

EXTRAORDINARY LICENSING COMMITTEE held at 7.30 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 27 NOVEMBER 2007

Present:- Councillor E W Hicks – Chairman.
Councillors K R Artus, E L Bellingham-Smith, J E Hudson,
R M Lemon, J I Loughlin, D J Morson, D G Perry and
A D Walters.

Officers in attendance:- W Cockerell, M Hardy, M Perry, C Roberts and
A Turner.

LC36 E-MAIL FROM MR PENNINGTON

The Assistant Chief Executive circulated to all Members a copy of an e-mail received from Mr Pennington containing his observations on the proposed revisions to the Licensing Act Policy, for their consideration in connection with item 2 on the agenda.

LC37 REVISIONS TO THE LICENSING ACT POLICY

The Committee considered a report prepared by the Council's Non-Contentious Solicitor on revisions to the Licensing Act Policy following consultation carried out on proposed policy revisions. The Assistant Chief Executive had circulated an e-mail from Mr Pennington which had been received in time to form part of the consultation and Members considered this with the report.

The Assistant Chief Executive advised the meeting that the Council was obliged by statute to review its policy every three years. In addition, following a legal challenge to the policy developed at Canterbury, the Uttlesford District Council had 18 months previously revised its policy to fall in with the judgement in that case.

Wide consultation on the draft revised policy had been undertaken, but the response had been very limited. The one late representation had been received in time to be brought before the Committee and therefore it was being considered.

The report detailed the replies received from the Association of Convenience Stores, the Stansted Parish Council and the British Beer and Pub Association as well as from an individual Stansted Parish Councillor.

The Assistant Chief Executive advised the Members that, as regards the proposed revisions contained in the report:

The Challenge 21 suggestion would not be a very contentious matter;

Some of the suggestions for control measures made by the British Beer and Pub Association were unsuitable to form conditions under the current legislation;

the letter received from Mr Pennington suggested enforcement procedures which could not under present legislation form part of the Licensing Policy, but Mr Pennington would be able to apply for a review of licence on the basis of such issues.

In answer to a question from Councillor Artus, the Assistant Chief Executive informed the meeting that the Council's responsibility under the Freedom of Information Act obliged the Council to provide certain information. The Council also had a statutory obligation to promote equalities.

RESOLVED that the Licensing Act draft policy be recommended to the Full Council for adoption, subject to the additions set out in paragraphs 13 (c) and (d) and paragraph 15 (a), (b) and (c) of the report and that the policy of the following of best practice be endorsed in connection with the Challenge 21 policy as a suggested measure.

The Assistant Chief Executive said that he would be writing to Mr Pennington explaining how he could apply for review of a licence. The Chairman of the Committee confirmed that Mr Pennington's letter had been considered by each member of the Committee.

The meeting ended at 8.10 pm.