



BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

MONDAY, 24TH JANUARY 2005
AT 6.00 P.M.

COUNCIL CHAMBER, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors A. J. Dent (Chairman), D. Hancox (Vice-Chairman), Miss D. H. Campbell J.P., Mrs. R. L. Dent, Mrs. K. M. Gall, J. H. Gardener, M. H. Gill, Mrs. J. M. L. A. Griffiths, G. H. R. Hulett, W. R. Newnes, N. Psirides J.P., S. P. Shannon and E. C. Tibby.

AGENDA

Council Agendas and Minutes are available on our web-site at www.bromsgrove.gov.uk/meetings

1. To receive apologies for absence and notification of substitutes.
2. To receive the Minutes of the last Meeting.
3. To consider the Report of the Head of Administrative Services relating to non-confidential and non-exempt items.
4. To consider any other business, details of which have been notified to the Head of Administrative Services prior to the commencement of the Meeting and which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next Meeting.
5. To consider, and if considered appropriate, to pass the following resolution to exclude the public from the Meeting during the consideration of items of business containing "Exempt Information":-

"RESOLVED: that under Section 100A (4) of the Local Government Act 1972, the public be excluded from the Meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of "Exempt Information" as defined in Part I of Schedule 12A to the Act, the relevant paragraph of that part, in each case, being as set out below:-

<u>Item No.</u>	<u>Paragraph</u>
6(1)	4

6. To consider the Report of the Head of Administrative Services containing confidential or exempt items.

S.NIXON
Chief Executive

The Council House,
Burcot Lane,
BROMSGROVE,
Worcs.,
B60 1AA.

13th January 2005

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

Monday 20th December 2004, at 6.00 p.m.

PRESENT: Councillors A. J. Dent (Chairman), D. Hancox (Vice-Chairman), Mrs. S. J. Baxter (substituting for J. H. Gardener), Miss D. H. Campbell J.P., Mrs. R. L. Dent, Mrs. K. M. Gall, M. H. Gill, Mrs. J. M. L. A. Griffiths, Ms. J. A. Marshall (substituting for S. P. Shannon), W.R. Newnes, and N. Psirides J.P.

36/04 **APOLOGIES**

Apologies for absence were received from Councillors J. H. Gardener and S. P. Shannon.

37/04 **MINUTES**

The Minutes of the Meeting of the Committee held on 29th November 2004 were submitted.

RESOLVED: that the Minutes be approved and confirmed as a correct record.

38/04 **REPORT OF THE HEAD OF ADMINISTRATIVE SERVICES RELATING TO NON-CONFIDENTIAL AND NON-EXEMPT ITEMS**

The Report of the Head of Administrative Services relating to non-confidential and non-exempt items was submitted.

Arising therefrom:

(1) **APPLICATION TO GRANT AN ANNUAL PUBLIC ENTERTAINMENTS LICENCE – TARDEBIGGE COMMUNITY HALL, CHURCH LANE, TARDEBIGGE**

RESOLVED: that the application made by Ms. S. Keen for an annual public entertainments licence in respect of the Tardebigge Community Hall be approved, subject to the Council's standard conditions and to the following additional conditions:-

- (a) All external doors and windows must remain closed during public entertainment events;
- (b) No amplification of music or speech to be permitted outside the premises.

(2) **APPLICATION TO TRANSFER AN ANNUAL PUBLIC ENTERTAINMENTS LICENCE – YE OLD BLACK CROSS, WORCESTER ROAD, BROMSGROVE**

RESOLVED: that the application for the transfer of the public entertainments licence in respect of Ye Old Black Cross from Mr. P. Oxford to Ms. S. Boyce be approved.

(3) **APPLICATION TO TRANSFER AN ANNUAL PUBLIC ENTERTAINMENTS LICENCE – NEW ROSE AND CROWN, NEW ROAD, RUBERY**

RESOLVED: that the application the for transfer of the public entertainments licence in respect of the New Rose and Crown from Ms. Brooks and Mr. R. Geffen to Ms. C. Muddiman be approved.

