

Licensing Committee

Grand Jury Room, Town Hall
11 November 2009 at 7.00pm

The Licensing Committee deals with licensing applications for public entertainments, hackney carriages and private hire vehicles, sex establishments, gaming and lotteries, door registration scheme and other appeals.

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.colchester.gov.uk or from Democratic Services.

Have Your Say!

The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to meetings, with the exception of Standards Committee meetings. If you wish to speak at a meeting or wish to find out more, please pick up the leaflet called "Have Your Say" at Council offices and at www.colchester.gov.uk.

Private Sessions

Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off before the meeting begins and note that photography or audio recording is not permitted.

Access

There is wheelchair access to the Town Hall from West Stockwell Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to Angel Court Council offices, High Street, Colchester or telephone (01206) 282222 or textphone 18001 followed by the full number that you wish to call, and we will try to provide a reading service, translation or other formats you may need.

Facilities

Toilets are located on the second floor of the Town Hall, access via the lift. A vending machine selling hot and cold drinks is located on the ground floor.

Evacuation Procedures

Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

Colchester Borough Council, Angel Court, High Street, Colchester
telephone (01206) 282222 or
textphone 18001 followed by the full number that you wish to call
e-mail: democratic.services@colchester.gov.uk
www.colchester.gov.uk

**COLCHESTER BOROUGH COUNCIL
LICENSING COMMITTEE
11 November 2009 at 7:00pm**

Members

Chairman : Councillor Barrie Cook.
Councillors John Bouckley, Michael Lilley, Ann Quarrie and
Laura Sykes.

Agenda - Part A
(open to the public including the media)

Members of the public may wish to note that Agenda items 1 to 5 are normally brief.

Pages

1. Welcome and Announcements

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched off or to silent;
- location of toilets;
- introduction of members of the meeting.

2. Substitutions

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

3. Urgent Items

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

4. Have Your Say!

(a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

5. Declarations of Interest

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

6. Minutes

1 - 2

To confirm as a correct record the minutes of the meeting held on 7 October 2009.

7. Exclusion of the public

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

**COLCHESTER BOROUGH COUNCIL
LICENSING COMMITTEE
11 November 2009 at 7:00pm**

Agenda - Part B

(not open to the public or the media)

Pages

8. Hackney Carriage/Private Hire Appeal

The following report contains exempt information (information relating to an individual) as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

See report by the Head of Environmental and Protective Services.

9. Hackney Carriage/Private Hire Appeal

The following report contains exempt information (information relating to an individual) as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

See report by the Head of Environmental and Protective Services.

LICENSING COMMITTEE

7 OCTOBER 2009

Present :- Councillor Christopher Garnett (Chairman)
Councillors John Bouckley, Helen Chuah,
Nick Cope, Wyn Foster, Mike Hogg,
Michael Lilley, Ann Quarrie and Laura Sykes

9. Minutes

The minutes of the meetings held on 20 May, 22 July and 31 July 2009 were confirmed as a correct record.

10. Statement of Gambling Policy - Review

The Head of Environmental and Protective Services submitted an advisory report noting the three year review of the Gambling Policy that was due to take place and the timescales involved. Members were issued with a copy of Colchester Borough Council's existing Gambling Policy. It was reported that the revised Gambling Policy would go out for consultation the following week. The revised policy and any comments received together with Counsel's opinion would be brought back to the Licensing Committee meeting on 25 November 2009 for its consideration. The revised and proposed Gambling Policy would then be considered by full Council on 10 December 2009 in order for the new Gambling Policy to be approved and in place by 31 January 2010.

RESOLVED that the timetable for the consultation programme on the review of the Council's Statement of Gambling Policy be noted.

11. Scheme of Delegation - Review

The Monitoring Officer submitted a report detailing the proposed changes to the scheme of delegation from the Licensing Committee to the Head of Environmental and Protective Services. The Monitoring Officer explained that the proposed changes were merely a matter of tidying up the existing scheme of delegation.

RESOLVED that the proposed amendments to the scheme of delegation from the Licensing Committee to the Head of Environmental and Protective Services be approved.

12. Licensing Team

In light of the recent changes to the Licensing team structure, the Licensing Committee asked that the good services and excellent contribution of the Licensing team past and present be noted. Members congratulated the team for coping with the enormity of the work that they had dealt with in the last few years and thanked them for all their hard work.

e-mail: licensing.committee@colchester.gov.uk
website: www.colchester.gov.uk