

These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

ELMBRIDGE BOROUGH COUNCIL

LICENSING COMMITTEE

REPORT of a meeting held on Monday, 19 June 2017

Members of the Committee:

- * I. Regan (Chairman)
- * Tricia W. Bland (Vice-Chairman)

*	B. Fairbank
*	N. Haig-Brown
*	Mrs. A.E. Hill-Purcell
*	A. Kelly
*	A.R. Palmer
*	J.A. Vickers
*	M.J. Bennison
*	L.J. Brown
*	A.P. Burley
*	A. Coomes
*	I. Donaldson
*	V.G. Eldridge

* Denotes attendance

1/17 DECLARATIONS OF INTEREST

In respect of item 4 'Licensing Act 2003 - Statement of Licensing Policy' (Minute No. 4/17 refers), whilst not a disclosable pecuniary or any other interest under the Code of Conduct, A. Coomes wished that it be noted that he was a Licensee within the Elmbridge Borough.

2/17 MINUTES OF THE MEETING HELD ON 14 NOVEMBER 2016

The Minutes of the meeting held on 14 November 2016 were agreed as a correct record and signed by the Chairman.

LICENSING (ALCOHOL & ENTERTAINMENT) COMMITTEE RELATED ITEMS

3/17 MINUTES OF THE LICENSING SUB-COMMITTEE MEETINGS HELD ON 15 & 31 MAY 2017

RESOLVED that the reports of the Licensing Sub-Committee meetings held on 15 & 31 May 2017 be agreed.

RECOMMENDATION TO COUNCIL ON 19 JULY 2017

4/17 LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY

(Link to Council Priorities: A safe, caring and healthy Elmbridge)

The Committee considered a report in respect of the Council's revised Statement of Licensing Policy (SoLP). As the Licensing Authority, the Council was required to produce a Statement of Policy every five years. The aim was to produce a policy document that sets out the principles the Council would apply in carrying

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out its functions under the Licensing Act 2003. The Council's current policy was due to expire on 12 November 2017.

In preparing an updated statement, the Licensing Authority was required to consult with the Police and the Fire Authority (two of the Responsible Authorities under the Act) and the Local Health Board, along with members of the trade and those the Local Authority considered representative of businesses and residents within the Borough. The Council would also advertise the consultation more widely in order to invite comments from the public and the remaining Responsible Authorities.

The Committee noted that should substantive responses be received following the consultation period, these would be reported to the Licensing Committee for consideration. In the absence of substantive responses, it was proposed that delegated powers be given to the Strategic Director to approve any minor amendments to the Statement.

One Member enquired whether the advertising of the public consultation would be included on the Council's noticeboards as well as the Council's website. The Principal Licensing Officer confirmed that a notice of public consultation could be posted on the Council's noticeboards if Members so wished.

Whilst noting that within the draft Policy at paragraph 14.2 it stated the 'Elmbridge Borough Council's Town Planning Team' one Member commented that this should be revised to state 'Elmbridge Borough Council's Development Management Team'. Furthermore, at paragraph 15.2, the Member noted that invalid representations would only be notified to the maker of the representation after the representation period had ended. In this regard, he felt that this did not give the representor an opportunity to amend their representation so that it could become valid before the representation period ended and enquired whether this should be amended. The Principal Licensing Officer explained that the dedicated form for making representations was structured to aid completion however, should a representation not address the Licensing Objectives, the Council would write back to the representor in this regard.

Following a lengthy discussion on potential amendments to paragraph 15.2, the Committee agreed that the wording should be revised as follows:

'15.2 Where a representation is judged to be irrelevant, frivolous, vexatious and/or repetitive, the Licensing Authority will notify the maker of that representation, with reasons.'

In respect of the draft Policy and in particular paragraph 15.3, one Member suggested that given the discussion on the previous paragraph, it would be more appropriate for this paragraph to come first as it provides information regarding submission of representation guidance. In this regard, the Committee agreed that paragraphs 15.3 and 15.2 (as amended) swap positions within the draft policy document.