(4) **APPLICATION TO RENEW AN ANNUAL PUBLIC ENTERTAINMENTS LICENCE – THE SUGARBROOK, CHARFORD ROAD, BROMSGROVE**

The Committee considered an application for the renewal of an annual public entertainments licence in respect of The Sugarbrook, Charford Road, Bromsgrove, following the expiry of the trial period.

RESOLVED: that the application made by Mr. and Mrs. Crisp for the renewal of an annual public entertainments licence in respect of The Sugarbrook, for a further nine months, be approved, subject to the Council's standard conditions, and to the following additional conditions remaining on the licence:-

- (a) All exterior doors and windows to be kept closed during public entertainment events, including the set of interior doors in the entrance lobby;
- (b) No amplification of music or speech to be permitted outside the premises;
- (c) Provision of door supervisors;
- (d) Installation of CCTV;
- (e) That public entertainment shall take place between 11am and 11pm Monday to Wednesday; 11am to 12midnight Thursday to Saturday; and 11am and 10pm on Sunday.

(5) **APPLICATION TO VARY AN ANNUAL PUBLIC ENTERTAINMENTS LICENCE – THE NEW ROSE AND CROWN, NEW ROAD, RUBERY**

The Committee considered an application for the variation of an annual public entertainments licence in respect of the New Rose and Crown, New Road, Rubery, following the expiry of the trial period. The variation sought to extend the licensing hours from 11.20 p.m. to 1 a.m. on Fridays and Saturdays.

RESOLVED: that the application originally made by Ms. Brooks and Mr. Geffen for the variation of an annual public entertainments licence in respect of the New Rose and Crown, for a further six months, be approved, subject to the Council's standard conditions, and to the following additional conditions remaining on the licence:-

- (a) The exterior doors and windows to be kept closed during public entertainment events, including the set of interior doors in the entrance lobby;
- (b) No amplification of music or speech to be permitted outside the premises;
- (c) Provision of door supervisors;
- (d) Provision of CCTV.

(6) **CONDITIONS ATTACHED TO THE ISSUE OF A VEHICLE LICENCE – TINTED WINDOWS**

RESOLVED:

- (a) that consideration of whether or not to introduce a condition that all new licensed vehicles should not have tinted windows, with the exception of special event vehicles, be deferred pending further information;
- (b) that all new applications to licence a vehicle for either hackney carriage or private hire, where the vehicle has excessive tinted windows, be

deferred, following further consideration of whether or not to introduce an appropriate condition limiting the use of tinted windows.

(7) **CONDITIONS ATTACHED TO THE ISSUE OF A VEHICLE LICENCE - ADVERTISING**

RESOLVED: that the display of any external advertisements on the rear passenger doors of licensed Hackney Carriage or Private Hire vehicles, be permitted, providing that all advertising material must be legal and comply with the appropriate codes set down by the Advertising Standards Authority.

(8) **STREET COLLECTION CALENDAR 2004/05 AND RETURNS**

RESOLVED: that this item be noted.

(9) **HOUSE TO HOUSE COLLECTION CALENDAR 2004/05 AND RETURNS**

RESOLVED: that this item be noted.

The Meeting closed at 6.35 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

24TH JANUARY 2005

REPORT OF THE HEAD OF ADMINISTRATIVE SERVICES RELATING TO NON-CONFIDENTIAL AND NON-EXEMPT ITEMS

1. **APPLICATION TO RENEW AN ANNUAL PUBLIC ENTERTAINMENTS LICENCE – THE GATE HANGS WELL, WOODGATE ROAD, STOKE HEATH, BROMSGROVE**

An application has been received for the renewal of an Annual Public Entertainments Licence on behalf of Mr. N. McMahon in respect of The Gate Hangs Well, Woodgate Road, Stoke Heath, Bromsgrove.

The Director of Environmental Services and the Police Authority have no objections to the renewal of the Licence, subject to the following additional conditions remaining on the Licence:

- All external doors and windows must remain closed during public entertainment events;
- No amplification of music or speech to be permitted outside the premises.

The application has been advertised, and no responses have been received. A satisfactory fire safety audit has also been received.

Members' views are requested.

Background Papers:

- (1) Application Form received 22nd November 2004.
- (2) Memorandum received from the Director of Environmental Services dated 14th December 2004.
- (3) Email received from the Police Authority dated 10th December 2004.
- (4) Public Notice.
- (5) Fire Safety Audit.

2. **APPLICATION TO RENEW AN ANNUAL PUBLIC ENTERTAINMENT LICENCE – THE TURKS HEAD, WORCESTER ROAD, BROMSGROVE**

An application has been received for the renewal of an Annual Public Entertainments Licence on behalf of Ms. L. Watts in respect of The Turks Head, Worcester Road, Bromsgrove.

The Director of Environmental Services and the Police Authority have no objections to the renewal of the Licence, subject to the following additional conditions remaining on the Licence:

- That all external doors and windows remain closed during public entertainment events;
- That a self closing device remains fitted to the internal Gents toilet door;
- That the Gents toilet window remains locked at all times during public entertainment events;
- That the kitchen door is kept closed during public entertainment events;
- That the Karaoke speakers are to be mounted on either tables or stands to prevent the continuity of noise transmitting through the walls of the premises.

The application has been advertised, and no responses have been received. A satisfactory fire safety audit has also been received.

Members' views are requested.

Background Papers:

- (1) Application Form received 23rd November 2004.
- (2) E-mail received from the Police Authority dated 10th December 2004.
- (3) E-mail received from the Director of Environmental Services dated 30th December 2004.
- (4) Public Notice
- (5) Fire Safety Audit

3. **APPLICATION TO TRANSFER AN ANNUAL PUBLIC ENTERTAINMENT LICENCE – THE PARK GATE INN, KIDDERMINSTER ROAD, BROMSGROVE**

An application has been received for the transfer of an Annual Public Entertainments Licence in respect of The Park Gate Inn, Kidderminster Road, Bromsgrove, from Ms. J. Ward to Ms. M. Oliver.

The Police Authority has no objections to the transfer application.

Members' views are requested.

Background Papers:

- (1) Application Form received dated 17th December 2004.
- (2) E-Mail received from the Police Authority dated 21st December 2004.

4. **STREET COLLECTION APPLICATION – BROMSGROVE LIONS CLUB**

To inform Members that a Street Collection Permit was granted, under the authority of the Chairman of this Committee, to the Bromsgrove Lions Club on behalf of the Tsunami Disaster for a collection that took take place in Bromsgrove High Street on Friday 7th January 2005.

Background Papers:

None

5. **STREET COLLECTION APPLICATION – ROTARY CLUBS OF NORTH WORCESTERSHIRE AND BROMSGROVE**

To inform Members that a Street Collection Permit was granted, under the authority of the Chairman of this Committee, to the Rotary Clubs of North Worcestershire and Bromsgrove on behalf of the Tsunami Disaster for three collections that took take place in Bromsgrove High Street on 10th, 13th and 14th January 2005.

Background Papers:

E-mail received from the President of the Rotary Club of North Worcestershire dated 7th January 2005.

6. **STREET COLLECTION APPLICATION – BELBROUGHTON SCARECROW**

An application to promote a Street Collection has been received from Mr. G. Jones on behalf of the Belbroughton Scarecrow weekend for a collection to take place in Belbroughton on 24th and 25th September 2005.

A satisfactory Criminal Conviction Certificate has been received, whilst a reference has been applied for and is still awaited.

The organisation is not registered with the Charity Commission, however all proceeds from the event are for the benefit of the local community.

If Members are minded to grant the permit, then it would be subject to the receipt of a satisfactory reference.

Members' views are requested.

Background Papers:

- (1) Application form received 10th December 2004.
- (2) Criminal Conviction Certificate.

7. **STREET COLLECTION APPLICATION – CANCER RESEARCH UK**

An application to promote a Street Collection has been received from Ms. C. Hartley on behalf of Cancer Research UK for a collection to take place in Sanders Park on 24th July 2005, which will be held in conjunction with the annual 'Race for Life' event.

