

Minutes

LICENSING COMMITTEE

14 January 2014

Meeting held at Committee Room 4 - Civic Centre,
High Street, Uxbridge UB8 1UW



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors Dominic Gilham (Chairman) David Yarrow (Vice-Chairman) Mike Bull Josephine Barrett Judy Kelly Brian Stead Lynne Allen (Labour Lead) Janet Gardner</p> <p>Also Present: Sgt Ian Wares</p> <p>LBH Officers Present: Stephanie Waterford, Licensing Service Manager Tim Brown, Legal Advisor Danielle Watson, Democratic Services Officer</p>
8.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Carol Melvin and Peter Kemp.</p>
9.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest notified.</p>
10.	<p>TO AGREE THE MINUTES OF THE MEETING HELD ON 27 SEPTEMBER 2013 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 27 September 2013 were agreed as a correct record.</p>
11.	<p>SCRAP METAL DEALERS UPDATE (<i>Agenda Item 4</i>)</p> <p>Stephanie Waterford, Licensing Service Manager, introduced the officer's report and updated Members on the Scrap Metal Dealers Act 2013 which came into effect on 1 December 2013.</p> <p>Ms Waterford informed the Committee that over 50 applications had been processed in the past two months. It was further explained that the legislation had been brought into effect to combat metal theft and the crime associated with it. Ms Waterford referred to Appendix 1 and 2 of the officer's report which detailed the information available to new applicants and the hearing protocol.</p>

The Chairman highlighted to the Committee that on 7 November 2013 the information went to Full Council who gave power to Cabinet to agree the guidance documentation. Cabinet subsequently delegated any further changes that needed to be made or agreed by to the Licensing Committee.

Members questioned whether details of the applicant's criminal history would be provided to ensure the applicant was suitable to have a licence. Ms Waterford informed Members that a DBS certificate would highlight any relevant offences. Sgt Ian Wares informed the Committee that the conviction would have to be related to scrap metal for the application to be refused.

Members discussed both the collector licence and the site licences. Ms Waterford referred to page 9 of the officer's report which detailed both types of licenses. Ms Waterford explained that a dealer could not hold both a site and collectors licence from the same authority. The Chairman suggested that the Scrap Metal Licenses should be given a Council seal like other Licenses. Members were keen for monitoring year on year cases to compare the number of convictions prior to the Act coming into force.

Ms Waterford highlighted that under the new rules and regulations the Scrap Metal Dealer would have to record transactions which would include the customers name, address and possibly bank details. Members noted that the Scrap Metal Dealer would have to keep detailed records of these transactions. Members were concerned that residents may not want to give their details out. Members noted that residents would still be able to take their own scrap metal to a site.

Ms Waterford and Sgt Wares informed the Committee that there were long established Scrap Metal Dealers in the Borough. Ms Waterford also informed the Members that the licenses would last for 3 years.

The Chairman highlighted that the schedule of fees was incorrect and the columns should be the other way around. The Chairman also requested that any outstanding payments relating to scrap metal be received prior to a hearing taking place.

Resolved – That the Committee noted the information and agreed and adopted the hearing protocol.

12. **DEREGULATION OF COMMUNITY FILM EXHIBITIONS** (*Agenda Item 5*)

Stephanie Waterford, Licensing Service Manager, introduced the officer's report and informed Members that the Government recently released their response to the consultation launched by the Department for Culture, Media & Sport (DCM) in relation to the deregulatory changes to entertainment licensing for community film exhibition.

Members questioned whether the proposals would affect Council owned sites such as the Compass Theatre as they held weekly film days/nights. Ms Waterford explained that the proposals would affect community settings such as centres, schools and churches. Ms Waterford informed Members that the Compass Theatre would not fall into the proposed exemption as it was classed as a cinema.

Members also questioned the maximum number of people that could watch a film in a community setting which was up to 500 people. Members thought this number was too high.

Members questioned how wide the consultation was and who had responded to the consultation. Ms Waterford informed Members that the Licensing Service was made aware of the consultation via the Institute of Licensing website.

Ms Waterford explained that some films do not have a British Board of Film Classification (BBFC); the local authority would be able to apply a rating to the film. The Chairman highlighted that page 48 of the agenda indicated that a non classified film would not fall into the exemption. Ms Waterford felt that it was highly unlikely that the Committee would have to classify a film in the future. Members were keen to know if Hillingdon Council had ever classified a film and if so when.

Resolved – That the Committee noted the information.

13. **APPLICATION CONSULTATION PROCEDURE** (*Agenda Item 6*)

The Chairman informed the Committee that he had requested that this item was brought to their attention. The Chairman felt that it was not appropriate for Committee Members to be copied in officer's emails when officers were making comments on applications. The Chairman was not happy for this process to continue and did not want anyone to think decisions were predetermined, as this was not the case.

The Chairman requested that Licensing Members be removed from this email stream. Members requested that any comments made by officers or by members of the public be fed in to a report to ensure Members were aware of any concerns if any. Members agreed that this was a suitable way forward. Ms Waterford highlighted reports were only produced if an application had objections.

The Chairman also highlighted concern about the quality of applications brought before Committee. Members agreed that the applications should adopt a similar style to planning applications in which all the information and plans are easier to understand.

Ms Waterford informed the Committee that she had raised the issue with the Application Processing Team and the quality of applications should improve as a result of the concerns raised. Members agreed and stated that they should only be presented with facts and objections. Members also requested that the facts were clearly stated when petitions were received for or against an application.

Ms Waterford informed the Committee that the Anti-Social Behaviour Investigation Team was consulted on every application and that other concerns raised, including those from members of the public, were tabled in reports under the 4 Licensing Objectives.

Ms Waterford informed the Committee that the Environmental Protection Unit (EPU) were good at providing comment on applications. The Chairman requested that the Anti-Social Behaviour Investigation Team provide comment even if they have no concerns regarding applications.

Ms Waterford highlighted a briefing note circulated to Members at the beginning of the meeting which detailed the Council's response to the consultation concerning changes to the way Personal Alcohol Licences were issued. Members noted the information and would forward any questions to the Licensing Service.

Resolved - That the committee instructed Officers on the best way to keep Members informed of current applications.

	The meeting, which commenced at 10.00 am, closed at 10.47 am.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Danielle Watson on Democratic Services Officer - 01895 277488. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.