

PLEASE NOTE VENUE

LICENSING COMMITTEE AGENDA



Wednesday 13 December 2006

at 10.00am

**in Conference Room 2,
Belle Vue Community and Sports Centre,
Kendal Road, Hartlepool**

MEMBERS: LICENSING COMMITTEE:

Councillors Brash, R W Cook, Griffin, Hall, Jackson, Johnson, Kaiser, Laffey, Lilley, Morris, Rayner, Richardson, Rogan, Tumilty and Worthy.

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. TO CONFIRM THE MINUTES OF THE MEETING HELD ON 20 SEPTEMBER 2006**
- 4. ITEMS FOR INFORMATION**
 - 4.1 Quarterly report on Licensing Act Sub Committees and Hackney Carriage and Private Hire Sub Committees Activity – *Assistant Chief Executive*
- 5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

LICENSING COMMITTEE

MINUTES AND DECISION RECORD

20th September 2006

Present:

Councillor George Morris (In the Chair)

Councillors: Jonathan Brash, Rob Cook, Sheila Griffin, Gerard Hall, Pauline Laffey, Geoff Lilley, Pat Rayner and Victor Tumilty.

Officers: Ralph Harrison, Head of Public Protection and Housing
Ian Harrison, Principal Licensing Officer
Tony MacNab, Solicitor
Angela Hunter, Principal Democratic Services Officer

Also Present: Andy Briscoe, Representative from Hackney Carriage Vehicle Owners Group

12. Apologies for Absence

Apologies were received from Councillors Peter Jackson, Michael Johnson, Stan Kaiser, Carl Richardson, Trevor Rogan and Gladys Worthy.

13. Declarations of interest by members

None.

14. Confirmation of the minutes of the meeting held on 28th June 2006

Confirmed.

15. Hackney Carriage Tariffs – Annual Review *(Head of Public Protection and Housing)*

Purpose of report

To re-consider a proposal to increase Hackney Carriage tariffs following the receipt of objections/comments to the original proposal considered by the Licensing Committee in June 2006.

Issue(s) for consideration by the Committee

At the Licensing Committee meeting held on 28th June, it was resolved that a proposal to increase hackney carriage tariffs be accepted, a copy of which was attached by way of appendix. The proposal was advertised in the form of a public notice and a petition objecting to the proposed increase and one objection letter had been received. In addition to this, one letter of support had been received. The background to the current position was provided within the report.

The Head of Public Protection and Housing indicated that although originally the hackney carriage vehicle owners had supported this proposal, there had been change of heart and they had suggested an alternative proposal. The main reason for this being that the variation in operating hours of licensed premises had meant that the demand for drivers was now stretched out over longer hours.

Attached by way of appendix were two options for the proposed tariffs for 2006/07, along with a comparison of costs for a 2 mile hackney carriage journey. It was noted that the figures in proposal 2 on the comparison table were incorrect and should read as follows:

08:00	3.80
15:00	3.00
Midnight	5.20

It was noted that the option recommended could be subject to a further review in two months time if necessary. Members noted that the decision taken at the previous meeting had been taken after consultation undertaken with the hackney carriage vehicle owners and that at the time there were no objections to the proposal from them. However, Members were concerned that the number of responses to the consultation had been fairly low. The Principal Licensing Officer explained that a large number of single owner drivers may have other sources of income and therefore may not rely solely on the income from operating their hackney carriage vehicle. Any decision taken not to increase fares may have a bigger impact on the professional owner drivers where it was their sole income. A representative from the Hackney Carriage Vehicle Owners Group attended the meeting and was invited to comment on the proposals.

Decision

It was agreed that no fare increase be implemented and that this be reviewed later in the year.

16. Statement of Licensing Principles – Gambling Act 2005 *(Head of Public Protection and Housing)*

Purpose of report

To inform Members of the outcome of the consultation exercise carried out in respect of the proposed Gambling Policy as required by the Gambling Act 2005.

Issue(s) for consideration by the Committee

Members were reminded that as of 1st September 2007 Hartlepool Council would assume responsibility for the licensing of gambling premises, with licence applications being submitted from 1st February 2007.

A draft Statement of Licensing Principles was appended to the report for members' information along with a timetable for adoption of the Statement and ultimately implementation of the Gambling Act. The Head of Public Protection and Housing advised that all the guidance on the Act had not yet been published and further reports would be submitted to Members. However, in order to meet deadline the consultation had been undertaken at a local and national level and a total of four responses had been received. The responses were attached to the report by way of appendix.

A lengthy and detailed discussion took place regarding the advantages and disadvantages of adopting a No Casino Policy, the main concerns being:

- There was a view that gambling was associated with social problems
- That members of the public should be allowed the right to choose whether to attend a casino or not, although Hartlepool was not currently a site being proposed for the location of a casino
- There were several categories of casino and that while some Members could see advantages in having a 'super' casino located at a disused site within Hartlepool, they were concerned that some venues may operate small casino facilities within their main premises

The Principal Licensing Officer informed Members that any policy adopted by the local authority must be reviewed in three years time, if not reviewed before then.

Decision

It was agreed that the draft Gambling Policy be recommended to Cabinet and full Council for adoption and that a 'No Casino' policy be included.

17. Quarterly Report on Licensing Act Sub Committees and Hackney Carriage and Private Hire Sub Committees Activity
(Assistant Chief Executive)

Purpose of report

To update members on the work undertaken by the five Licensing Act Sub Committees and the three Hackney Carriage and Private Hire Licensing Sub Committees.