A satisfactory reference has been received from the organisation confirming that Ms. Hartley has authority to collect on their behalf, however a Criminal Conviction Certificate is still awaited.

The organisation is registered with the Charity Commission.

If Members are minded to grant the permit, then it would be subject to the receipt of a satisfactory criminal conviction certificate.

Members' views are requested.

Background Papers:

- (1) Application form received 22nd November 2004.
- (2) Reference dated 10th January 2005.

8. **STREET COLLECTION APPLICATION – ARTHRITIS RESEARCH CAMPAIGN**

An application to promote a Street Collection has been received from Mr. D. Hughes on behalf of the Arthritis Research Campaign for a collection to take place in Bromsgrove High Street on 4th June 2005.

A satisfactory Criminal Conviction Certificate has been received, whilst a reference has been applied for and is still awaited.

The organisation is registered with the Charity Commission.

If Members are minded to grant the permit, then it would be subject to the receipt of a supporting reference.

Members' views are requested.

Background Papers:

- (1) Application form received 21st December 2004.
- (2) Criminal Conviction Certificate.

9. **STREET COLLECTIONS – IDENTIFICATION OF COLLECTORS**

Members may recall that at the Council Meeting held on 23rd November 2004, it was questioned whether or not organisations who had been granted a Street Collection Permit should wear some form of identification stating which charitable purpose they were collecting on behalf of.

In the model street collection regulations, which are used by the Council, there are requirements, (a) that all collection boxes must prominently display the name of the charity or fund, which is to benefit and (b) that each person involved in the collection must carry written authority for inspection on being requested to do so by a duly authorised officer of the licensing authority or a police officer. However, in accordance with the Police, Factories, etc (Miscellaneous Provisions) Act 1916, Licensing Authorities are empowered to make

regulations under which collections may be permitted within its own area. Any deviation from the model street collection regulations will need the consent of the Secretary of State.

The model regulations were issued by the Secretary of State to ensure a significant degree of uniformity throughout the country.

Consultation has now taken place with the Council's neighbouring authorities and they have confirmed that they do not request that collectors wear any form of visible identification, such as a badge with photograph or a tabard when carrying out a street collection. Furthermore, each authority has also adopted the model regulations as they stand.

The Council does send out a copy of the model regulations with each permit granted.

Members' views are requested.

Background Papers:

None

10. **APPLICATION TO PROHIBIT THE CONSUMPTION OF ALCOHOL IN DESIGNATED PUBLIC PLACES - RUBERY**

The Council has received a request from Cllr. D. McGrath, Ward Member for the Beacon Ward, seeking that the Council considers making a further Order to prohibit the consumption of alcohol in a designated public place in Rubery. The area affected by the proposed Order is part of Belmont Road, including the junction onto Rednal Hill Lane, Rubery. A plan outlining the area, which is adjacent to an off-licence and general store, is attached at Appendix 'A'.

In accordance with the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001, the Council is required to consult with the Police, Licensees of any licensed premises in the vicinity of the designated place, together with owners and occupiers of the land.

No objections have been received from those who have been consulted. The Police are very much in favour of this proposal, as they feel that it will enhance their strategy to deal with anti-social behaviour in this area.

Members' views are requested as to whether or not the Council should pursue the proposed Order.

Background Papers:

(1) Letter received from Cllr. McGrath dated 10th November 2004

(2) Letter received from the Licensee of Rednal Mini Market received on 26th November 2004

(3) Letter received from the Police dated 10th December 2004.

11. **FEES FOR TAXI LICENCES**

Each year the Council reviews the charges, which it makes for Hackney Carriage and Private Hire Vehicle Licences.

The Council has never covered the full cost of the taxi licensing service in income from fees. The current cost of the service stated in the budget as being around £72,310, however, only around £25,000 per year is recouped in fees from taxi licensing. However, it seems equitable that some of the cost of the service is met by the public, who are protected by it.

The Council's present fees, together with the fees charged by other Councils in this area, are set out in Appendix "B".

