



REGULATORY SUB COMMITTEE

2.45pm to 5:05pm

14 July 2014

Present: Councillors Button (chair), Brociek-Coulton, Jones, Stammers and Woollard

1. Declarations of interest

Councillors Brociek-Coulton and Woollard declared an other interest in item 3 as they were members of the Norwich Access Group and did not take part in the discussion for this item.

2. Highways act 1980: application for licence to place tables and chairs on the highway – the Champion PH 101 Chapelfield Road

Dale Huntingdon (area manager for Batemans and Sons brewery); Jackie Danks (landlady of the Champion public house) and Mrs Hansell (objector) attended the meeting for this item.

The licensing manager presented the report.

Dale Huntingdon apologised that the license had not been renewed and said that a process had been put in place to ensure this did not happen again. The brewery had paid for the area to be cleared and tarmaced when a previous licence was granted in 2008. A petition in support of the application had been signed by 140 people. The members were shown a copy of the petition.

Jackie Danks said that since losing the pavement licence, it had been difficult to manage the area for smokers and had found that there was more litter in the area as it was not limited to a certain area.

Mrs Hansell said that the noise of chairs and barriers being moved inside was very disruptive as this sometimes took place as late as 12:30am.

The licensing manager confirmed that under the terms of the licence sought, all tables, chairs and barriers would need to be cleared away by 11pm. Jackie Danks said that this may be problematic as the barriers were very time consuming to put away.

RESOLVED, unanimously, to grant the licence for tables and chairs on the highway for one year, with the following additional conditions:

- a) Condition 10 of the table and chairs licence be amended by deleting the first part of the standard clause to read as follows:

“No other furniture should carry strident advertising that goes beyond the purpose of discreetly identifying that the pavement café is associated with a particular business.”

- b) That the area subject to this license will be monitored by at least one camera as part of the premises CCTV system; and

- c) Condition 9 of the standard conditions be amended to read as follows:

“The areas is to be cleared of patrons by 10:45pm and the tables and chairs, the subject of this licence, shall be removed from the licensed area each day by 11pm.”

(Dale Huntingdon and Jackie Danks left the meeting at this point.)

3. Highways act 1980: application for licence to place tables and chairs on the highway – The Maddermarket Kitchen 20 St John Maddermarket Norwich

(Having declared an interest, councillors Brociek-Coulton and Woollard did not take part in the determination of this item).

Stuart Duffield (Owner) and Jonathan Crinion (manager) attended the meeting for this item.

The licensing manager presented the report.

Stuart Duffield said that his aim was to make the area more appealing to the public and to make his business stronger. Jonathan Crinion said that the premises did not currently serve any alcohol and the extra tables would increase their business as currently they only had capacity for thirty five covers. Stuart Duffield said that he may wish to apply for a licence to serve alcohol in the future.

In reply to a member's question as to why the number of tables on the plan at page 29 of the agenda was more than the number in the application, the licensing manager said that the committee would only approve the number specified in the application. The applicants agreed to reduce the request to ten tables and twenty two chairs.

RESOLVED unanimously, to grant the licence for tables and chairs on the highway for one year: with the following additional condition:

- 1) To delegate to the licencing manager, in consultation with councillor Stammers, the creation of a revised layout plan showing ten tables to be attached to the licence; and
- 2) That alcohol may only be served with a table meal.

4. EXCLUSION OF PUBLIC

RESOLVED to exclude the public from the meeting during consideration of items 3 to 12 below on the grounds contained in paragraphs 1 and 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972, as amended.

***5. Application for grant of a 3 month private hire drivers licence: case number 14/00964/PHD3**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the committee. He also confirmed that since the application form was completed, he had received no further convictions or cautions and that he had no matters pending.)

The licensing manager presented the report. He explained that as there had recently been a change in the Rehabilitation of Offenders Act, the reference that the applicant had failed to disclose the convictions should be ignored.

The applicant explained the circumstances surrounding his convictions on 21 June 2007, 2 November 2012 and 23 January 2013 and his caution on 27 October 2012.

(The applicant and the licensing manager left the meeting at this point).

Following discussion it was:-

RESOLVED, unanimously, to grant the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The applicant then left the meeting.)

***6. Application for grant of a 3 month private hire drivers licence: case number 14/00707/PHD3**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the committee. He also confirmed that since the application form was completed, he had received no further convictions or cautions and that he had no matters pending.)

The licensing manager presented the report. He explained that as there had recently been a change in the Rehabilitation of Offenders Act, the reference that the applicant had failed to disclose the convictions should be ignored.

The applicant explained the circumstances surrounding his caution on 11 May 2012.

(The applicant and the licensing manager left the meeting at this point).

Following discussion it was:-

RESOLVED, unanimously, to grant the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The applicant then left the meeting.)

***7. Application for grant of a 3 month private hire drivers licence: case number 14/00200/PHD3**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the committee. He also confirmed that since the application form was completed, he had received no further convictions or cautions and that he had no matters pending.)

The licensing manager presented the report.

The applicant explained the circumstances surrounding his conviction on 3 November 2005.

(Councillor Stammers, the applicant and the licensing manager left the meeting at this point).

Following discussion it was:-

RESOLVED, unanimously, to refuse the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The legal advisor informed the applicant that he would receive written notification of the committee's decision and that he had the right to appeal against the decision at the Magistrates' Court within twenty-one days of the date of this meeting. The applicant then left the meeting.)

***8. Application for grant of a 3 month private hire drivers licence: case number 14/00200/PHD3**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the committee. He also confirmed that since the application form was completed, he had received no further convictions or cautions and that he had no matters pending.)

The licensing manager presented the report.

The applicant explained the circumstances surrounding his convictions on 1 May 2012 and 17 December 2012.

(The applicant and the licensing manager left the meeting at this point).

Following discussion it was:-

RESOLVED, unanimously, to grant the private hire driver's licence in accordance with Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976, in respect of this application.

(The applicant and the licensing manager were admitted to the meeting and informed of the decision minuted above. The applicant then left the meeting.)

CHAIR