

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Tuesday 9th June 2015 at 6.00 pm at Addenbrooke House, Ironmasters Way, Telford

PRESENT

Councillors H Rhodes (Chair), M Boylan, G Cook, J Francis, C Mason, S J Reynolds, M Smith and J Seymour

Officers in attendance: L Noakes (Assistant Director: Health, Wellbeing and Public Protection), S Fisher (Principal Licensing Officer), C Phillips (Licensing Technical Officer), T Street (Solicitor) and B Williams (Democratic Services Support Officer)

LC-10 MINUTES

Reference was made to minute LC-8 – Street Trading Consent Policy, and what the results of the consultation had been. The Licensing Technical Officer reported that three responses were received – two from TWC Parks Division and one from “Lions Day”, none of which were negative. There were two comments about the proposed fee. All comments had been discussed with the Chair, and as there had been no significant adverse comments, the revised street trading policy had been adopted. The fee for the ‘umbrella’ consent had been agreed at £137 for five commercial traders.

RESOLVED – that the minutes of the meeting held on 24 March 2015 be confirmed and signed by the Chair.

LC-11 APOLOGIES FOR ABSENCE

Councillors I T W Fletcher and M Hosken

LC-12 DECLARATIONS OF INTEREST

None.

LC-13 REVIEW OF THE COUNCIL’S STATEMENT OF LICENSING POLICY

The Principal Licensing Officer presented the report of the Service Delivery Manager: Public Protection which notified Members of the requirement to review the current Statement of Licensing Policy, and sought approval for a 12 week consultation with affected persons and bodies.

The current Statement of Licensing Policy had been in place since January 2011, and there was a statutory requirement that it must be reviewed every five years. Officers had reviewed the Policy in line with Best Practice guidance, and proposed amendments were highlighted in the draft policy document appended to the report. The majority of the proposed amendments were due to changes in the law, and sections had been added on

- sexual entertainment;
- the Licensing Authority as a responsible authority;
- Health as a responsible authority;
- Early morning Restriction Orders;
- Late Night Levy;
- Non Payment of Annual Fee.

The Policy had also been revised in places to ensure it was more user friendly.

The Council was required to consult with a number of persons and bodies, and these were set out in the report. In addition, it was proposed that all premises licence holders in the Borough, town and parish councils, local community organisations and national organisations should be consulted. A full list of the persons to be consulted was appended to the report. Copies of the document would also be displayed at Council Offices/libraries and on the Council website. Following the consultation period, the Statement of Policy would be taken to Full Council on 26 November 2015 for approval.

During the ensuring discussion, Members referred to some grammatical errors and also suggested minor changes in wording to clarify certain points. For example, in respect of paragraphs 5.5 and 5.6 concerning relevant representations, it was felt there needed to be more clarity as to when the Licensing Authority could or could not impose conditions, and when it was appropriate for it to make representations. The Principal Licensing Officer advised that the Licensing Authority was unlikely to make a representation unless evidence had been provided by another Authority, but that the wording could be looked at to make it clearer. In response to a question about paragraph 6 – and the deletion of the Pool of Conditions, it was advised that the Home Office had removed these from their s182 Guidance. In relation to paragraph 15, concern was expressed that personal licences would have no expiry date, and how a check could then be kept on their validity. The Principal Licensing Officer advised that while representations had been made to the Home Office, legislation had been passed which meant personal licences no longer needed to be renewed. Licence holders would need to inform of a change of address to the authority they were licensed with.

RESOLVED -

- (a) that, subject to the inclusion of the minor amendments raised at the meeting, the revised Statement of Licensing Policy be approved for consultation;
- (b) that a twelve week consultation to review the Statement of Licensing Policy, beginning on 22 June 2015 and ending on 14 September 2015, be approved.

LC-14 REVIEW OF GAMBLING ACT 2005 – STATEMENT OF LICENSING PRINCIPLES

The Licensing Technical Officer presented the report of the Service Delivery Manager: Public Protection, which notified Members of the requirement in the

Gambling Act 2005 for the Council's Statement of Licensing Principles to be reviewed every three years, and sought approval for a 12 week consultation period with all relevant organisations.

The current Statement of Licensing Principles came into effect in January 2013, and there was a statutory requirement that it must be reviewed every three years. Officers had reviewed the Statement in line with experience of implementing the current document and with Best Practice guidance, and proposed amendments were highlighted in the draft Statement of Licensing Principles document appended to the report. The Gambling Commission was currently consulting on its updated Guidance, and any amendments to the Guidance would be reflected in the final Statement of Licensing Principles. The key changes related to:

- From April 2016, operators were required to submit a local risk assessment with any new or variation application;
- The introduction of 'Bet Watch' Schemes where appropriate;
- A requirement for gambling premises to notify the licensing authority of any test purchase results conducted by the Gambling Commission or their own organisation.

In Telford & Wrekin, there were currently 24 licences issued under the Gambling Act – 18 betting premises, 3 bingo premises and 3 adult gaming centres.

The Council was required to consult with a number of persons and bodies, and these were set out in the report. These included all existing licensees, registered clubs, and those who represented businesses, residents and community groups in the Borough. A full list of the persons to be consulted was appended to the report. Copies of the document would also be displayed at Council Offices/libraries and on the Council website. Following the consultation period, a final Statement of Principles would be taken to Full Council on 26 November 2015 for approval.

A question was asked regarding the Gambling Commission Guidance consultation and how this would impact on the revision of the Statement of Licensing Principles. The Licensing Technical Officer stated that the Gambling Commission would have the opportunity to comment on the Council's Statement and to suggest any changes that would accord with any updated Guidance.

RESOLVED -

- (a) that the revised Statement of Licensing Principles be approved for consultation;**
- (b) that a twelve week consultation to review the Statement of Licensing Principles, beginning on 22 June 2015 and ending on 14 September 2015, be approved.**

The meeting closed at 6.36pm.

Chairman:

Date: