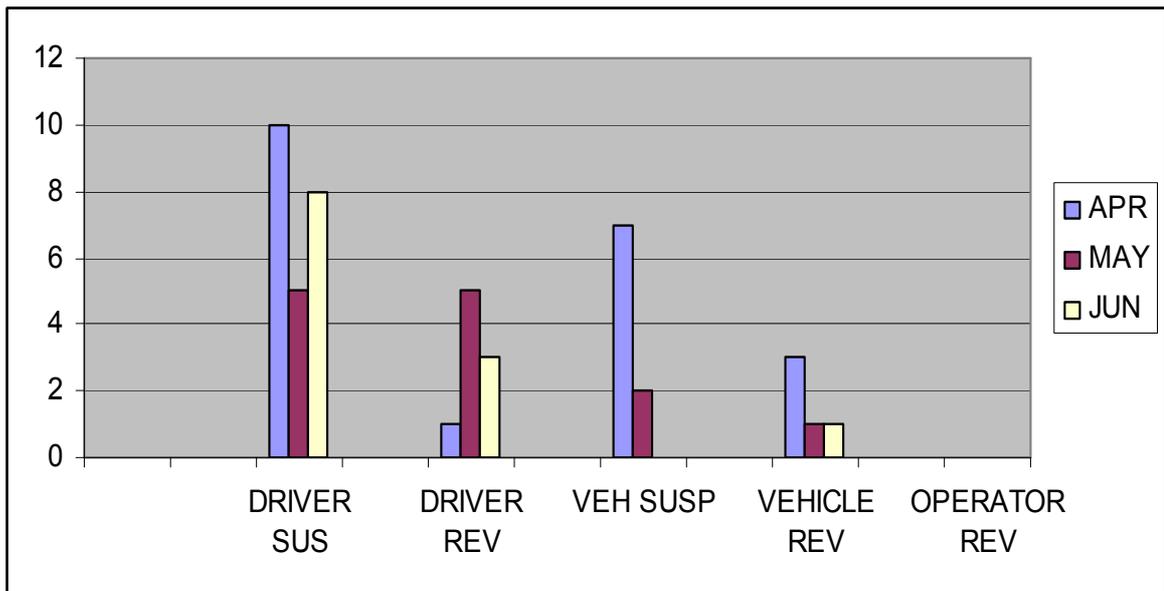


2.4 Enforcement

Taxi trade

A separate report was planned to give an update on joint enforcement work with taxi licensing officers from Milton Keynes Council. Unfortunately confirmation of approval of the report from Milton Keynes was not received in time for this committee and will be reported at the next meeting.

This chart shows the number of taxi trade licences suspended and revoked since the last report (March 2011):



Other licensing enforcement

There have been no other licensing issues.

Other Enforcement

A taxi driver was given a fixed penalty for throwing rubbish out of his car and into the Springfields' car park. He paid the £75 fine on 11th July.

2.5 Licensing hearings

A taxi driver appeared before the Licensing Sub-Committee on 12th June having exceeded his penalty point limit (some of which were as the result of his failing to report a collision with a parked car in the Springfields' car park). In accordance with the penalty point procedure he was suspended for 28 days.

2.6 Silverstone

The Licensing team issued special hackney carriage plates to four drivers wishing to use their private hire vehicles as taxis in the Silverstone area this year.

Special street trading consents were issued to five residents wishing to sell foodstuffs over the event dates. There were no issues with unlicensed street traders.

Following complaints about congestion and parking issues with taxis during last year's GP a taxi workshop for Northamptonshire Police was held in May and, there was a strong police presence in the village. Although there were reports of many taxis attempting to enter the village the extra police and Northamptonshire County Council enforcement staff helped to keep the area clear of buses, taxis and private hire vehicles as well as those of local resident's vehicles.

The majority of taxis and private hire vehicles parked in the correct location (along Brackley Road) in accordance with the traffic management plan, which the Licensing Team Leader had circulated to all SNC drivers and every surrounding council.

Work will continue to raise awareness with surrounding local authorities for next years events but hopefully the extra work this year will discourage opportunist drivers in future.

There was a complaint of excessive noise from an event on a small campsite. This turned out to be a charity function with a temporary event notice in place. This matter will be taken up by Environmental Protection officers for future events.

Licensing (and Health Protection) officers worked throughout the weekend and there were no specific licensing issues. Both Teams have received complimentary feedback from villagers about visits.

2.7 Taxi consultation

The Law Commission have set up an important consultation entitled 'Reforming the law of taxi and private hire services' which is due to end on 10th September. Arrangements are in hand for the Environmental Health Manager and Licensing Team Leader to meet with the Chairman and Deputy Chairman of this Committee in order to formulate a response from the Council.

The document is available at:

<http://lawcommission.justice.gov.uk/consultations/1804.htm>

Members are invited to forward any comments on the consultation to the Licensing Team Leader by 17th August.

3 RECOMMENDATION

The Committee is asked to note the items in paras. 2.1 – 2.7 and forward comments on 2.7 to the Licensing Team Leader.

Contact Officers:

David Macey MloL ABII
Team Leader Licensing

Jackie Fitzsimons
Environmental Health Manager