

**LICENSING AND ENVIRONMENTAL HEALTH COMMITTEE held at
COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON
WALDEN, CB11 4ER, on THURSDAY, 10 AUGUST 2023 at 7.00 pm**

Present: Councillor A Armstrong (Chair)
Councillors J Davey, A Dean, G Driscoll (Vice-Chair), J Moran
and A Reeve

Officers in attendance: S Mahoney (Licensing and Compliance Manager) and
C Shanley-Grozavu (Democratic Services Officer)

Also

Present: E Smith (Legal Advisor – Birketts)

LIC20 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence or declarations of interest.

LIC21 MINUTES OF PREVIOUS MEETINGS

The minutes of the previous meeting were approved as a correct record.

LIC22 LICENSING ACT 2003 - REVISED STATEMENT OF LICENSING POLICY

The Licensing Manager presented the revised Statement of Licensing Policy for the period 2022 to 2027. It was confirmed that consultation on the draft policy took place over a 12-week period and all the persons listed in s5(3) of the Act, including responsible authorities, premises licensed in the district, local businesses, Councillors, and Town and Parish Councils were consulted. It was also displayed on the Council's website for public comment.

In response to questions from members, officers clarified the following:

- The Council had the power to adapt policies within the Statement of Licensing Policy in order to reflect local issues, needs and initiatives, as long as the statutory requirements continued to also be met.
- The Council had not adopted a Street Trading Policy, so did not have the power to move street traders, such as food trucks, on if required.
- The Statement of Licensing Policy did not have the jurisdiction for licensable activities on private land, however these were still subject to Environmental Health legislation such as noise and waste.
- Overcrowding in premises was no longer the responsibility of the Licensing Authority and guidance was issued by the emergency services.
- Should a premise wish to put table and chairs out on the public highway, then they are required to obtain a separate permit.
- The draft policy had been written by the previous Licensing Manager.

Members commended the document, however raised concerns regarding the lack of training in which members had on the policy and how it would be applied in practice. It was agreed that members would receive further training.

The Chair requested that any feedback be sent to the Licensing Team in writing before the policy was due to be approved at Full Council.

Councillor Dean proposed that the recommendation be amended to include the requirement for further training for members. This was seconded by Councillor Davey.

The Legal Advisor clarified that the amendment was not necessary, given that it duplicated the primary legislation requirement that policies be under regular review.

Members debated the amendment.

The Chair called for a vote and the amendment fell.

Councillor Davey proposed the recommendation be approved. This was seconded by Councillor Moran.

RESOLVED: That members recommend that Full Council adopt the proposed statement of licensing policy with effect from 1 December 2022.

LIC23

REVISION TO THE HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

The Licensing Manager presented an update on the revisions made to the Hackney Carriage and Private Hire Licensing Policy, following the approval of the new Restricted Home to School Private Hire Driver's licence.

Councillor Driscoll queried the inclusion of footwear twice within the revisions. The Legal Advisor clarified that the law did prescribe appropriate footwear and this was reflected in the policy.

Members requested several errors within the revisions be amended, including removing the inclusion of Thaxted and Takeley as towns in the District.

The revisions were noted.

Meeting ended at 19.40