

AGENDA

Licensing Committee

**Wednesday, 12 February 2014 AT 14:15
In the Flensburg Room, Civic Centre, Carlisle, CA3 8QG**

Apologies for Absence

To receive apologies for absence and notification of substitutions.

Declarations of Interest

Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any item on the agenda at this stage.

Public and Press

To agree that the items of business within Part A of the agenda should be dealt with in public and that the items of business within Part B of the agenda should be dealt with in private.

Minutes of Previous Meetings

To approve the minutes of the meetings held on 16 October 2013 [Copy Minutes in Minute Book Volume 40(4)]

PART A

To be considered when the Public and Press are present

A.1 LICENSING ACT 2003 UPDATE

3 - 8

The Licensing Manager to provide an update on the Licensing Act 2003.
(Copy Report GD.05/14 herewith)

A.2 GAMBLING ACT 2005 UPDATE

9 - 12

The Licensing Manager to provide an update on the Gambling Act 2005.
(Copy Report GD.06/14 herewith)

PART B

To be considered when the Public and Press are excluded from the meeting

- NIL -

Members of the Licensing Committee

Conservative – Craig, Layden, Morton, Mrs Parsons, Bowman S
(sub), Collier (sub), Nedved (sub)

Labour – Bell (Chairman), Cape, Ms Franklin (Vice Chairman),
Scarborough, Mrs Stevenson, Mrs Warwick, Forrester (sub),
Stothard (sub), Wilson(sub)

Liberal Democrat – Allison, Mrs Luckley (sub)

Independent - Betton, Graham (sub)

**Enquiries, requests for reports, background papers,
etc to Lead Committee Clerk: Rachel Rooney – 817039**

Report to Licensing Committee

Agenda
Item:
A.1

Meeting Date: 12 February 2014
 Portfolio: Finance, Governance and Resources
 Key Decision: Not Applicable:
 Within Policy and
 Budget Framework NO
 Public / Private Public

Title: LICENSING ACT 2003 - UPDATE
 Report of: Director of Governance
 Report Number: GD 05/14

Purpose / Summary:

This report gives an update on the Council's current position regarding applications under the Licensing Act 2003.

Recommendations:

Members are requested to note the information.

Tracking

| | |
|------------------------|-----|
| Executive: | n/a |
| Overview and Scrutiny: | n/a |
| Council: | n/a |

This report is presented to give an update on the Council's current position under the Licensing Act 2003.

1 Background

- 1.1 The Licensing Act 2003 took effect on 24th November 2005, from which date this Council administered all licences issued.
- 1.2 This report summarises the current situation with regard to licences issued under the Act and explains recent changes in the legislation.

2 Licence figures – as at 31 January 2014

2.1 Personal Licences

Previous Report - 1375

Current Licences – 1394

Total licences surrendered/revoked - 11

2.2 Premises Licences

With alcohol

Previous Report - 395

Current Licences –391

Total licences surrendered - 108

Without alcohol

Previous Report - 88

Current Licences – 86

Total licences cancelled - 27

2.3 Club Premises Certificate

With alcohol

Previous Report - 22

Current Licences – 22

Total licences surrendered – 5

Without alcohol

Previous Report - 0

Current Licences – 0

2.4 Temporary Event Notices

| Year | No. Received | No. Refused |
|--------------|--------------|-------------|
| 2006 | 199 | 5 |
| 2007 | 261 | 3 |
| 2008 | 267 | 2 |
| 2009 | 203 | 12 |
| 2010 | 243 | 5 |
| 2011 | 276 | 6 |
| 2012 | 247 | 4 |
| 2013 | 200 | 3 |
| 2014 to date | 6 | 0 |

2.5 Current applications – Includes new, change of DPS, variation of hours, transfers etc.

Pending applications – 13

3 Current Issues

3.1 Licensing Act 2003

The Government are still considering further de-regulation of regulated entertainment and the future of the personal licence system for alcohol licensing.

The areas being looked at include:

- Increase the number of TEN's from 12 to 15 per year
- Amend the validity of a personal licence from 10 years to indefinite
- Repeal restriction on children purchasing liqueur confectionery
- Allow licensing authorities to exempt designated premises from the requirement to licence late night refreshment
- Remove requirement to report lost/stolen licence to Police
- Remove requirement for community premises to hold a licence for the exhibition of a film where:
 - Permission granted by management committee
 - Exhibition of film not for profit
 - Takes place between 8am – 11pm
 - No more than 500 persons present
 - Restriction of children dependent upon film classification

The Licensing Manager will respond to any consultation on this subject.