Members may wish to consider various options for increasing the fees by either 3%, 5%, 10% or 15%. This would give the following fees:-

	3%	5%	10%	15%
Hackney Carriage Vehicle Licence	£218.00	£222.00	£233.00	£243.00
Private Hire Vehicle Licence	£198.00	£202.00	£211.00	£221.00
Transfer of Hackney Carriage Vehicle Licence (per month)	£20.00	£20.00	£21.00	£22.00
Transfer of Private Hire Vehicle (per month)	£19.00	£19.00	£20.00	£21.00
Re-test of Hackney Carriage Vehicle	£45.00	£46.00	£49.00	£51.00
Re-test of Private Hire Vehicle	£27.00	£27.00	£29.00	£30.00
Re-test of Hackney Carriage Meter only	£19.00	£20.00	£20.00	£21.00
Conversion of PHV Licence to HCV Licence (incl . meter test)	£39.00	£40.00	£42.00	£44.00
Conversion of HCV Licence to PHV Licence	£21.00	£21.00	£22.00	£23.00
Replacement vehicle plate	£3.00	£3.00	£4.00	£4.00
Hackney Carriage & Private Hire Driver's Licence	£69.00	£70.00	£73.00	£77.00
Badge Deposit	£3.00	£3.00	£3.00	£3.00
Private Hire Operator's Licence	£215.00	£220.00	£230.00	£241.00
Trailer Test	£12.00	£13.00	£13.00	£14.00
Trailer Re-test	£6.00	£6.00	£7.00	£7.00

In addition to the above-mentioned fees, the Committee may wish to consider the introduction of a surcharge for vehicles aged over 4 years, for example, vehicles aged between 4-7 years would attract a surcharge of £50; and for vehicles over 7 years would attract a surcharge of £100.

These additional charges would reflect the additional cost of testing older vehicles more frequently. At present all vehicles over 4 years old must be tested for road-worthiness every six months, and those vehicles over 7 years old must be tested every four months.

The new charges would need to be advertised and would come into effect as soon as possible after 1st April 2005.

Members' views are requested, firstly, on which level of increase should be applied, and secondly, whether or not a surcharge is introduced to cover the additional cost for testing vehicles over 4 years old on a more frequent basis.

Background Papers:

Consultation carried out with neighbouring authorities.

12. **CONDITIONS ATTACHED TO THE ISSUE OF A VEHICLE LICENCE – TINTED WINDOWS**

Members may recall that at the last Committee Meeting the following report was submitted:

“At present the Council has no conditions relating to the installation of tinted windows to vehicles to be used for Private Hire or Hackney Carriages. In light of two new vehicles that have recently been licensed by the Council which have tinted passenger windows, it is felt that it is necessary to introduce a condition that all new licensed vehicles should not have tinted windows, with the exception of special event vehicles.

This course of action is necessary for the protection of the personal safety of both the driver and the passenger(s), as well as carrying out enforcement of the number of passengers being carried in a vehicle. For instance, if the driver was attacked or an allegation was made against a driver or vice versa, this could not be witnessed from outside the vehicle or by CCTV.”

It was agreed that the item be deferred, pending further information in relation to the effectiveness of whether or not images could be captured on CCTV through tinted windows and what conditions, if any, do other local authorities impose in respect of tinted windows.

Following the consultation carried out with a number of local authorities, the following responses were received:

Four authorities do not allow tinted windows; five authorities allow minimum light transmittance of 75% through front windscreens and all other windows minimum light transmittance of 70%, with the exception of two authorities, who do not impose any restriction on the rear passenger windows; one authority allows tinted windows if it is a standard feature on a particular model of vehicle; and one authority does not allow any tints on vehicles licensed as a Hackney Carriage Vehicle.

Following consultation with the Police and the Council's CCTV Section, they have confirmed it would not be possible to pick up detailed images from within a car which has either clear glass or tinted windows, unless a CCTV operator was watching a particular vehicle at any given time, where they would be able to zoom in and obtain an enhanced picture. However, once the camera has zoomed in it has a better chance of giving a clear picture if the window is less tinted.

