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## WEST OXFORDSHIRE DISTRICT COUNCIL

### Minutes of the meeting of the **Licensing Committee**

Held in the Council Chamber at 2.00 pm on **Thursday, 22 September 2022**

#### PRESENT

Councillors: Michael Brooker, Mike Cahill, Ted Fenton, David Jackson, Norman MacRae MBE and Lysette Nicholls

Officers: Alison Gardner (Licensing Team Leader), Alexander Kirk (Legal) and Janet Eustace (Democratic Services).

#### **1 Confirmation of appointment of the Chair of the Committee**

It was confirmed that Councillor Brooker be Chair of the Licensing Committee for the civic year 2022/23

#### **2 Confirmation of appointment of Vice-Chair for the Committee**

It was confirmed that Councillor Jackson be Vice-Chair of the Licensing Committee for the civic year 2022/23.

#### **3 Minutes of Previous Meeting**

The minutes of the meetings held on 19 October 2021 and 13 September were approved and signed by the Vice Chair as a true record.

#### **4 Apologies for Absence**

Apologies for absence were received from Councillors Joy Aitman and Dean Temple.

#### **5 Declarations of Interest**

There were no declarations of interest.

#### **6 Participation of the Public**

No submissions had been received.

#### **7 Appointment of Sub-Committees for 2022/23**

Proposed by Councillor Fenton, seconded by Councillor Nicholls and **Resolved** that:

- a) Councillors Brooker, Cooper, Fenton, MacRae and Parkinson be appointed as Members of Miscellaneous Licensing Sub-Committee.
- b) The Chair of the Licensing Sub-Committee be Councillor MacRae and the Vice-Chair Councillor Jackson.
- c) Licensing Panel membership will comprise of the Chair or Vice Chair of the Licensing Committee and two other members of the Licensing Committee drawn on an alphabetical rota basis from the remaining members of the Licensing Committee (subject to their availability and the completion of licensing training prior to participation in a Licensing Panel meeting).
- d) the terms of reference of committees is on the work programme of the Constitution Review Group be noted.

It was noted that some Councillors had still to be trained and it was agreed that Democratic Services would arrange this.

**8 Business and Planning Act 2020 - Extension to pavement licensing regime**

Alison Gardner (Licensing Team Leader) introduced this item. The Business and Planning Act 2020 (“the Act”) was introduced in 2020 to support various business sectors including hospitality. This Act included numerous temporary relaxations to existing legislations including the introduction of the Pavement Licensing regime which permitted businesses to apply to the Local Authority for a licence to use outside space to extend the trading area available for consumption of food and drink during the pandemic. These powers were further extended until 30 September 2022.

The Pavement Licensing regime has now been given an interim extension until 30<sup>th</sup> September 2023 under the Business and Planning Act 2020 (Pavement Licence) (Coronavirus) (Amendment) Regulations 2022 pending a permanent change in the future. West Oxfordshire District Council has a total of 17 licences across the District.

There have been no major changes to the West Oxfordshire District Council Pavement Licensing. The only changes made are:

- Updated dates to reflect the extension of the Act.
- Inclusion of paragraph at section 2.6 regarding previous permissions.
- Change of wording at section 3.4 to read more clearly.
- Removal of paragraph at section 3.6 which indicated that objections will not be considered if no concerns raised during term of previous licence as all objections must be considered in accordance with the Act and to ensure fairness across applications.
- Updating of job title and wording in delegations table at section 3.6

In 2021/22, the Council determined to charge an application fee of £100 which is the maximum fee permitted under the Act. Licensing fees should be charged on a cost recovery basis and although a cost recovery exercise has not been carried out, the cost of processing a licence would be more than £100.

Councillor MacRae said that he fully supported the proposals. Councillor Jackson also supported the proposals and noted that increased fuel charges would not impact on those with pavement licences. Councillor Fenton asked whether renewal of licences would occur automatically. The Licensing Team Leader explained that applicants would need to reapply and said she would notify licence holders in the next day or two. It was likely that Highways would object in those pedestrianised areas which had been reopened to traffic.

It was noted that there may be business operating on pavements on public land without licences and it was agreed the list of licences granted should be circulated to members so that they could make the Licensing Team aware of those operating without licences.

Proposed by Councillor MacRae, seconded by Councillor Jackson and

**Resolved:**

- a) that the Licensing Committee considers the draft Pavement Licensing Policy and
- b) approves the draft Policy; and
- c) agrees a fee of £100 for 2022/23

The Meeting closed at 2.16 pm