

LICENSING COMMITTEE

WEDNESDAY 27 APRIL 2016 AT 2.00pm

PRESENT: Councillor Bell (Chairman), Councillors Mrs Atkinson (as substitute for Councillor Miss Sherriff), Bowman S, Cape, Ms Franklin, Mrs Parsons, Shepherd, Stothard, Mrs Warwick and Wilson.

OFFICERS: Legal Services Manager
Licensing Manager
Licensing Officer

LC.07/16 APOLOGIES FOR ABSENCE

Apologies for absence had been submitted on behalf of Councillors Layden and Miss Sherriff.

LC.08/16 DECLARATIONS OF INTEREST

There were no declarations of interest affecting the business to be transacted at the meeting.

LC.09/16 MINUTES OF PREVIOUS MEETING

It was noted that Councillor Stothard had attended the meeting held on 24 February 2016 and not Councillor Mrs Stevenson.

RESOLVED - That the minutes of the meetings held on 16 December 2015 and 24 February 2016 be agreed as correct records of the meetings and signed by the Chairman.

LC.10/16 LICENSING SUB COMMITTEE MINUTES

RESOLVED – That the Minutes of the meeting of Licensing Sub-Committee 2 held on 14 March 2016, attached as Appendix A to these Minutes, be noted.

LC.11/16 PROCEDURE FOR THE CLASSIFICATION AND RECLASSIFICATION OF FILMS – LICENSING ACT 2003

The Licensing Officer submitted report GD.28/16 which requested the approval of a policy and procedure for the classification of films by the Licensing Authority.

The Licensing Officer reported that Local Authorities, as Licensing Authorities, were the classification body for the public exhibition of film shown within their administrative area, by virtue of the Licensing Act 2003. As such the Licensing Authority had the right to classify films that were shown in premises licensed under the Act such as cinemas, hotels, clubs and public houses.

Local Authorities, including the City Council, used decisions of the British Board of Film Classification (BBFC) to determine the classification of films. The Licensing Committee were asked to adopt the BBFC Guidance which had been attached to the report.

The Licensing Act provided that a mandatory condition should be applied to all premises licences that authorised the exhibition of films which related to the admission of children (defined as 'persons aged under 18years'). Premises must restrict the admission of children to the exhibition of any film to either the film classification recommend by the BBFC or, if the Licensing Authority did not agree with the recommendation, to such other classification recommended by the Licensing Authority.

If a film had not been classified by the BBFC it must not be shown at a licensed premise without first having been classified by the local Authority for the area. In addition a distributor of a film or other party may appeal to the Licensing Authority against a decision of the BBFC and request it be reclassified. It was therefore prudent that the City Council introduce a formal policy and procedure to determine the appropriate classification.

A draft policy and procedure had been attached to the report and included details of the relevant charges and exemptions. The Licensing Officer reported that two amendments had been made to the Policy since publication of the report which resulted in a change to the recommendations:

Page 13 – a line will be added “The current British Board of Film Classification guidelines are attached hereto”

Page 15 – second paragraph first sentence will be changed to “All requests must be accompanied by detailed reasons for the request and any fee which the Authority may have specified as payable.”

RESOLVED – 1) That, subject to the inclusion of the amendments set out above, the Policy for Determining Film Classifications (as attached to report GD.28/16) be approved with the inclusion of the British Board of Film Classification Guidelines

2) That the classification of films, both previously categorised by the British Board of Film Classification and those that had not been categorised, be delegated to the Licensing Sub Committees.

3) That the fee for the classification of films be set in the annual charges report.

LC.12/16 UPDATE ON LICENSING ACT 2003

The Licensing Manager presented report GD.29/16 giving Members an update on the applications under the Licensing Act 2003.

The Licensing Manager reported on the licence figures as 15 April 2016

In 1 April 2015 new legislation came onto the statute book which removed the requirement to renew personal licences and therefore all current licences lasted indefinitely. License holders had been contacted regarding the change and notified should they wish for their licence to be updated to 'indefinite' rather than their expiry date at a cost of £10.50. Since April 2015 there had been 98 amended licences issued. Licences that were not updated would show an expiry date but would actually still be valid. Personal Licence holders were also under a legal duty to inform the Council if and when they changed their address to enable an amended licence to be issued.

RESOLVED – That Report GD.29/16 be noted.

LC.13/16 GAMBLING ACT 2005 –UPDATE

The Licensing Manager presented report GD.30/16 giving Members an update on applications made under the Gambling Act 2005.

The Licensing Manager highlighted the licence figures as at 15 April 2016.

She reported that officers were undertaking visits to Family Entertainment Premises to ensure the correct category of machines were in place. In response to a question the Licensing Manager confirmed that Lazerquest did not have a licence to serve alcohol.

RESOLVED – That Report GD.30/16 be noted.

LC.14/16 CHAIRMAN'S COMMENTS

The Chairman thanked Members for their work and contribution to the Committee during the work. He paid special tribute to Councillors Cape and Mrs Atkinson who would be standing down from the Council in May and wished them the Committee's best wishes for the future.

(The meeting ended at 2.06pm)