

LICENSING COMMITTEE

WEDNESDAY 14 OCTOBER 2015 AT 2.15PM

PRESENT: Councillor Bell (Chairman), Bowman S, Layden, Morton, Mrs Parsons, Shepherd, Cape, Ms Franklin, Mrs Stevenson and Wilson.

OFFICERS: Assistant Solicitor
Licensing Manager

LC.14/15 APOLOGIES FOR ABSENCE

There were no apologies for absence submitted.

LC.15/15 DECLARATIONS OF INTEREST

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

LC.16/15 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meetings held on 27 May 2015 be agreed as a correct record of the meetings and signed by the Chairman.

LC.17/15 UPDATE ON LICENSING ACT 2003

The Licensing Manager presented report GD.67/15 giving Members an update on the applications under the Licensing Act 2003.

The Licensing Manager reported on the licence figures as 17 September 2015.

The Licensing Committee had, at their previous meeting, requested further information on Temporary Event Notices (TENs). The report detailed the number of TENs received each year since 2006 and a breakdown of the TENs for 2015.

The Licensing Manager reminded the Committee that in 2014 the Government consulted on abolishing personal licences altogether. There was strong opposition from both the trade and licensing authorities and the Government decided to retain them, however they would last indefinitely rather than 10 years. The appropriate legislation had not yet been made and the first 10 year licence renewals were submitted for renewal in February/March 2015. Interim guidance had been issued by the Government for those licences due for renewal before the new legislation became law. The interim procedure had created additional work without any ability to charge a fee.

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 44 amended licences issued. Licences that were not updated would show an expiry date but would actually still be valid.

RESOLVED – That Report GD.67/15 be noted.

LC.18/15 GAMBLING ACT 2005 –UPDATE

The Licensing Manager presented report GD.68/15 giving Members an update on applications made under the Gambling Act 2005.

The Licensing Manager highlighted the licence figures as at 17 September 2015.

She reported that officers were undertaking visits to gambling premises and licensed premises to ensure any ‘crane grab’ machines were correctly licensed as category D machines as was recommended by the Gambling Commission.

A Member asked what the ‘Track’ licence was that Carlisle United had surrendered. The Licensing Manager agreed to submit further information in the next update.

RESOLVED – That Report GD.68/15 be noted.

LC.19/15 END OF CONSULTATION DRAFT STATEMENT OF LICENSING POLICY 2016-2021

The Licensing Manager presented report GD.58/15 regarding the review of statement of Licensing Policy.

She stated that under the Licensing Act 2003 the licensing authority would, for each five year period consult with certain statutory bodies and then publish a statement of its Licensing Policy. Since the Council last published its Licensing Policy, the relevant Policy period had been extended from three to five years. Care Trusts and the Council itself were now deemed to be ‘responsible authorities’ which enabled them to make representations, the legislation had been further amended so that ‘interested parties’ were everyone.

The Licensing Manager explained that the statement of Licensing Policy had been considered by both the Members Working Group and the Officers Working Group and a number of minor changes had been included in red in the final document which had been submitted to the Committee for approval and recommendation to Council.

A Member commented that, whilst he supported street café areas, he had some concerns about the amount of pavement area left next to some of the outdoor spaces that held pavement licences. He drew particular attention to Celebrations, Eaten by Monsters, Le Gall and Hell Below and Co and asked that the City Centre Management Team ensure that the premises were complying with the requirements of their pavement licences.

RESOLVED – That the final draft of the Review of the Statement of Licensing Policy as attached to Report GD.53/10 be approved and recommended to the City Council for adoption.

**LC.20/15 END OF CONSULTATION DRAFT STATEMENT OF GAMBLING POLICY
2016-2019**

The Licensing Manager presented report GD.59/15 regarding the review of statement of Licensing Policy.

The Licensing Manager reminded the Panel of the requirement in the Gambling Act 2005 for local authorities to produce and consult on its 'Statement of Gambling Policy' every three years. The Council had produced three policies and the fourth policy had to be reviewed and a new policy published by 3 January 2016 to take effect on 31 January 2016.

As in previous policies the County Officer Working Group had considered the policy review and following advice from the Gambling Commission and the Government had made minor amendments to the existing policy to reflect new guidance. The Gambling Commission had undertaken consultation which ended on 22 June 2015, some of the changes from the consultation had been included in the Gambling Policy but the Gambling Commission's guidance was not scheduled to be published until the end of 2015 or early 2016. The Guidance may dictate further amendments to the published statement.

The Gambling Policy Working Group had considered the draft policy and agreed it for consultation. Following the consultation period the Gambling Policy Working Group considered the representations made and suggested amendments and referred the document to the Licensing Committee for approval. The amended draft Gambling Policy Statement, with amendments in red, had been circulated with the report.

RESOLVED – That the final draft of the Statement of Gambling Policy as attached to Report GD.59/15 be approved and recommended to the City Council for adoption.

(The meeting ended at 2.31pm)