

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE
22 JUNE 2015

SUBMITTED TO THE LICENSING AND REGULATORY COMMITTEE MEETING
16 JULY 2015

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

Present

Cllr Simon Inchbald (Chairman) Cllr Anna James
Cllr Patricia Ellis (Vice Chairman) Cllr Bob Upton

Cllr Maurice Byham (Substitute)

Apologies

Cllr Peter Isherwood

1. APPOINTMENT OF CHAIRMAN (Agenda item 1.)

Cllr Simon Inchbald was confirmed as Chairman of the Licensing (General Purposes) Sub-Committee for the Council year 2015/16.

2. APPOINTMENT OF VICE-CHAIRMAN (Agenda item 2.)

Cllr Patricia Ellis was confirmed as Vice-Chairman of the Licensing (General Purposes) Sub-Committee for the Council year 2015/16.

3. MINUTES (Agenda item 3.)

The Minutes of the Special Meeting held on 2 April 2015 were confirmed and signed.

4. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (Agenda item 4.)

An apology for absence had been received from Cllr Peter Isherwood. Cllr Maurice Byham attended as a substitute.

5. DECLARATIONS OF INTEREST (Agenda item 5.)

There were no interests declared under this heading.

PART I - RECOMMENDATIONS TO THE COMMITTEE

There were no matters falling within this category.

PART II - MATTERS OF REPORT

The background papers relating to the following items are as set out in the reports included in the original agenda papers.

6. APPLICATION FOR STREET TRADING PERMIT (Agenda item 7.)

An application for a street trading permit had been received for the Cranleigh Lions Carnival and Fund Day to be held on Saturday 27 June 2015. The last date for comments on the application was Wednesday 24 June 2015. The Sub-Committee was advised that no comments had been received and therefore there was no requirement for action from the Sub-Committee.

7. APPLICATION FOR STREET COLLECTION PERMIT - GO GODALMING (Agenda item 8.)

The Sub-Committee duly considered an application received for a street collection permit, the proceeds of which were intended to benefit Go Godalming in funding the running of concerts at the Bandstand, Godalming to entertain the community free of charge.

The Council regulates street collections and the Sub-Committee noted that any individual or organisation applying was usually permitted only four collections per year. The application before them requested street collection permits for a number in excess of that.

The Sub-Committee interprets policy and has the delegated power to deviate from policy when there were exceptional circumstances and compelling reasons to do so.

The series of events that gave rise to the application now under consideration were a repeat of similar annual programmes which had been held for each of the last nine years. They could not be described as exceptional. The Sub-Committee felt that it did not have the power to sanction what had become a routine exception to policy. If such an extensive series of events were to be authorised, the Committee felt that it could only be done following an amendment to the policy and the Sub-Committee would therefore ask the Licensing and Regulatory Committee to consider making a recommendation to the Council that the policy be amended.

The Sub-Committee recognised that the planned concerts were valuable community events and needed to be funded.

To comply with Waverley's Regulations (requirement for collector to occupy a stationary position), any collections should be on arrival or departure at the bandstand and not whilst attendees were seated. The Sub-Committee requested that the Go Godalming Website and other internet sites advertising the concerts would be amended to ensure that it was made clear there would be a collection taking place at each concert.

The Sub-Committee withdrew at 12.27pm to make their decision and returned at 13.32pm. During their deliberations the Council's Solicitor was asked to advise the Sub-Committee on the wording of their decision.

The Sub-Committee RESOLVED to grant permission for the next three concerts on 28 June, 5 and 19 July. The Sub-Committee gave conditional approval to the following dates 26 July, 9, 16,23 and 30 August and 6 and 13 September, subject to

them being consistent with an amended policy by the Council. However, if the amended policy required changes to printed promotional material, the Sub-Committee would grant exemption for this year only.

8. EXCLUSION OF PRESS AND PUBLIC (Agenda item 9.)

RESOLVED that, pursuant to Procedure Rule 20 and in accordance with Section 100B(5) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in paragraph 1 of the revised Part 1 of Schedule 12A to the Act, namely:-

Information relating to any individual (paragraph 1)

9. REVIEW OF HACKNEY DRIVER'S LICENCE WITH REFERENCE TO A SERIOUS INCIDENT (Agenda item 10.)

The driver attended the meeting to be interviewed by the Sub-Committee and to present his case.

Following questions by the Sub-Committee and responses from the driver the Sub-Committee withdrew at 14.40pm.

Following the Sub-Committee's deliberation the meeting resumed at 15.30pm. The Council's Solicitor had been asked to advise the Sub-Committee During their deliberation on the wording of their decision.

RESOLVED that Mr F S was a fit and proper person to hold a Hackney Carriage/Private Hire driver's licence for the reasons set out in the [Exempt] Annexe to these minutes.

The meeting commenced at 10.00 am and concluded at 3.42 pm

Chairman