

**LICENSING COMMITTEE held at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN at 6.30 pm on 14 JANUARY 2004**

Present:- Councillor M J Savage – Chairman  
Councillors A Dean, E W Hicks, V J T Lelliott,  
J P Murphy and A R Row.

Officers in attendance:- M Hardy, M Perry, C Roberts, and R Secker.

**LC22 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors H Baker, B Hughes and A Marchant.

**LC23 MINUTES OF THE MEETINGS OF THE LICENSING COMMITTEE HELD  
ON 5 NOVEMBER AND 9 DECEMBER 2003**

The minutes of the meetings of the Licensing Committee held on 5 November and 9 December were received and approved as a correct record subject to the insertion of Councillor Baker's name in the last line of minute LC18.

**LC24 LIAISON MEETING WITH UTTLESFORD TAXI DRIVERS ASSOCIATIONS**

The Chairman referred to the meeting with taxi drivers which had taken place that evening. It was agreed that the meeting had been very positive and useful and that the Council should liaise with any properly constituted group of taxi drivers.

The taxi drivers had asked for re-consideration of the question whether hackney carriages would be permitted to carry advertising on the outside of the vehicle. The Head of Environmental Services had agreed to provide a paper on the previous policy and any reasons for change.

It had also been noted that the general public was not clear as to the distinction between hackney carriages and private hire vehicles, and the Members had undertaken to investigate the costs and practicality of providing a "Private hire – pre-booked only" sticker.

The taxi drivers had complained about parking problems and congestion at the Saffron Walden rank and Murray Hardy had agreed to write to Sergeant Seymour about this and to invite him to future meetings for consultation.

The Members of the Committee were pleased to hear that Murray Hardy was the Chairman of the Eastern Region National Association of Licensing and Enforcement Officers. He was able to inform the meeting that advice on licensing matters was often sought from the Association and Uttlesford practices were used as models of best practice.

**LC25 APPEALS AGAINST THE COMMITTEE'S DECISIONS**

The Head of Legal Services informed the meeting about an appeal which had been lodged but had been withdrawn when the appellant received the Council's affidavit. The Council's costs would be paid by the appellant in instalments.

The Head of Legal Services added that appeals appeared to be less frequent for decisions under delegated powers than they had been in respect of Committee decisions.

**LC26 COMMITTEE PROCEDURES**

The Committee considered a report by the Head of Legal Services on options available to Members for the procedure to be followed in considering various sorts of licensing application, particularly the option of usually considering applications in public or in the absence of the press and public. The report set out the effect of the relevant Schedule to the Human Rights Act 1998, which was generally seen to create a strong presumption that hearings should be in public

The report also referred Members to the need to ensure, pursuant to the same Act, that licensing panels were not so large as to be intimidating or oppressive. In the light of this panels of up to five were recommended. Equally the Act compelled prompt hearing of applications, and daytime ones would be more likely to suit the convenience of applicants for licences.

In answer to Members' questions the Head of Legal Services explained that it would always be open to the Committee for very good reason to decide to exclude the press and public from a particular hearing; further, the normally public nature of the hearing would be made clear to prospective applicants.

RESOLVED that

- 1 applications for personal licences and for premises licences(both under the Licensing Act 2003) and applications for hackney carriage and private hire vehicle drivers' licences be dealt with routinely in public, subject to the Committee's power to exclude the press and public when appropriate under the Local Government Act 1972.
- 2 the Committee uses the arrangement of sitting in panels adopted by the Development Control and Licensing Committee subject to review in six months' time when data will be available for the Committee to take a decision on permanent arrangements.
- 3 pending the review, no decision be taken to fix the frequency and timing of meetings.

LC27            **SCRUTINY REVIEW**

The Committee considered a report from the Head of Environmental Services on recommendations made by Scrutiny Committee 2 for procedure to be used in applying increases to taxi licensing fees.

RESOLVED that the suggestions from Scrutiny Committee 2 be accepted.

LC28            **TAXI SCHEME FOR CHRISTMAS AND NEW YEAR**

The Chairman referred to an inaccurate press release which had been issued on this subject. Members considered that this was a matter arising from one of the Community Tasking Groups of the Chief Executive's Community Safety section and did not come under the ambit of the Licensing Committee.

The meeting ended at 8.18pm.