The Council Depot does not have the necessary equipment to test the percentage of tint applied to car windows. The cost of purchasing a light test meter would be in the region of £500 with an annual charge of approximately £80 to have the machine calibrated each year. However, any vehicle, which has anything other than the standard manufacturers tint applied to either the front windscreen and/or the two passenger front windows would automatically fail a standard MOT test.

Members may wish to consider the following options:

- That any vehicle that is to be licensed for either Hackney Carriage or Private Hire for the first time is not permitted to have any type of tint applied to any window, with the exception of special event vehicles; or
- That any vehicle that is to be licensed for either Hackney Carriage or Private Hire for the first time with the exception of special event vehicles, is not permitted to have a rear or rear side window which has a heavier tint than would be capable of passing the MOT test (if the same windows were at the front or front side of the vehicle). The Licensing Officer would be authorised to carry out an inspection of the vehicle prior to it being tested by the Council's Depot.

It is suggested that the second option would be the more appropriate and that it would be reasonable to allow existing vehicles with tinted windows to continue to be licensed without requiring modification.

Background Papers:
None

13. **LICENSING ACT 2003 - UPDATE**

To inform Members that a report relating to the establishment of a Licensing Sub-Committee which is attached at Appendix 'C', has been submitted to Executive Cabinet for their recommendation to Council for approval.

Background Papers:
None

14. **STREET COLLECTION CALENDAR 2004/05 AND RETURNS**

The following Collection Permits have been granted by this Committee: -

<u>Date</u>	<u>Organisation</u>	<u>Location</u>	<u>Amount Collected</u>
25-26/09/04	Belbroughton Scarecrow	Belbroughton	£32,000
17/10/04	Macmillan Cancer Relief	Clent	
06-13/11/04	Royal British Legion	District-wide	
12-13/11/04	Royal British Legion	Town Centre	
11/12/04	Rotary Club of Hagley	Hagley	

18/12/04	Rotary Club of Hagley	Hagley	
07/01/05	Bromsgrove Lions Club	Town Centre	£1,113.93
05/03/05	Marie Curie Cancer Care	Town Centre*	
19/03/05	Manacare Foundation	Town Centre*	
23/04/05	Save the Children	Town Centre	
07/05/05	Chernobyl 2000 Ltd	Town Centre*	
14/05/05	St. John Ambulance	Town Centre	
21/5/05	RNLI	Town Centre*	
06/08/05	RSPCA	Town Centre	
03/09/05	County Air Ambulance	Town Centre	
01/10/05	Greyhound Compassion	Town Centre	
11-12/11/05	Royal British Legion	Town Centre	

(NOTE: An asterisk (*) denotes that a reference and/or a Criminal Conviction Certificate is still awaited from the applicant. No permits will be issued until all documentation has been received.)

Background Papers:

- (1) Application Forms received.
- (2) References.
- (3) Criminal Conviction Certificates.
- (4) Returns received from Belbroughton Scarecrow and Bromsgrove Lions Club.

15. **HOUSE-TO-HOUSE COLLECTION CALENDAR 2004/05 AND RETURNS**

The following Collection Permits have been granted by this Committee:-

<u>Date</u>	<u>Organisation</u>	<u>Location</u>	<u>Amount Collected</u>
16/03/04-15/03/05	ClothesAid	District-wide	
24/07/04	NSPCC	Rubery	
10/12/04-23/12/04	Bromsgrove Round Table	Bromsgrove	
1/12/04-17/12/04	Kidderminster & Hagley Round Table	Hagley	
19/12/04 – 22/12/04	Kingswinford and Stourbridge Lions Club	Hagley	£276.02
18/12/04			

Background Papers:

- (1) Application received from Kidderminster & Hagley Round Table.
- (2) Application received from Kingswinford & Stourbridge Lions Club.
- (3) Application received from Bromsgrove Round Table.
- (4) Return received from Kingswinford and Stourbridge Lions Club.

