



Minutes of the Licensing and Regulatory Affairs Committee

(to be confirmed at the next meeting)

*Minutes of a meeting held on 20 November 2012
at the Civic Offices, Fareham*

PRESENT:

Councillor Mrs P M Bryant
(Chairman)

Councillor T M Cartwright
(Vice-Chairman)

Councillors: Mrs S M Bayford, Miss S M Bell, Mrs M E Ellerton, M J Ford, JP, T J Howard, L Keeble, Mrs K Mandry, D J Norris, R H Price, JP and P W Whittle, JP

1. APOLOGIES FOR ABSENCE

There were no apologies for absence at this meeting.

2. MINUTES

RESOLVED that the minutes of the meeting of the Licensing and Regulatory Affairs Committee held on 18 September 2012 be confirmed and signed as a correct record. ([lc-120918-m](#)).

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made announcements concerning the members' training session held on 15 October 2012 and the possible cancellation of the meeting scheduled for 22 January 2013.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

5. DEPUTATIONS

There were no deputations made at this meeting.

MATTER SUBMITTED FOR CONFIRMATION

6. GAMBLING POLICY - RESULTS OF CONSULTATION

The Committee considered a report by the Director of Regulatory and Democratic Services on the results of the consultation on the revisions to the Council's Gambling Policy (copy of report [lc-121120-r03-iri](#) circulated with agenda). It was noted that the report recommendation should have referred to the Council rather than the Executive.

RECOMMENDED that, subject to the inclusion of a 'no casino' resolution as shown in paragraph 104 of Appendix 1 to the report, the draft Gambling Policy as shown in Appendix 1 to the report be adopted.

DECISIONS UNDER DELEGATED POWERS

7. SPENDING PLANS 2013/14

The Committee considered a report by the Director of Finance and Resources on the Committee's Spending Plans for 2012/13 (copy of report [lc-121120-r01-now](#) circulated with agenda).

RESOLVED that:-

- (a) the revised budget for 2012/13, as shown in Appendix B to the report, be approved;
- (b) the fees and charges for 2013/14, as shown in Appendix A to the report, be approved;
- (c) the base budget for 2013/14, as shown in Appendix B to the report, be approved; and
- (d) it be noted that, as a result of new legislation concerning metal traders, the officers were liaising with the Environment Agency to establish whether a statutory or discretionary fee would apply.

8. CONSULTATION ON PARLIAMENTARY BOUNDARY CHANGES

The Committee considered a report by the Director of Regulatory and Democratic Services on the consultation on Parliamentary Boundaries (copy of report [lc-121120-r07-ewi](#) circulated with agenda).

It was noted that the deadline for responses to the consultation was 10 December 2012 and that, at its meeting on 18 October 2012 the Council had agreed that any comments be forwarded to the Committee and that, in consultation with the Chief Executive Officer, the Committee would submit a response on behalf of the Council to the Boundary Commission for England.

RESOLVED that:-

- (a) the Licensing and Regulatory Affairs Committee submits a response on behalf of Fareham Borough Council to the Boundary Commission for England's consultation on the 2013 Constituency Review indicating that it agreed with the revised proposals; and
- (b) the Director of Regulatory and Democratic Services, in consultation with the Chief Executive Officer, be requested to prepare and submit the response.

9. THE POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011 - LATE NIGHT LEVY

The Committee considered a report by the Director of Regulatory and Democratic Services on The Police Reform and Social Responsibility Act 2011 - Late Night Levy (copy of report [lc-121120-r08-iri](#) circulated with agenda).

RESOLVED that:-

- (a) the late night levy not be implemented at this time and that it be noted that the option to implement it can be revisited at a later date if necessary (voting: unanimous); and
- (b) an item be added to the Committee's work programme to enable it to receive an annual report on any incidents at licensed premises relating to crime and disorder and the four licensing objectives.

10. THE POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011 - EARLY MORNING ALCOHOL RESTRICTION ORDERS

The Committee considered a report by the Director of Regulatory and Democratic Services on The Police Reform and Social Responsibility Act 2011 - Early Morning Alcohol Restriction Orders (copy of report [lc-121120-r09-iri](#) circulated with agenda).

RESOLVED that:-

- (a) the Committee notes the new powers to licensing authorities to make early morning restriction orders (EMAROs) to restrict the sale of alcohol between midnight and 0600 hours;
- (b) the Committee considers the introduction of an EMARO unnecessary at present; and
- (c) this decision be kept under review.

11. ENFORCEMENT POLICY REVIEW - RESULTS OF CONSULTATION

The Committee considered a report by the Director of Regulatory and Democratic Services on the results of the consultation on the revisions to the Council's Enforcement Policy (copy of report [lc-121120-r04-iri](#) circulated with agenda).

RESOLVED that, subject to: the amendment of paragraph 125 of the policy and the Enforcement Policy Leaflet to show that all complaints will be investigated and a written response provided in accordance with the relevant Council's Corporate Complaints Procedure; the Revised Enforcement Policy (Appendix A to the report) and Enforcement Policy Leaflet (Appendix B to the report) be commended to the Executive for approval.

12. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS', VEHICLE AND OPERATORS' CONDITIONS

The Committee considered a report by the Director of Regulatory and Democratic Services on the review of Hackney Carriage and Private Hire Drivers', Vehicle and Operators' Conditions (copy of report [lc-121120-r05-iri](#) circulated with agenda). The report set out the current position with regard to the use of Hampshire County Council Travel Vouchers in Fareham's Hackney Carriage and Private Hire vehicles.

(Councillor Price left the meeting at 7.16pm)

RESOLVED that:-

- (a) the licence conditions of both the Hackney Carriage and Private Hire vehicle and operator licences be amended to include a condition that requires the acceptance of Hampshire County Council Travel Vouchers; and
- (b) the use of the Hampshire County Council Travel Voucher scheme be monitored to ensure it is being correctly used and administered in the Hackney Carriage and Private Hire trade.

13. LICENSING AND REGULATORY AFFAIRS COMMITTEE WORK PROGRAMME 2012/13

The Committee considered a report by the Director of Regulatory and Democratic Services on the Committee's Work Programme for 2012/13 (copy of report [lc-121120-r02-gwh](#) circulated with agenda).

RESOLVED that:-

- (a) it be noted that the Licensing Policy item shown on the work programme for 22 January 2013 had already been dealt with and that, unless any urgent matters arose, the meeting scheduled for 22 January 2013 be cancelled;

- (b) subject to (a) above, the Committee's work programme for 2012/13, as shown in Appendix A to the report, be agreed;
- (c) the information contained in the progress report, as shown in Appendix B to the report, be noted;
- (d) the annual report summarising the cases considered at meetings of the Licensing Panel, as shown in Appendix C to the report, be noted; and
- (e) it be noted that the officers would be arranging a further, in-house training session for members concerning licensing matters.

14. MRS D R HARRISON

Members made reference to the recent death of former Councillor Mrs D R Harrison, who had been Chairman of the Committee for a number of years, including the period when the Licensing Act 2003 came into effect. The Chairman indicated that further reference to the late Mrs Harrison would be made at the next Council meeting.

(The meeting started at 6:00pm
and ended at 7:26pm)