

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Committee**
held on Friday, 13th February, 2009 at The Capesthorne Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor P Whiteley (Chairman)
Councillor D Bebbington (Vice-Chairman)

Councillors Mrs Rhoda Bailey, G Baxendale, T Beard, H Davenport, B Dykes,
J Goddard, M Hardy, A Ranfield and Mrs C Tomlinson

Substitute

Councillor Mrs Rachel Bailey

21 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs E Gilliland and
M Parsons.

22 DECLARATIONS OF INTEREST

A number of Councillors who were existing Borough Councillors and Town
and Parish Councillors declared a personal interest in the business of the
meeting en bloc.

23 PUBLIC SPEAKING TIME/OPEN SESSION

In accordance with Procedure Rule 35, Mr Davies and Mr Gillick asked a
number of questions regarding the proposed fees with respect to taxi
licensing and the consultation process which had been undertaken, and
the Chairman responded.

24 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 14 January 2009
be approved as a correct record.

25 FEES AND CHARGES

The Committee considered a report detailing the responses received from
the licensed trade regarding the proposed fees in relation to taxi licensing
which had been approved for statutory consultation by the Licensing
Committee at its meeting on 19 December 2008.

RESOLVED

- (a) That consideration of the proposed fees and charges be deferred to a future meeting of the Committee, to be held at the end of March.
- (b) That the proposed fee for a six month test be reduced from £100 to £75 and that all proposed fees in relation to taxi licensing and charges be republished.
- (c) That a further consultation exercise be undertaken with all licensed drivers, operators and proprietors.
- (d) That the Community Safety Manager be requested to provide the Committee with a detailed breakdown of the costs involved in the issue and administration of licences.
- (e) That the Community Safety Manager be requested to provide the Committee with copies of all representations received during the consultation process.

[Note: Following consideration of this item, the meeting was adjourned from 11.05 am to 11.15 am to allow members of the public to leave the room.]

26 TERMS OF REFERENCE

The Committee considered a report relating to amended terms of reference for both the full Licensing Committee and its Sub-Committees.

At its meeting on 19 December, the Committee had approved both its terms of reference and the delegation of functions between the full Committee, Sub-Committees and Officers. The Committee had noted that the terms of reference may be subject to amendment as decisions were taken across the Council with respect to the allocation of functions between service areas.

The amended terms of reference incorporated certain additional functions, set out those licensing and registration functions covered within a schedule to the terms of reference and illustrated the previous decision of the Committee in relation to the separation of the functions between the full Committee and the Sub-Committees.

RESOLVED – That the amended terms of reference relating to the Licensing Committee and its Sub-Committees be approved.

27 STATEMENT OF LICENSING POLICY - LICENSING ACT 2003

The Committee considered a report detailing the responses which had been received from stakeholders following the approval of the draft

Statement of Licensing Policy for statutory consultation by Cabinet at its meeting on 17 December 2008.

RESOLVED – That, subject to the following amendments, Council be recommended to approve the draft Statement of Licensing Policy under the Licensing Act 2003:

- A sentence to be inserted in paragraph 3.3.1 to reflect the wording of the guidance regarding the occurrence of crime and disorder and public nuisance immediately outside licensed premises.
- Paragraph 5.6 to include a definition of small and large scale temporary events.
- The second sentence of paragraph 6.5 to be amended to read: 'It is also recognised that a capacity limit should not be imposed by way of condition on the basis of fire safety grounds as under article 43 of the Fire Safety Order.'

28 STATEMENT OF PRINCIPLES - GAMBLING ACT 2005

The Committee considered a report detailing the responses which had been received from stakeholders following the approval of the draft Statement of Principles for statutory consultation by Cabinet at its meeting on 17 December 2008.

RESOLVED – That, subject to the addition of a list of consultees, Council be recommended to approve the draft Statement of Principles under the Gambling Act 2005.

29 DATE OF NEXT MEETING

The Chairman reported that the next meeting of the Licensing Committee was scheduled to take place at 10am on Friday 13 March 2009 in the Council Chamber, Municipal Buildings, Crewe.

RESOLVED – That the time, date, and venue of the next meeting be noted.

The meeting commenced at 10.00 am and concluded at 11.45 am

Councillor P Whiteley (Chairman)