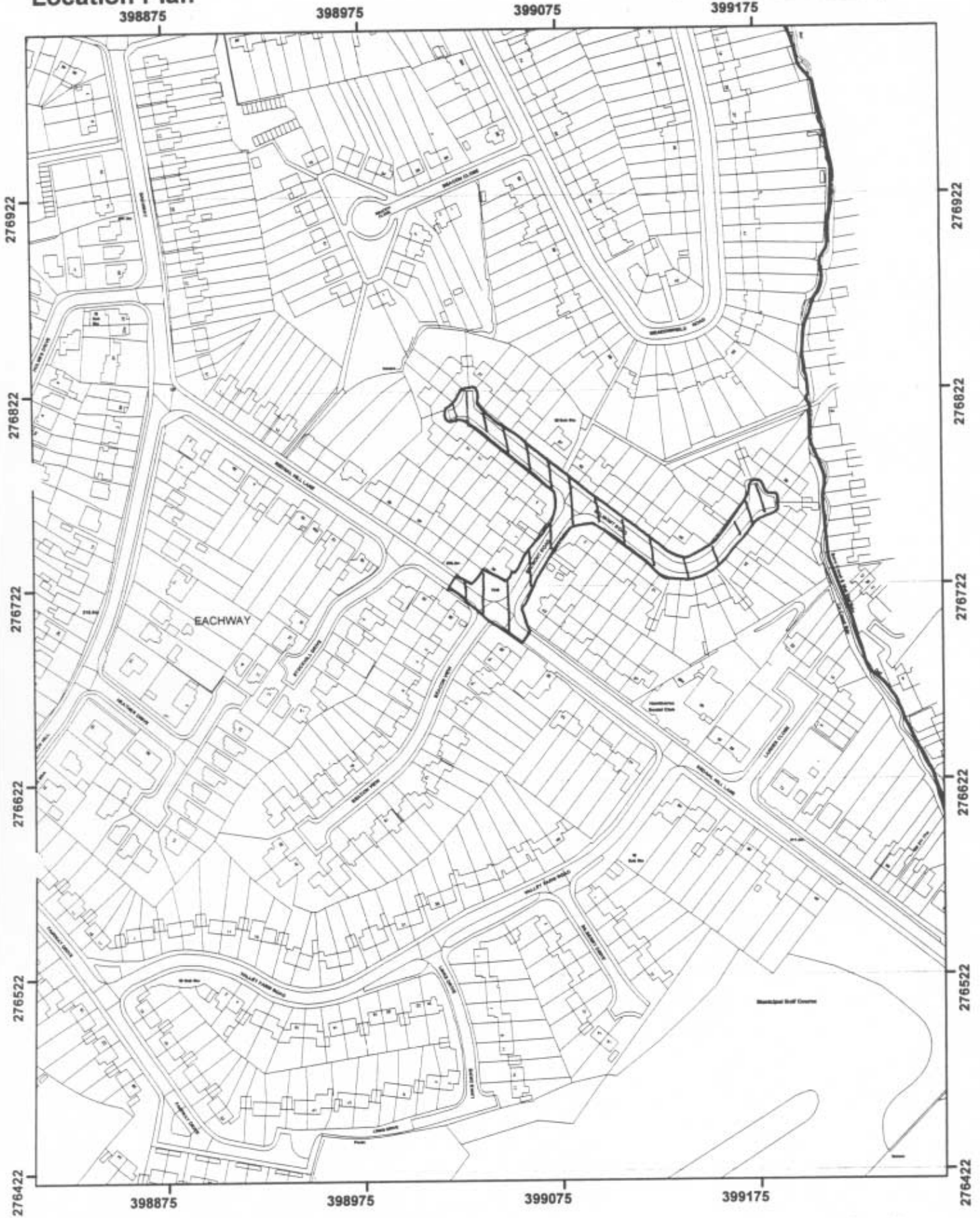
V. HARRISON
Head of Administrative Services

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

13th January 2005.

