

Minutes

Meeting name	Licensing Committee (Taxi and General)
Date	Thursday, 15 August 2024
Start time	6.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, LE13 1GH

Present:

Chair Councillor S. Carter (Chair)

Councillors S. Lumley (Vice-Chair) J. Adcock
P. Allnatt S. Atherton
M. Clay D. Pritchett

Officers Assistant Director for Governance and Democracy (Monitoring Officer)
Environmental Health and Licensing Manager
Licensing & Compliance Officer (Business Advisor: Licensing) (SG)
Democratic Services Officer (HA)
Democratic Services Officer (SE)

Minute No.	Minute
1	<p>APOLOGIES FOR ABSENCE Apologies for absence were received from Councillors Evans, Hewson and Simon Orson.</p>
2	<p>DECLARATIONS OF INTEREST There were no declarations of interest.</p>
3	<p>MINUTES There were no minutes for consideration as this was the first meeting of the committee.</p>
4	<p>MINUTES TO BE NOTED FROM LICENSING SUB-COMMITTEES There were no minutes for noting as there had been no sub committee meetings held relating to Taxi and General Licensing matters.</p>
5	<p>LICENSING PERFORMANCE REPORT The Environmental Health and Licensing Manager presented a report that updated Members on the work carried out by the Licensing Team and the wider impacts and benefits of the licensing regime which primarily focussed on those matters related to the Taxi and General aspects of licensing.</p> <p>Members appreciated the clear and concise report.</p> <p>The Committee noted the information and agreed that the report be received annually from hereon.</p>
6	<p>URGENT BUSINESS - APPOINTMENT OF SUB COMMITTEES AND DELEGATIONS The Chair and Committee agreed that the following item of business be considered as a matter of urgency to enable a decision on bringing certainty to the Council's processes to appoint Sub Committees to hear applications and reviews of licences and for this be in place as soon as possible.</p> <p>The Assistant Director for Governance and Democracy (Monitoring Officer) presented a report and explained that</p> <p>(a) At its Annual Meeting in May 2024 Council approved the appointment and establishment of two separate Licensing Committees to discharge its various licensing functions in accordance with statute. Appendix D to the report considered by Council also referred to the need to appoint Sub-Committees to hear applications and take other action required in relation to licences;</p> <p>(b) The Alcohol and Gambling Licensing Committee will also receive a report at its meeting later today which recommends that Sub-Committees are established to</p>

hear applications, reviews and other matters arising under the Licensing Act 2003 (the 2003 Act) and the Gambling Act 2005. Although the reasons for recommending establishment of Sub-Committees for that committee is based on the tight time-limits for holding hearings under that legislation, it is also considered beneficial to take a similar approach in relation to taxi and general licensing;

- (c) To replicate the statutory process applying to Alcohol and Gambling licensing decisions, it is suggested that any Sub-Committee appointed has 3 members. Since the size of the Committee would allow several hundred combinations of members to be appointed to separate Sub-Committees those combinations are not set out in this report. Instead, it is suggested that Committee simply approves the appointment of every permutation of Sub-Committee to allow as much flexibility as possible;
- (d) It is not intended that by agreeing to appoint Sub-committees there will never be occasions when the full Committee should consider individual licences or applications. Accordingly, it is also recommended that the Chair of the Committee is consulted at any time when a hearing is required so that he or she may give their view on whether the matter should be considered by a Sub-Committee. Where that is considered appropriate it is also recommended that the Proper Officer (currently the Chief Executive, via Democratic Services) should be able to arrange the meeting concerned;
- (e) Additionally, legislation states that when functions have been delegated to a Committee that Committee can further delegate them to Officers. The powers currently delegated to Officers are set out in Part 8 of Chapter 2 of the Constitution (Appendix A). Since there are now two Committees which are responsible for licensing matters, it is recommended that the Licensing Committee Functions and Procedure Rules are separated into two parts, with one part applying to each Committee;
- (f) The Committee is asked to consider paragraphs 1.6 and 1.7 of the Functions and Procedure Rules in Appendix A and whether any changes should be made in relation to those functions which are not reserved to Committee. It is generally more efficient for Officers to consider deal with applications where no representations are received since the 2003 and 2005 Act state that the Council must grant the licence in such cases.

RESOLVED

That the Committee

(1) Approves the appointment of all combinations of three member Sub-Committees available from the current or future membership of this Committee;

(2) Agrees that, where a hearing is required for any matter, the Chair of the

Committee should be consulted to confirm whether that hearing should take place before the whole Committee or a Sub-Committee;

(3) Agrees that the Proper Officer may convene a meeting of a Sub-committee comprised of those members who are available to hear the matter concerned or a meeting of the whole Committee;

(4) Delegates authority to the Assistant Director for Governance and Democracy in consultation with the Chair of the Taxi and General Licensing Committee to make the resulting amendments to the Constitution, to the extent that his current delegation would not allow this.

The meeting closed at: 7.10 pm