

MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON WEDNESDAY, 5 JULY 2006 AT 9.30AM

Present:-

Councillor K T Rowlands - Chairperson

Councillors

A E Davies  
W B Evans  
R M Granville  
J J Hipkiss

Councillors

C E Hughes  
G C Lewis  
R D Jenkins

Councillors

K T Rowlands  
M L Simmonds  
M C Wilkins

Officers:

Mr H Batten - Legal Officer  
Mrs Y Witchell - Licensing Officer  
Mr M A Galvin - Senior Cabinet & Committee Officer

34 DECLARATIONS OF INTEREST

- Councillor W B Evans - Agenda Item 5(i) - In that his nephew and niece were taxi drivers.
- Councillor R D Jenkins - Agenda Item 5(i) - In that his daughter and prospective son-in-law were taxi drivers.
- Councillor G C Lewis - Agenda Item 5(ii) - In that he is one of the directors of a company mentioned in the report.

35 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the Licensing Committee dated 30 January 2006, be approved as a true and accurate record.

36 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:-

- Councillor D Buttle - Holiday  
Councillor M Jones - Holiday  
Councillor M E J Nott - Holiday  
Councillor D T Greaves - Convalescing  
Councillor D Sage - Work Commitments

37 LEGAL SERVICES DEPARTMENT  
LICENSING FUNCTION  
DISCRETIONARY LICENCE FEES AND CHARGES

Councillors W B Evans and R D Jenkins had earlier declared an interest in the report, for the reasons so given.

The report attached an Appendix 1, which included discretionary fees in relation to Miscellaneous Premises, Hackney Carriage and Private Hire Licences and

Miscellaneous Licences and Permits. So as to allow the above Members to participate in that part of the report which related to issues other than taxis, Members decided to consider the fees relating to Hackney Carriage and Private Hire vehicles first.

Councillor Evans and Councillor Jenkins left the meeting whilst these fees were being discussed. Both Members returned to the meeting for the remainder of the item which they did not have an interest in, i.e. discretionary fees relating to Miscellaneous Premises and Miscellaneous Licences and Permits.

The Deputy Chief Executive and Executive Director - Resources submitted a report, the purpose of which, was to determine licensing fees and charges for 2006/07.

The Licensing Officer gave a resumé of the report, starting off with some background information, including powers available to the Licensing Committee in relation to the setting of various fees and charges.

The Licensing Officer then alluded to budget issues (for 2006/07) which included an explanation as to why the fees needed to be revised. This part of the report also referred to the requirement of further licensing staff, i.e. in the form of Enforcement Officers.

The report then gave some information on fees for Street Trading Consents (previously requested by Members) including any policy issues that may be adopted under the appropriate legislation.

In relation to the layout of the report, Members felt it would be beneficial if, in the future, reports on fees and charges could be split to include two separate items, one in relation to fees and charges for taxis and the other miscellaneous premises and miscellaneous licences and permits. Officers agreed to follow this suggested process for future such reports.

It was suggested that Officers pursue the appropriate channels, in a bid to secure extra staff in the Licensing Section, i.e. Enforcement Officers, for reasons given earlier at the meeting and outlined in the report.

A request was also made from the floor for information to be provided to Members of the Committee, on how much organisers of town market events charge individual stall holders for erecting a stall in town on these days. It was further requested to provide information confirming where this money also goes. Again Officers agreed that this would in turn be provided to Committee Members.

- RESOLVED:**
- (1) That Committee approves the proposed fee increases to be effective from 17 July 2006, with the exception of fees relating to taxi vehicle licences and operator licences which are subject to Public Notice and will become operative either 28 days following the expiration of the Public Notice, or, if objections are received, on a date to be determined by the Licensing Committee, following formal consideration of the objections.
  - (2) That Committee adopts a policy in relation to Street Trading whereby the Licensing Sub-Committee may consider applications for reduced fees based on the

following criteria and subject to the appropriate evidence being submitted as to the status of the organisation:-

- (a) registered charity
  - (b) other 'not for profit' organisations
- (3) That the above be subject to a £30 fee being charged for each annual consent to cover costs.
- (4) That a further report be presented to the Committee should the trend in street trading enquiries change.
- (5) That Officers pursue via the appropriate channels, concerns raised by Members regarding a probable shortage of Enforcement Officers currently within the Licensing Section, and that a further report be awaited on this matter.

38 LICENSING ACT 2003: LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982  
LATE NIGHT REFRESHMENT HOUSES ACT 1969  
APPLICATION FOR REFUND OF FEES

Councillor Lewis left the meeting whilst this report was being considered.

The Deputy Chief Executive and Executive Director - Resources submitted a report, the purpose of which was to determine applications received for refunds of fees paid for entertainment licences and a late night refreshment house licence required during the period before the Licensing Act 2003 come into full effect.

The report outlined details of the name of the premises and the recommended refunds that Committee may consider refunding.

RESOLVED: That the report be accepted and noted, and approval be given to process the various refunds proposed and outlined in the table contained in paragraph 5.7 of such report.

39 TOWN POLICE CLAUSES ACT 1847  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976  
APPLICATION FOR REFUND OF FEE: MR. A

RESOLVED: That having regard to the report of the Deputy Chief Executive and Executive Director - Resources on the above application and, for the reasons contained within the report, approval be given for the balance of the fee in the sum of £45.00 to be refunded to Mr A.

40 TOWN POLICE CLAUSES ACT 1847  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976  
APPLICATION FOR REFUND OF FEE: MR. K

RESOLVED: That the application made by Mr K for refund of fee in respect of an application for the grant of a taxi licence be partly refunded, as the application had been partly processed and administration fees therefore incurred and,

approval be given for a refund of £10.00 to be payable, in this instance.

41 ANY OTHER BUSINESS

Certain Members brought to the attention of the Vice-Chairperson that the period of time, i.e. six months had now lapsed in relation to the previous appointment of Chairpersons to the Licensing Sub-Committee, to take on extra work generated by the Licensing Act 2003.

The current situation was that there were four Chairpersons of the Licensing Sub-Committee (formerly five, however one of these namely Councillor Quick was no longer a member of the Licensing Committee) namely the Chairperson and Vice-Chairperson of the Licensing Committee, together with Councillor Granville and Councillor Hipkiss.

Officers agreed that they would evaluate the future volume of work anticipated to be considered by the Sub-Committee, and in turn, arrange for the matter so raised to be further considered by way of a report, to a future meeting of Council.

The meeting closed at 10.25am.