

## **REPORT OF THE REGULATORY COMMITTEE**

### **Meetings Held on 24th May and 19th July, 2005**

---

#### **Membership:**

**Councillors:** R.I. Matthews (Chairman), Brig. P. Jones CBE (Vice-Chairman) Mrs. S.P.A. Daniels, G.W. Davis, D.J. Fleet, J.G.S. Guthrie, J.W. Hope, T.W. Hunt, J.W. Newman, R. Preece, D.C. Taylor, P.G. Turpin.

#### **PUBLIC ENTERTAINMENT LICENSING – APPLICATION REQUIRING A DEVIATION FROM POLICY**

1. The Committee considered an application for an Occasional Public Entertainment Licence with a finishing time of later than that set out in the Council's Licensing Policies.
2. The applicant was given the opportunity to present his case, as were Officers of the Environmental Health and Trading Standards Department.
3. Comments were also considered from the West Mercia Constabulary and the Fire and Rescue Authority. The Committee was mindful of the implications of the Crime and Disorder Act 1998 and the fact that the finishing time was in place to protect the local community and individuals from disturbance by night time events within the County.
4. Having considered all the facts in relation to the application, the Committee took note of the Council's policies but was of the view that the applicant had given satisfactory evidence to suggest that the event would be well supervised in a responsible manner.
5. It was therefore decided that the following extension of hours should be granted, subject to appropriate conditions to be imposed by the Head of Environmental Health and Trading Standards, but only because of the exceptional circumstances involved in the application: 'Noztock' Music Festival, Rowden Paddocks, Bromyard on 23rd July, 2005, ending at 5.00 am on 24th July.

#### **THE LICENSING POLICY SCHEME OF DELEGATED POWERS – LICENSING ACT 2003 AND GUIDANCE ISSUED UNDER SECTION 182 OF THE LICENSING ACT 2003**

6. The Committee has decided to amend the licensing policy to allow officers to grant personal licences (for an individual to sell alcohol) within the scope of the Licensing Act 2003, in cases where an applicant has unspent convictions and where there are no police objections, in line with the powers set out in Section 120(6) of the Act. Such applications must be approved and would otherwise have to be referred to the Committee for 'rubber stamping'.

**KNOWLEDGE TEST – DUAL DRIVERS LICENCES – THE TOWN POLICE CLAUSES ACT 1847 AND LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

7. The Committee has agreed in principle the adoption of a knowledge test as part of the application process for dual Hackney Carriage and Private Hire Drivers Licence applications. The officers have been requested to provide more details about the financial implications before the scheme is implemented.

**APPLICATIONS FOR DUAL HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCES – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

8. Two applications for the renewal or grant of Hackney Carriage/Private Hire drivers licences were referred to the Committee in accordance with the Council's terms and conditions and the advice on the interpretation of spent convictions. The applicants and their representatives gave details of the grounds for their applications and provided the Committee with the circumstances under which they had previously held them. Having considered all the facts put forward by the Licensing Manager, the applicants and their representatives, the Committee decided that the Licensing Manager should be authorised to grant the applications because they considered that the applicants were fit and proper persons under the meaning of the Local Government (Miscellaneous Provisions) Act 1976.

**R.I. MATTHEWS  
CHAIRMAN  
REGULATORY COMMITTEE**

**BACKGROUND PAPERS**

- Agenda papers from the meetings of the Regulatory Committee held on 24th May and 19th July, 2005.