

Minutes

LICENSING COMMITTEE

25 September 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), Lynne Allen (Labour Lead), Roy Chamdal, Janet Gardner, David Horne, Judy Kelly, Carol Melvin and Brian Stead</p> <p>LBH Officers Present: Stephanie Waterford, Licensing Service Manager, Claire Freeman, Regulatory Services Team Manager, Danielle Watson, Democratic Services Officer</p>
11.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Cllr John Morse.</p>
12.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
13.	<p>MINUTES OF THE MEETING HELD ON 18 JUNE 2014 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 18 June 2014 were agreed as a correct record.</p>
14.	<p>TO CONFIRM THAT ITEMS MARKED IN PART 1 WILL BE CONSIDERED IN PUBLIC (<i>Agenda Item 4</i>)</p> <p>It was confirmed that all items would be considered in Part 1 public.</p>
15.	<p>REGULATORY SERVICES UPDATE (<i>Agenda Item 5</i>)</p> <p>Claire Freeman, Manager of the newly created Regulatory Services Team, introduced the officers' report which gave detail of the recent re-structure to Public Protection Services in May 2014.</p> <p>The Regulatory Services Team now dealt with all activities previously carried out within the Licensing Services Team with the inclusion of licensing functions previously dealt with by the Environmental Health Team within Public Protection.</p> <p>Ms Freeman explained that the purpose of bringing these services together was to create a single point of contact for residents and businesses for their licensing requirements. Members welcomed Ms Freeman and noted that Stephanie Waterford would continue to lead on matters relating to Licensing as the Senior Licensing Officer for the Regulatory Services Team.</p> <p>Resolved - That the Committee noted the information.</p>

16.	<p>FILM CLASSIFICATIONS (<i>Agenda Item 6</i>)</p> <p>Stephanie Waterford, Senior Licensing Officer introduced the officer's report and updated the Licensing Committee on the progress of the Film Classification Policy which had been discussed at the Licensing Committee meeting in January 2014.</p> <p>Members had previously raised concerns that there was no policy in place and had instructed officers to liaise with the Cabinet Member for Finance, Property and Business Services, Cllr Jonathan Bianco. The Cabinet Member had subsequently approved the Regulatory Services Team to develop a policy.</p> <p>Ms Waterford informed the Committee that a draft policy would be sent to Members to provide comment before the policy went to Cabinet for approval.</p> <p>Resolved - The Committee noted the update.</p>
17.	<p>MANDATORY CONDITIONS (<i>Agenda Item 7</i>)</p> <p>Stephanie Waterford, Senior Licensing Officer introduced the officer's report and updated the Licensing Committee on recent and forthcoming changes to the Licensing Act 2003 Mandatory Conditions.</p> <p>Members recalled that the Government introduced a Mandatory Condition relating to the permitted price for alcohol in May 2014 in which licence holders were required to comply with new conditions relating to the selling price of alcohol. The conditions contained a formula to assist licence holders with calculating the permitted price.</p> <p>Officers explained that in October 2014, in addition to the permitted price condition, The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 would come into force. The replacement schedule clarified and changed the conditions relating to irresponsible drink promotions. The conditions relating to free drinking water, alcohol measures and age verification still remained mandatory.</p> <p>Members discussed the measurements and prices of alcohol, for example, there was not a big price difference between a 125ml and 175ml glass of wine. Members noted that all licensed retailers within the Borough had been advised to adopt a Think 21 policy.</p> <p>Resolved - That the Committee noted the information.</p>
18.	<p>INTERIM STEPS (<i>Agenda Item 8</i>)</p> <p>Stephanie Waterford, Senior Licensing Officer introduced the officer's report and updated the Licensing Committee on the recent conclusion to the Judicial Review application concerning the Victoria Public House, Hayes.</p> <p>Members were aware of the recent Summary Review case concerning the Victoria Public House where, following a complex summary review, the Licensing Sub-Committee South resolved to revoke the premises licence. The Sub-Committee also determined that the suspension imposed at the expedited review hearing, continue throughout the appeal period.</p> <p>The point regarding the interim suspension prompted the licence holders to lodge an application with the High Court for a Judicial Review to challenge the duration of the</p>

	<p>suspension. The application was lodged on 11th July 2014. On 17th July, the High Court granted the licence holders an 'Interim Relief Order' which allowed the Victoria to re-open pending the outcome of the Judicial Review. The Council challenged this order and made submissions to the Court, including statements and legal arguments.</p> <p>Members were aware that the High Court had refused permission for the Judicial Review to go ahead which also meant that the interim relief order was overturned. The Victoria Public House was ordered to close. The Licence Holders of the Victoria Public House had lodged an appeal against the Council's decision with the Magistrates Court. The 23rd September 2014 had been set for a preliminary hearing.</p> <p>Members noted that this and another 2 cases on the matter of interim steps over the summer had attracted much attention from the industry. Members discussed the articles associated with the interim steps.</p> <p>Resolved - That the Committee noted the information.</p>
19.	<p>RECENT DECISIONS (<i>Agenda Item 9</i>)</p> <p>Stephanie Waterford, Senior Licensing Officer, informed the Committee of recent licensing decisions made by Licensing Sub-Committees which were included as an Appendix within the officers report.</p> <p>Resolved - That the Committee noted the information.</p>
	<p>The meeting, which commenced at 10.00 am, closed at 10.48 am.</p>

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