Location Plan

APPENDIX A



Scale 1:2,500



Bromsgrove District Council
Council House
Burcot Lane
Bromsgrove
B60 1AA



APPENDIX B

Charges made by neighbouring authorities during 2004/05 for Taxi Licences

	Hackney Carriage Vehicle Licence	Private Hire Vehicle Licence	Drivers Licence	Operator's Licence
Bromsgrove	£211.50	£192.00	£66.50	£209
Wyre Forest	£311	£311	£220- 2 year licence, plus £40 for the exam	£345
Redditch	£232	£ 232	£ 70 dual licence £ 46 single licence	£139 plus £12.50 per additional vehicle
Wychavon	£112 (excluding cost of vehicle test)	£99 (excluding cost of vehicle test)	£61 for new driver £45 for renewal	£50
Malvern	£250	£250	£205 – 3 year licence	£372 – 3 year licence
Worcester (see note 1)	£210	£210	£90 – includes CRB fee	£210
Sandwell	£382 – see note 2	£382	£133	£433

Note (1) Fees quoted are for renewals – initial fees are higher

Note (2) Higher fees (£443) for vehicles over 5 years old.

BROMSGROVE DISTRICT COUNCIL

EXECUTIVE CABINET

19TH JANUARY 2005

LICENSING ACT 2003 – ESTABLISHING A LICENSING SUB-COMMITTEE

Responsible Portfolio Holder	
Responsible Head of Service	Head of Administrative Services

1. Purpose of Report

To establish a Sub-Committee of the Licensing Committee.

2. Recommendation

That the establishment of a Licensing Sub-Committee be recommended for approval.

3. Background

3.1 In accordance with the Licensing Act 2003, it is necessary to establish a Sub-Committee of the Licensing Committee, consisting of three members of that Committee. The table below outlines which functions the Sub-Committee will deal with as recommended by the Licensing Act 2003:

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a representation made	If no representation made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a representation made	If no representation made
Application for provisional statement		If a representation made	If no representation made
Application to vary premises licence/club premises certificate		If a representation made	If no representation made
Application to vary designated premises supervisor		If a police representation	All other cases
Request to be			All cases

removed as designated premises supervisor			
Application for transfer of premises licence		If a police representation	All other cases
Applications for Interim Authorities		If police representation	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.			All cases
Decision to object when local authority is a consultee and not the lead authority			All cases
Determination of a police representation to a temporary event notice		All cases	

- 3.2 It is still the intention that the Licensing Committee will continue to deal with other matters, such as applications for public entertainments licences during the period of transition, taxi licensing, applications for charitable collections and proposed designation orders for alcohol free zones.
- 3.3 Any decisions taken by Officers under delegated authority will be reported to the Licensing Committee, for information, so that the Committee maintains an overview of the general situation.
- 3.4 At this stage, it is not possible to predict the number of hearings that are likely to arise as a result of representations being made on applications for licences under the new regime. It is suggested that the hearings take place during the day. It is felt that hearings held during the day would be more convenient for licence holders who would find it difficult to get away during the evening, as well as their representatives (if any), and responsible authorities such as the Police Authority, Environmental Services and the Fire and Rescue Service.
- 3.5 It is further suggested that each time the Sub-Committee is convened, it operates on a rota basis, i.e. three members will be chosen alphabetically, thus allowing the opportunity for all Members of the Licensing Committee to take part in a hearing. Where a Member is not able to attend on a particular date, their name will be put at the top of the list for the next hearing. A Chairman will be elected at the start of each meeting of the Sub-Committee. When operating the rota system, Members must take into account any personal or prejudicial interests they may have, particularly if they are acting on behalf of an interested party in their capacity as ward councillor.

- 3.6 The Government may publish regulations, which will make provisions about the proceedings of the Licensing Committee and its Sub-Committee, including provision about the validity of proceedings and the quorum for meetings, public access and any publicity.

4. Financial, Risk Management and Legal Considerations

- 4.1 There are no financial or risk management implications. The establishment of a Licensing Sub-Committee must be in accordance with the Licensing Act 2003.

Background Papers:

None

Contact Officer

Name: Sharon Smith, Principal Licensing Officer

Email: sharon.smith@bromsgrove.gov.uk

Tel: 01527 881626