

## LICENSING COMMITTEE

10 MAY 2011

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

Apologies: County Councillors Smith

### L20 : MINUTES

The minutes of the meeting held on 11 January 2011 were approved by the Committee as a correct record and signed by the Chairperson.

### L21 : RESTRUCTURING AUTHORISATIONS

As a result of restructuring of the service and to ensure that officers have the appropriate formal authorisations to act on the Council's behalf, the Committee was requested to delegate the powers necessary to officers to undertake the functions of the Licensing Act 2003 and Gambling Act 2005. Members were also asked to consider delegating for authorising officers to administer the required of the Licensing Act 2003 and Gambling Act 2005, and the instituting of legal proceedings, to the Head of Regulatory and Support Services. It was also proposed that the Operational Manager (Licensing and Trading Standards) be authorised to act under the Licensing Act 2003 and Gambling Act 2005 to meet the duties and requirements place on the Council in accordance with the policies and procedures authorised by the Committee.

RESOLVED – That the Committee exercise it delegated authority:

- (1) To authorised the Head of Regulatory and Supporting Services with powers to act under, and to authorise officers to administer, the requirements of the Licensing Act 2003 and Gambling Act 2005 and to institute any necessary legal proceedings.
- (2) To authorise the Operational Manager (Licensing & Trading Standards) to act under the Licensing Act 2003 and Gambling Act 2005 to meet the duties and requirements placed on the Council in accordance with the policies and procedures authorised from time to

time by the Committee.

- (3) In the absence of the Head of Regulatory and Supporting Services the Operational Manager (Licensing & Trading Standards) be approved to exercise the delegation listed in a) above.
- (4) In the absence of the Head of Regulatory and Supporting Services and the Operational Manager (Licensing & Trading Standards) the Licensing (Group Leader) be approved to exercise the delegation listed in a) and b) above.

## L22 : ROYAL WEDDING – EXTENSION OF HOURS

On 29 April 2011 the nation celebrated the Royal Wedding of Prince Williams to Kate Middleton. To mark the occasion the Government declared the day a national holiday. The Committee was advised that as the Royal Wedding was a unique event, licence holders could not reasonably make provision for extension to their permitted hours. Temporary Event Notices (TENS) were also subject to annual limits and may be refused if objected to by the Police on grounds of prevention of crime and disorder. The Government therefore proposed to undertake a consultation process to consider temporarily extending licensing hours across England and Wales.

On 12 January 2011 the Government published a consultation document seeking views on the proposal to temporarily extending the opening hours of licensed premises in England and Wales on Friday 29 April 2011 and Saturday 30 April to 0100 hours. Subsequently, under Section 172 of the Licensing Act 2003 the Government made provision to extend licensing hours for the sale of alcohol and regulated entertainment in licensed premises. All premises which had “on licensed” were able to take advantage of the extension of hours.

RESOLVED – That the report be noted.

## L23 – SECURITY INDUSTRY AUTHORITY – POSITION UPDATE

Following indications from the Government that they wished to abolish the Security Industry Authority (SIA) as part of its plans to reduce the number of quangos through the Public Bodies Bill, the Committee received a report advising them of the latest position in this regarding.

The SIA is an independent body set up under the terms of the Private Security Act 2001 to regulate the licensing of persons involved in the

security industry. The SIA issues licences to persons working in the private security industry, including door supervisors. A mandatory condition under the Licensing Act 2003 requires that where a premises licence includes a condition requiring door supervisors, such individuals must be licensed by the SIA.

Following concern being expressed regarding its proposals, in October 2010 the Home Office consulted key stakeholders on how a phased transition to a new regulatory scheme could be achieved. The SIA presented a plan to the Home Office on 16 February 2011 and the key points were that:

- Regulation should shift from licensing individuals to licensing businesses which have to meet a comprehensive set of conditions set by the new regulator
- The regulation of individuals will become the responsibility of registered businesses
- The new regulator will have the power to impose sanctions, including the right to trade in the industry

The Government's aim was for the new regulatory regime to be in place by the end of 2013. Members were advised that the Government had removed the SIA from Schedule 1 of the Public Bodies Bill. It was the Government's intention to introduce new legislation to replace the current SIA arrangements with a new regime that focuses on businesses. Until the new regime is in place regulation will continue under the current law.

RESOLVED – That the report be noted

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Chairperson