

LICENSING COMMITTEE (LICENSING ACT 2003)

18 MARCH 2013

Present: Councillor J Brown (Chair)
Councillor P Jeffree (Vice-Chair)
Councillors J Aron, I Brandon, I Brown, J Connal, K Crout,
G Derbyshire, J Dhindsa, M Hofman, M Meerabux, M Mills,
D Scudder, L Scudder and D Walford

Officers: Head of Environmental Services
Head of Legal and Property Services
Licensing Manager
Committee and Scrutiny Support Officer (JK)
Assistant Licensing Officer (PC)

11 APOLOGIES FOR ABSENCE/ COMMITTEE MEMBERSHIP

There was a change of membership for this meeting: Councillor Aron replaced Councillor Hastrick.

12 DISCLOSURE OF INTERESTS (IF ANY)

There were no disclosures of interest.

13 MINUTES

The minutes of the meeting held on 12 November 2012 were signed.

14 LICENSING SUB-COMMITTEE MINUTES AND UPDATE

The Committee received an update on the Licensing Sub-Committees that had taken place since the last meeting of the Licensing Committee (Licensing Act 2003).

The minutes of the Licensing Sub-Committees were submitted and signed by the relevant chairs of those hearings.

15 REVIEW OF LICENSING ACT 2003 STATEMENT OF LICENSING POLICY

The Committee received a report of the Head of Environmental Services which asked the Committee to adopt the draft statement of licensing policy.

The Licensing Manager introduced the report and explained that legislative changes have been incorporated into the new policy. He outlined some of the

key areas of the policy including the policy LP4 (Sensitive Licensing Areas). These were locations where there had been strong opposition to applications in the past. He explained that evidence from residents was required to designate an area as a Sensitive Licensing Area.

Following a question from Councillor Dhindsa, the Licensing Manager explained that the Council would write to residents' associations and interested parties during the consultation period and the policy would also be available online. He explained that it was not illegal to drink alcohol in Designated Public Places; it only became illegal if the drinker were asked by the police or other responsible officers to stop.

A scheme of delegation for Early Morning Restriction Orders had been included in the draft policy, so that it was in place in the event that the Council wished to implement one in the future. The Chair confirmed this would be a decision for Full Council.

Councillor Brandon referred to the Sensitive Licensing Areas policy and noted that there would be strong resident approval for such a designation on St Albans Road from Station Road to Balmoral Road.

The Licensing Manager explained how applications were publicised. The Head of Environmental Services encouraged ward councillors to inform residents of applications that may be of interest to them.

Councillor Meerabux referred to the Sensitive Licensing Areas policy and highlighted other locations in the borough where there was a potential for problems. The Licensing Manager responded that many of the applications made by social clubs and other venues were under Temporary Event Notices (TENs) and residents were not able to object directly. He added that if ward councillors ever had concerns, these should be communicated to Environmental Health so that they were logged in the event of a future TEN application by those premises.

Councillor Jeffree reported that for certain TENs residents felt they had not had enough notice. The Licensing Manager explained the recent changes which allowed TENs to take place with even less notice. The Chair noted that it was important to log any complaints about previous events so that they were on file for the next application.

Councillor L Scudder noted that residents often had concerns about making complaints for fear that they would be identified as the complainant; they could be reassured that any such complaint would be anonymous. Following a question from Councillor Dhindsa, the Licensing Manager explained in what circumstances a TEN would be required.

RESOLVED –

1. That the Committee adopts the draft statement of licensing policy at Appendix 1.

2. That officers consult with the parties set out in paragraph 3.8 of the report and report to the Licensing Committee at its meeting on 15 July 2013.

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LICENSING ACT 2003 ANNUAL REPORT FOR 2012

The Committee received a report of the Head of Environmental Services which asked the Committee to note the annual report for 2012.

The Licensing Manager introduced the report. He drew the Committee's attention to paragraph 3.3 and noted that it should read 2011 not 2013. He advised that the figures for hearings were comparable to previous years. Although the number of reviews had increased it was still relatively small. The number of licenses granted had been lower than in previous years but there was plenty of interest in premises. It was encouraging that the Primary Care Trust was now submitting representations.

The Licensing Manager advised that the procedures for carrying out inspections was changing but reassured members that officers would visit premises where there were concerns or there had been complaints.

RESOLVED –

That the Committee notes the report.

Chair

The Meeting started at 8.35 pm
and finished at 9.15 pm