Issue(s) for consideration by the Committee

At the meeting on 15th March 2006 the Licensing Committee had agreed to receive quarterly reports on the work of the sub-committees. Tables setting out briefly the work of the sub-committees since March 2006 were attached as appendices to the report. These showed that the Licensing Act sub-committees had considered three applications while the Hackney Carriage and Private Hire Licensing sub-committees had considered six applications.

Decision

That the report be noted.

GEORGE MORRIS

CHAIRMAN

LICENSING COMMITTEE

13 December 2006



Report of: Assistant Chief Executive

Subject: QUARTERLY REPORT ON LICENSING ACT SUB COMMITTEES AND HACKNEY CARRIAGE AND PRIVATE HIRE SUB COMMITTEES ACTIVITY

1. PURPOSE OF REPORT

To update Members on the work undertaken by the five Licensing Act Sub Committees and the three Hackney Carriage and Private Hire Licensing Sub Committees.

2. BACKGROUND

The Licensing Committee at its meeting on 15 March 2006 (Minute No. 61 refers) agreed to receive quarterly reports on the work of the sub committees when establishing the new Hackney Carriage and Private Hire Licensing Sub-Committees.

Attached as appendices to the report are tables setting out briefly the work undertaken by the sub committees since last reported to the Committee on 20 September 2006. From the tables Members will see that the Licensing Act Sub Committees have considered four (4) matters, while the Hackney Carriage and Private Hire Licensing Sub-Committees have considered twelve (12) driver applications in the same period.

As this report is for Members information only, there are no specific risk implications or financial or legal considerations to report.

3. RECOMMENDATIONS

That Members note the report and the information set out in the two appendices.

6. REASONS FOR RECOMMENDATIONS

The report is for Members information only in compliance with the decision of the committee on 15 March 2006

7. BACKGROUND PAPERS

Minutes of Licensing Committee held on 15 March 2006

Published minutes of the Licensing Act Sub Committees and the Hackney Carriage and Private Hire Licensing Sub-Committees held in August, September, October and November 2006.

8. CONTACT OFFICER

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Appendix 1

Licensing Act Sub Committees

Premises	Date	Application Type	Application	Members	Objectors Present	Decision	Latest Operational Hour Granted
Shades, Church Street, Hartlepool	13 September 2006	Review	Removal of Alcohol licence following concerns relating to the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.	Councillors R Cook (Chair), Rogan and Tumilty	Cleveland Police. Safeguarding and Review Unit.	Suspension of the licence for a period of 3 months and to modification of conditions 5 and 6 of the licence by requiring door supervisors to be present at all times that the premises are open to the public and that CCTV recordings be kept for a period of 28 days.	n/a

Premises	Date	Application Type	Application	Members	Objectors Present	Decision	Latest Operational Hour Granted
34A Duke Street, Hartlepool	14 October 2006	New premises Licence	Sale of Alcohol. Mon – Sat 0900 – 2230 (Amended at meeting)	Councillors Tumilty (Chair), Hall and Kaiser	Three residents	Application approved	22:30
Gillens, 76 West View Road, Hartlepool	23 November 2006	Review	Removal of licence following conviction for sale of alcohol to minors.	Councillors Tumilty (Chair), Hall and Kaiser	Public Protection and Housing	No action.	n/a
Halliday Stores, 89-91 Chatham Road, Hartlepool	27 November 2006	Transfer of a premises licence and new designated premises supervisor	Supply of Alcohol (Off Licence) Monday to Saturday; 0800 – 2300 Sunday: 1000 – 2230 Christmas Day: 1200 – 1500 and 1900 – 2230 Good Friday: 0800 – 2230	Councillors Brash (Chair), Hall and Morris	Cleveland Police	Hearing abandoned – all outstanding matters agreed. Application approved.	23:00

Appendix 2

Hackney Carriage and Private Hire Licensing Sub Committees

Date	Members	Application Type	Applicant	Applicant Present	Decision
29 August 2006	Stan Kaiser (Chair), Gerard Hall, Peter Jackson and Pauline Laffey	Private Hire	PBC	Yes	Approved with reminder of duty to public.
		Private Hire	MC	Yes	Licence revoked.
		Private Hire	RWD	Yes	Approved with reminder of duty to public.
		Private Hire & Hackney Carriage	MH	Yes	Approved with reminder of duty to public.
		Private Hire	BEH	Yes	Approved with reminder of duty to public.
		Private Hire	AW	Yes	Application refused.
3 November 2006	Rob Cook (Chair) (sub for George Morris), Jonathan Brash, Sheila Griffin Geoff Lilley (sub for Victor Tumilty) and Carl Richardson.	Private Hire	JR	Yes	Application approved.
		Private Hire & Hackney Carriage	RHW	Yes	Application approved.
		Private Hire & Hackney Carriage	DAP	No	Deferred.
		Private Hire	NAF	No	Deferred.
15 November 2006	Stan Kaiser (Chair), Sheila Griffin (sub for Gerard Hall) and Pauline Laffey	Private Hire	LFH	Yes	Application refused.
		Private Hire & Hackney Carriage	DAP	No	Application approved.
		Private Hire	NAF	No	Application approved.
		Private Hire	ATC	No	Deferred.