

Cheltenham Borough Council Full Licensing Committee Minutes

Meeting date: 4 December 2024

Meeting time: 6.00 pm - 10.00 pm

In attendance:

Councillors:

Councillor Dr David Willingham (Chair), Councillor Angie Boyes (Vice-Chair), Councillor Dilys Barrell, Councillor Tabi Joy, Councillor Dr Helen Pemberton, Councillor Julie Sankey, Councillor Dr Steve Steinhardt and Councillor Simon Wheeler

Also in attendance:

Vikki Fennell (Senior Lawyer, One Legal)

1 Apologies

Apologies were received from Councillors Harvey and Pineger.

2 Declarations of interest

Councillor Willingham informed the meeting that he is a Gloucestershire County Councillor.

3 Public questions

There were none.

4 Minutes of the previous meeting

RESOLVED THAT

The minutes of the meeting held on 4 September 2024 were approved and signed as a correct record.

5 Minutes of sub-committee meetings

RESOLVED THAT

The minutes of the following sub-committee meetings were approved and signed as a correct record :

2 October 2024 (Alcohol and Gambling)

2 October 2024 (Alcohol and Gambling)

2 October 2024 (Licensing Miscellaneous)

6 November 2024 (Licensing Miscellaneous)

6 Review of previous decisions

The Chair highlighted that there was an exempt briefing note detailing the delays that those who have appeared before the committee have experienced. He commented that this was a concern for the council as premises could continue operating despite perceived wrongdoing, applicants are experiencing delayed justice, and there are negative impacts on the residents of Cheltenham due to public safety and confidence in the licensing scheme. The committee confirmed that the Chair should write an open letter to the Secretary of State for Justice confirming concerns about the delays at the Magistrate's Court.

The Chair noted that a second briefing note was in the public domain and contained the response from Jess Phillips MP, the Parliamentary Under-Secretary of State for Safeguarding and Violence Against Women and Girls. He explained that the letter confirmed that the new government have no intention of undertaking a formal review of legislation around sex establishment licensing. He highlighted that the council stand together to tackle violence, intimidation and abuse against women and girls in Cheltenham and will do all they can to prevent this from happening. Under current legislation we encourage licensing for sexual entertainment venues because regulation provided by licensing is safer and preferable to the risks associated with exempt venues with no enforceable licensing conditions. He expressed his disappointment that there is no plan to review the current legislation and encouraged residents and objector groups to lobby ministers and provide them with evidence of the need of legislative change.

7 Local Government Act 1972

RESOLVED THAT

That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 1 and 2, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 1; Information relating to any individual

Paragraph 2; Information which is likely to reveal the identity of an individual

8 Review of a Hackney Carriage Driver's Licence

The Licensing and Public Protection Manager introduced the report.

Members had the opportunity to ask questions of the officer which were duly responded to.

The driver's representative then addressed the committee, then Members had the opportunity to ask questions directly of him.

Following debate, the matter went to the vote and the committee voted unanimously (8 votes) to revoke the driver's licence with immediate effect in the interests of public safety.

Revoked.

9 Review of a Hackney Carriage Driver's Licence

The Licensing and Public Protection Manager introduced the report.

Members had the opportunity to ask questions of the officer which were duly responded to.

The driver's representative then addressed the committee, then Members had the opportunity to ask questions directly of him.

Following debate, the matter went to the vote and the committee voted (6 votes for, 2 against) to revoke the driver's licence with immediate effect in the interests of public safety.

Revoked.

10 Application for a new Hackney Carriage Driver's Licence

The Senior Licensing Officer introduced the report.

Members had the opportunity to ask questions of the officer which were duly responded to.

The driver then addressed the committee, then Members had the opportunity to ask questions directly of him.

Following debate, the matter went to the vote and the committee voted unanimously (8 votes) to grant the driver's licence on the basis that the driver is a fit and proper person to hold a licence.

Granted.

11 Any other items the Chairman determines urgent and requires a decision

None.

12 Date of next meeting

The next meeting of the Full Licensing Committee will be on 5 March 2025.