

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING AND REGULATORY COMMITTEE - 30 JULY 2020

SUBMITTED TO THE COUNCIL MEETING – 11 AUGUST 2020

(To be read in conjunction with the Agenda for the Meeting)

Present

Cllr Robert Knowles (Chairman)	Cllr Jerry Hyman
Cllr Michael Goodridge (Vice Chairman)	Cllr Anna James
Cllr Roger Blishen	Cllr Jacquie Keen
Cllr Martin D'Arcy	Cllr Michaela Martin
Cllr Jerome Davidson	Cllr Ruth Reed
Cllr Patricia Ellis	

Apologies

Cllr Maxine Gale

Also Present

Councillor Peter Isherwood, Councillor Jenny Else and Councillor John Ward

LIC9/20 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (Agenda item 1.)

Apologies for absence were received from Cllr Maxine Gale.

The Committee recorded a vote of thanks to Cllr Peter Clark who had resigned from the committee due to other commitments. The Chairman welcomed Cllr Jerry Hyman to the Committee in his place.

LIC10/20 ELECTION OF VICE-CHAIRMAN (Agenda item 2.)

Following the resignation of Cllr Peter Clark it was necessary to elect a new Vice Chairman. Cllr Ruth Reed nominated Cllr Michael Goodridge and Cllr Jacquie Keen seconded the nomination.

The committee unanimously **AGREED** to the nomination and Cllr Goodridge was elected.

LIC11/20 APPOINTMENT OF MEMBERS TO SUB COMMITTEES (Agenda item 3.)

Following Cllr Clark's resignation there was a vacancy on the Licencing Act 2003 Sub-Committee A and the Licensing and General Purposes Sub-Committee.

Cllr Jacquie Keen volunteered to take up the vacancy on the Licensing and General Purposes Sub-Committee and Cllr Michaela Martin volunteered to fill the vacancy on Licencing Act 2003 Sub-Committee A.

The Committee agreed to both appointments.

LIC12/20 DECLARATIONS OF INTEREST (Agenda item 4.)

There were no declarations of interest submitted.

LIC13/20 QUESTIONS FROM MEMBERS (Agenda item 5.)

There were no questions from members submitted.

LIC14/20 PAVEMENT LICENSING (Agenda item 6.)

Richard Homewood, Head of Environmental & Regulatory Services, outlined the report and associated draft policy attached to the agenda.

He advised that the government had introduced through Parliament a new streamlined 'temporary' process to apply for a 'Pavement License', to assist in business recovery following the Covid-19 pandemic and associated lockdown. The Business and Planning Act had been passed on 21 July 2020, including a late change that made the Pavement Licensing function a Council function rather than an Executive function.

The Committee asked how many licenses he expected to receive applications for and Mr Homewood advised they were estimating approximately 60. He pointed out that not all premises would need a license if they had a private forecourt.

Cllr Hyman provided detailed comments on editing and content of the report and policy and asked for clarification within the policy on a number of matters including time periods for determining applications, use of barriers, and distancing. Committee members also noted that there were some inconsistencies in the conditions in relation to use of outdoor heaters, for example. Mr Homewood thanked Members for their detailed comments

The Committee endorsed the principle of the policy and the need to help businesses recover from the lockdown, and **RESOLVED** to recommend that Council:

- i. Adopts the policy set out in Annexe A.
- ii. Sets the fee for a pavement license at £100.
- iii. Delegates authority to the Head of Environmental and Regulatory Services to issue pavement licences and/or authority to refuse or amend pavement licences in consultation with the Chairman of the Licensing and Regulatory Committee.
- iv. Delegates authority to the Head of Environmental and Regulatory Services in relation to enforcement powers under the new proposed legislation (the Business and Planning act 2020 once enacted).
- v. Delegates authority to the Head of Environmental and Regulatory Services to make minor or consequential amendments to the Policy and Licence conditions in the event of any amendments/ updating statutory instruments and or government guidance in consultation with the chairman of the Licensing and Regulatory Committee.

LIC15/20 EXCLUSION OF PRESS AND PUBLIC (Agenda item 7.)

There were no items to discuss in exempt session so the Chairman closed the meeting.

The meeting commenced at 11.00 am and concluded at 12.42 pm

Chairman