

**LICENSING SUB-COMMITTEE held at 6.30 pm at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN on 6 SEPTEMBER 2000**

Present:- Councillor R C Dean - Chairman.
Councillors E C Abrahams, Mrs C A Cant, Mrs S Flack, D J Morson,
G W Powers, A R Row and R B Tyler.

Officers in attendance:- P Anderson, Mrs J Harrison, Mrs J Postings,
Mrs C Roberts, R Secker and Mrs A Turner.

L18 MEETINGS

Councillor G W Powers commented that it was difficult for Members to make personal arrangements when more than one meeting was held on the same evening.

L19 MINUTES

The Minutes of the meeting held on 11 July 2000 were received, confirmed and signed by the Chairman as a correct record.

L20 BUSINESS ARISING

(i) Minute L12 - Application for a Music and Dancing Licence at the Queen Victoria Public House, Great Dunmow

The Head of Environmental Services confirmed that new forms had been produced for public entertainment licence applications and he circulated copies of these. In answer to a question, he informed the meeting that no complaints had been received regarding any of the licensed Karaoke premises so far.

L21 HACKNEY CARRIAGE STAND - GREAT DUNMOW

The Sub-Committee received a report requesting that the stand formerly appointed in Dunmow High Street in 1992 and relocated to its current position outside 53 - 57 High Street in 1997, be formally appointed now by resolution. The Services Officer added that when the stand was moved the Council had been advised by Essex County Council Highways Department and had consulted the Police. However, it appeared that a formal appointment had not been made at that time. In answer to a question from Councillor G W Powers, the Services Officer confirmed that no court proceedings had been brought so far relating to this stand. Councillor Powers described the location and history of the stand and, in answer to a question from Councillor R B Tyler, informed the meeting that it was not much used. The Head of Environmental Services added that the stand was used, though not as often as it could be, due to illegal parking which the Council was intending to address. Councillor A R Row drew Members' attention to the fact that no objection had been made to the relocation of the stand in 1997.

RESOLVED that the Hackney Carriage Stand located outside 53 - 57 High Street, Great Dunmow and extending for 10m from a starting point approximately 58m from the entrance to White Street, Great Dunmow be appointed to accommodate three Hackney Carriage vehicles.

L22 DISCUSSION ON WRITTEN PROCEDURES FOR DETERMINING LICENSING APPLICATIONS

The Chairman explained that, arising from the Sub-Committee meeting on 19 June 2000 and discussions between Councillor Powers and the Chief Executive, Mrs E Forbes, with subsequent correspondence, a debate on these issues by the Licensing Sub-Committee was called for. Councillor Powers questioned the order of the agenda and the Chairman invited the observations of other Members. It was the consensus of the Sub-Committee that the agenda should be proceeded with in its original order.

The Head of Legal Services described the impact of case law on quasi-judicial bodies and of the new Human Rights Act on the Sub-Committee's proceedings. Councillor Powers questioned the advice and left the meeting at 7.48 pm following which there was a five minute adjournment at the request of the Head of Legal Services.

Following the adjournment, Members expressed their views on matters leading up to the adjournment and the Head of Legal Services continued her explanation of the law relating to quasi-judicial proceedings, stressing the importance of Members appearing to have a totally open mind before taking a decision, since both bias and the perception of bias could put a decision into question. Possible ways of amending current procedures were suggested and discussed.

RESOLVED that

- 1 officers revise the existing written procedures to incorporate an opportunity for Councillors to make statements or provide information to the Sub-Committee and draft appropriate guidance notes for such Councillors and that these be submitted to a future meeting of the Sub-Committee,
- 2 the Licensing Sub-Committee agree its own procedures as necessary from time to time.

L23 MEMBER TRAINING WORKSHOP ON THE QUESTIONS FOR PUBLIC ENTERTAINMENT LICENSING PROCESS

The Head of Environmental Services and the Head of Legal Services circulated a list of possible questions to applicants for public entertainment licences. The Head of Legal Services explained that it was important to prepare questions prior to the meeting. She gave advice as to ways of questioning. The Head of Environmental Services gave examples of the practical problems which might arise during the course of a public entertainment. Councillor R B Tyler asked officers to give thought to the idea of open decision making in the public entertainment licensing process. Members were also concerned about the accuracy of information given by applicants on the application form.

RESOLVED that a further report be submitted to a future meeting of the Sub-Committee on any possible improvements in the public entertainment licensing process.

L24 DATE OF NEXT MEETING

It was noted that the next meeting of the Licensing Sub-Committee was scheduled for 22 November 2000, but that a meeting might be necessary in mid-October.

The meeting ended at 7.35 pm.