

## **LICENSING SUB-COMMITTEE**

Minutes of the meeting held on Tuesday, 30 November 1999 at the Town Hall, Royal Leamington Spa at 4.30 pm.

**PRESENT:** Councillor Mrs Clayton (Chair); Councillors Attwood, Cleaver, Mrs Edwards, Harris, Mrs Leddy, Shilton

### **PART I**

(Matters not the subject of powers delegated to the Sub-Committee by the Council)

NIL

### **PART II**

(Matters delegated to the Sub-Committee by the Council)

#### 1. **PUBLIC ENTERTAINMENT ON GOOD FRIDAYS**

A report by Members' Services on applications for consent under the terms of the public entertainments licences to provide public entertainment on Good Friday 2000 was submitted.

The current standard conditions for public entertainments licences provided that premises must not be used for public entertainment on any Sunday, Christmas Day or Good Friday without the written permission of Warwick District Council.

This restriction had been imposed since the Council became responsible for licencing public entertainment in 1983. Prior to that, the Magistrates imposed a similar condition.

Since 1985, there had been no legal reason why the Council could not, if it so wished, allow public entertainment on Good Fridays. Applications for permission to allow entertainment on Good Friday had been considered by the Council in 1986, 1988, 1992, 1994 and 1999 but all had been refused.

At its meeting held on 20 March 1996 the Sub-Committee had considered another application for consent to provide public entertainment on Good Friday. At that meeting it had been agreed that permission should be granted in respect of Good Friday 1996 and that the question of public entertainment on future Good Fridays should be considered when the effects of the decision for 1996 were known. Three of the night clubs opened on Good Friday 1996, as a result of the Sub-Committee's decision and it did not appear to have caused any adverse effects.

## LICENSING SUB-COMMITTEE (Continued)

An application to open on Good Friday 1997 was considered by the Sub-Committee in October 1996 and it was refused. An appeal to the Magistrates was lodged against this decision but the Magistrates had dismissed the appeal.

No application had been received for permission to open on Good Friday 1998.

Applications for permission to open on Good Friday 2000 had been received from Mr A Smith of the Quality Hotel, Warwick, Mr C Donnachie of Rios Night Club and Mr R Brown of Options Night Club.

Mr Donnachie attended the meeting and addressed the Sub-Committee on behalf of all the applicants in support of their applications and answered questions from Members.

Mr Donnachie was then invited to sum up which he did.

**RESOLVED** that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following discussion by reason of the likely disclosure of exempt information within paragraphs 4 and 12 of Part I of Schedule 12A of the Local Government Act 1972.

The Sub-Committee considered all the information presented to it and

**RESOLVED** that the applications for permission to provide public entertainment on Good Friday 2000 be refused on religious grounds.

(Mr Donnachie and the public and press were then invited back into the meeting and Mr Donnachie was informed of the decision).

### 2. **PUBLIC AND PRESS**

**RESOLVED** under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within paragraph 4 of Part I of Schedule 12A of the Local Government Act 1972.

### 3. **APPLICATIONS FOR PRIVATE HIRE DRIVERS LICENCES**

A report from Members' Services was submitted on applications for private hire drivers licences from persons whose police check had revealed convictions.

## LICENSING SUB-COMMITTEE (Continued)

Authority had been delegated to the Head of Members' Services to approve or refuse applications for private hire or taxi drivers licences depending on the information supplied by the Police. If an application were refused, the applicant was invited to appeal to the Sub-Committee.

The Sub-Committee had approved the general policy for deciding on applications which revealed convictions, and a copy of the policy had been supplied to each Member.

(A) JB - Date of Birth 8.10.71

Details of the convictions revealed in this case were set out in the report and in a further note for Members and circulated at the meeting.

The applicant attended the meeting and addressed the Sub-Committee in support of his application. He then answered questions from Members and was allowed to sum up.

The applicant was then asked to leave the meeting whilst the Sub-Committee considered its decision. The Sub-Committee took into account all the information supplied and it was

**RESOLVED** that the decision to refuse the application for a private hire drivers licence from JB be confirmed and he be supplied with a copy of the Council's policy for dealing with applications and advised that he could consider reapplying for a licence in future.

(The applicant was invited back into the meeting and was informed by the Chair of the decision).

(B) CJC - Date of Birth 13.5.64

Details of the convictions in this case were contained in the report.

The applicant attended the meeting and addressed the Sub-Committee in support of his application. He then answered questions from Members and was allowed to sum up.

The applicant was then asked to leave the meeting whilst the Sub-Committee considered its decision. The Sub-Committee took into account all the information supplied and it was

**RESOLVED** that the decision to refuse the application for a private hire drivers licence from CJC be overturned and a licence be issued in this case, although CJC be warned as to his future conduct.

(The applicant was invited back into the meeting and was informed by the Chair of the decision).

## 4. PRIVATE HIRE VEHICLES - ADVERTISING

A report from Members' Services was submitted on an application for permission to advertise on private hire vehicles.

## LICENSING SUB-COMMITTEE (Continued)

The conditions attached to private hire vehicles issued by the Council at present included provision that no notices should appear on the vehicles other than signs fitted to the front door panels giving the name, address and/or telephone number of the operator. In 1986 the Sub-Committee agreed that additional signs would be allowed on mini-buses provided they were first approved by the Council. At the same time, the Sub-Committee had refused an application to allow general advertising on private hire vehicles.

An application had now been received for the Council to allow discreet advertising on the rear door panels of private hire cars.

The condition attached to taxi licences allowed advertising on the vehicles, subject to the form of advertising being approved by the Council. No application had ever been received from taxi proprietors for consent to be allowed to advertise on their vehicles.

### RESOLVED that

- (1) the conditions attached to private hire vehicles be amended to allow discreet advertisements on the rear door panels of private cars, subject to the form of advertisement being first approved by the Council;
- (2) authority be delegated to Head of Members' Services to approve applications for the form of advertising; and
- (3) a charge of £12.50 be made for approving the form of advertising for both private hire vehicles and taxis.

(The meeting ended at 6.00 pm)

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LICENSING SUB-COMMITTEE (Continued)