

LICENSING COMMITTEE

2 FEBRUARY 2010

Present: County Councillor Bridges (Chairperson);
County Councillors Cox, Ford, Grant, Goddard,
Griffiths, Kelloway, Macdonald, Derrick Morgan, and
Smith

L17 : MINUTES

The minutes of the meeting held on 3 November 2009 were approved by the Committee as a correct record and signed by the Chairperson.

L18 : GOVERNMENT CONSULTATION ON PROPOSALS TO AMEND THE LICENSING ACT 2003

The Chief Strategic Planning & Environment Officer presented a report regarding a consultation document issued on 9 December 2009 by the Department of Culture, Media and Sport on proposals to amend the Licensing Act 2003. The proposals sought to simplify procedures for Licensing Statements, Interim Authority Notices and Reinstatements on Transfer and Temporary Event Notices.

The proposals would require the Department of Culture, Media and Sport to amend the Statutory Section 182 Guidance issued to Local Authorities and were set out as follows:

- To remove the requirement that Local Authorities carry out a review of their statement of licensing policy every three years and only carry out a review where it is believed there is a need to change the policy.
- To extend the period for the interim authority notice to allow a person to temporarily take over a licence following the death, incapacity or insolvency of the licence holder.
- To extend the period police have to object to temporary event notices.

The Committee was asked to consider and approve the Authority's

responses to the consultation document.

RESOLVED – That the responses to consultation document detailed in Appendix A of the report be approved by the Committee.

L19 : AMENDMENTS TO THE LICENSING ACT 2003 AS A RESULT OF THE EU SERVICES DIRECTIVE

As a result of the requirements of the EU Services Directive, the Licensing Act (Premises Licences and Club Premises Certificates) (Amendment) (Electronic Applications etc.,) Regulations 2009 have amended certain requirements of the Licensing Act 2003 these amendments came into effect on 28 December 2009.

Following the introduction of these new Regulations licensing applications would now be accepted when the application is received, together with the appropriate fee, via electronic means.

Details of the amendments were set out in the report.

RESOLVED – That the report be noted.

L20 : GAMBLING ENFORCEMENT OPERATION

The Authority, as the Licensing Authority in respect of Gambling Premises Licences, together with Officers of the Gambling Commission, participated in a Nationwide compliance measuring programme targeting gambling licensed premises. The Committee received a report providing information on the outcome of that operation.

Trading Standards Officers organised a test purchase operation targeting betting shops in the City, whereby young persons entered the betting shops unattended to place a bet. Of the thirteen premises targeted, nine operators asked for identification and did not accept the bet. However, at four premises the bets were accepted.

Both the Gambling Commission and the Licensing Authority have engaged with those operators where bets were accepted to secure improvement plans. Further operations will be organised next year to assess the level of compliance.

RESOLVED – That the report be noted.

L21 : POLICING AND CRIME ACT 2009

The Committee received a report providing details of changes to the Licensing Act 2003 as a result of the Policing and Crime Act 2009 which came into effect on 29 January 2010.

The Policing and Crime Act 2009 provided the Police with further powers which were intended to address a number of matters in relation to alcohol, including:

- Targeting irresponsible retailers who sell alcohol to under 18s
- The powers to confiscate alcohol from 18 year olds.
- A new offence for under 18s of persistently possessing alcohol in a public place.
- The powers to instruct persons over 10 years of age to leave an area.
- Amending the Licensing Act 2003 so that local Members can now make representations as an interested party. Previously Councillors could only make representations on applications if they had been nominated to do so by somebody else.

Members of the Committee welcomed the changes, particularly in those allowing local members to make representations on licensed premises applications within their ward.

RESOLVED – That the report be noted.

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Chairperson