

LICENSING COMMITTEE
3rd November 2011

Present: Councillors: Christian Mitchell (Chairman), Jim Sanson (Vice-Chairman), Peter Burgess, Helena Croft, Leonard Crosbie, David Jenkins, Gordon Lindsay, Chris Mason, Sue Rogers, David Skipp.

Apologies: Councillors: George Cockman, David Coldwell, Christine Costin, Brian Donnelly, Josh Murphy.

Also present: Councillor Roger Arthur.

LI/7 **MINUTES**

The minutes of the meeting held on 9th June 2011 were approved as a correct record and signed by the Chairman.

LI/8 **MINUTES OF LICENSING SUB-COMMITTEE**

The minutes of the meeting of the Licensing Sub-Committee held on 25th July 2011 were received.

LI/9 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

LI/10 **ANNOUNCEMENTS**

The Chairman announced that the next meeting of the Committee would be held on Thursday 2nd February 2012.

LI/11 **PUBLIC HEALTH & LICENSING – LICENCE FEES FOR 2012/2013**

The Head of Planning & Environmental Services reported on the proposed fees for various licences issued by the Public Health & Licensing Department. The fees, if approved by the Committee, would take effect on 1st April 2012.

The individual licence fees were calculated to recover the cost of issuing the licence and enforcing the requirements of the legislation. There were other licenses issued by the Public Health & Licensing Department, the fees for which were set by statute and could not be changed.

The fees were calculated taking into account officer time, transport and any external costs that the Council incurred. The Council had determined that where possible fees and charges should go up by a minimum of 3% for the financial year commencing 1st April 2012.

LI/11 Public Health & Licensing – Licence Fees For 2012/2013 (cont.)

RESOLVED

That the fees for licences issued during 2012/13 be agreed, as submitted, to take effect from 1st April 2012.

LI/12 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES**

The Head of Planning & Environmental Services presented a report of proposed fees for hackney carriage and private hire licences for the three financial years 2012/13 to 2014/15. Fees for Hackney Carriage and Private Hire Licences had last been set in 2009. Setting fees for a period of three years at a time allowed the trade to be able to plan their business development and be certain of their fees over that period.

Legislation required the Council to consult on the proposed fees and to take into account any comment received before reaching a final decision.

RESOLVED

- (i) That a fees advert as set out in the report be placed in the West Sussex County Times on Thursday 17th November 2011 for consultation purposes with a reply deadline of 14th December 2011.
- (ii) That a report setting out any representations received and making recommendations on fees to take effect on 1st April 2012 be submitted to the Committee meeting at its next meeting.

REASONS

- (i) To ensure compliance with legislative requirements.
- (ii) To ensure transparency and openness in decision making.

LI/13 **REVIEW OF PET SHOP LICENCE CONDITIONS**

The Head of Planning & Environmental Services presented a review of pet shop licence conditions for the consideration of adopting new licence conditions for Pet Shop Licences as recommended by the RSPCA.

LI/13 Review Of Pet Shop Licence Conditions (cont.)

The Council had adopted standard conditions for Pet Shop Licences in 1992 and revised guidance and model conditions for the licensing of pet shops had subsequently been issued in 1998 and incorporated into the Council's Pet Shop Licence Conditions. The model conditions had been drafted prior to the introduction of the Animal Welfare Act 2006. Anyone running a pet shop also had to comply with the Animal Welfare Act and ensure that the welfare needs of animals in their care were met.

Whilst the RSPCA appreciated that local authorities could not control where pet shops sourced their puppies, they had developed a set of model pet shop licence conditions which would make it difficult for pet shops to sell puppies that were not fit for sale, details of which were submitted. These conditions, developed with Chelmsford Borough Council, had been adopted by other local authorities and the RSPCA had requested that this Council also considered adopting them.

The suggested new licence conditions were based on the existing model conditions but included additional conditions aimed at safeguarding the health of the animals sold from pet shops, particularly puppies and kittens.

RESOLVED

- (i) That the proposed licence conditions for Pet Shop Licences be approved, as submitted.
- (ii) That the new conditions be applied to all Pet Shop Licences issued with effect from 1st January 2012.

REASON

- (i) To protect the welfare of animals whilst on the pet shop's premises

LI/14 **CONSULTATION PROPOSAL TO EXAMINE THE DEREGULATION OF SCHEDULE ONE OF THE LICENSING ACT 2003**

The Chairman of the Committee certified that this item was urgent due to the timescale for the receipt of consultation responses.

The Head of Planning & Environmental Services reported that the Government was in the process of consulting on a proposal to remove licensing requirements for most activities currently defined as regulated entertainment in Schedule 1 of the Licensing Act 2003. The closing date of the consultation was 3 December 2011.

LI/14 Consultation Proposal To Examine The Deregulation Of Schedule One Of The Licensing Act 2003 (cont.)

General comments with regard to the proposal, as well as a draft consultation response had been circulated to the Members for their consideration. Members considered that the Council should respond to the consultation and supported the comments as drafted.

RESOLVED

That the proposed responses to the consultation be approved.

The meeting ended at 6.30pm having started at 5.30pm

CHAIRMAN