3.2 Football - World Cup 2014

The Local Government Association, ACPO and the British Beer and Pub Association have produced a booklet entitled 'Managing World Cup Success' with advice for licensees prior to the football World Cup. Most of the games will be broadcast live and some finish in the early hours of the morning (UK time). It is expected that liquor licensed premises will wish to take advantage of these hours and extend their opening hours as appropriate.

The document has been circulated to licensed premises that are known to show live football and will also be available on our website. A press release will also be made at the appropriate time.

3.3 Christmas crime figures

The violent crime figures have been published Cumbria Police and Carlisle has had a massive reduction especially the City Centre. There were approximately 60% less assaults than 2 years ago from 63 to 27. The rest of the force has seen an increase. This figure reflects the effort being put into the night time economy by all agencies involved. The reduction cannot be attributed to one particular reason, but members will be aware of the following initiatives, all tailored to reduce crime and anti social behaviour:

- Carlisle & Eden Best Bar None Scheme
- On going training for bar staff through sponsorship
- Carlisle & Eden Community Safety Partnership initiatives e.g. supply of spikekeys, drug wipes, posters etc.
- Carlisle Pubwatch
- Street Pastors
- Taxi Marshalls
- Botchergate road closure

4 RECOMMENDATIONS

Members are requested to note this report.

Contact Officer: Jim Messenger

Ext: 7025

Appendices None
attached to report:

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's – None

Community Engagement – None

Economic Development – None

Governance – None

Local Environment – None

Resources – None

Report to Licensing Committee

Agenda
Item:
A.2

Meeting Date: 12 February 2014
 Portfolio: Finance, Governance and Resources
 Key Decision: Not Applicable:
 Within Policy and Budget Framework NO
 Public / Private Public

Title: GAMBLING ACT 2005 - UPDATE
 Report of: Director of Governance
 Report Number: GD 06/14

Purpose / Summary:

Local Authorities assumed responsibility for issuing premises licences under the Gambling Act 2005 on 1st September 2007. This report gives an update on the current position regarding applications made under this legislation.

Recommendations:

Members are requested to note the information.

Tracking

| | |
|------------------------|-----|
| Executive: | n/a |
| Overview and Scrutiny: | n/a |
| Council: | n/a |

This report is presented to give an update on the Council's current position under the Gambling Act 2005.

1.0 **BACKGROUND**

1.1 The Gambling Act 2005 took effect on 1st September 2007, from which date this Council assumed responsibility for administering premises licences.

1.2 The main thrust of the legislation was that Local Authorities took over the responsibility for licensing gambling premises from the Licensing Justices. The Gambling Commission has responsibility for licensing operators and personal licence holders.

2.0 **LICENCE FIGURES - as at 31 January 2014**

2.1 **Adult Gaming Centres**

| | |
|------------------|---|
| Previous Report | 0 |
| Current Licences | 0 |
| Surrendered | 5 |

2.2 **Betting Premises (other than track)**

| | |
|------------------|----|
| Previous Report | 20 |
| Current Licences | 20 |
| Surrendered | 2 |

2.3 **Betting Premises (Track)**

| | |
|------------------|---|
| Previous Report | 2 |
| Current Licences | 2 |

2.4 **Bingo Premises**

| | |
|------------------|---|
| Previous Report | 3 |
| Current Licences | 3 |

2.5 **Unlicensed Family Entertainment Centre**

| | |
|------------------|---|
| Previous Report | 2 |
| Current Licences | 2 |

3.0 **OTHER LICENCES**

3.1 **Club Gaming Permit**

Granted to member's clubs to permit specifically the playing of chemin de fer and pontoon (not blackjack) and to charge higher participation fees. The permit also allows the use of a variety of gaming machines including category B3.

| | |
|-----------------|---|
| Previous Report | 8 |
| Current Report | 8 |

3.2 **Club Machine Permit**

Granted to Member's clubs to permit the use of gaming machines (as above) only.

| | |
|-----------------|---|
| Previous Report | 6 |
| Current Report | 6 |
| Cancelled | 5 |

3.3 **Alcohol Premises - Gaming Machine Permits/Notifications**

These are granted to alcohol licensed premises. Under the Gambling Act premises must give a notification of 2 machines or less, or a Licensed Premises Gaming Machine Permit for 3 or more machines, both of which last indefinitely (with certain conditions).

| | |
|---------------|----|
| Notifications | 89 |
| LPGMP | 14 |

3.5 **Small Society Lottery Registration**

Small Society Lottery Registrations are issued to charities or sports clubs who wish to raise money for their organisation where there is no private gain.

| | |
|-----------------------|-----|
| Previous Report | 195 |
| Current Registrations | 195 |

4.0 **CURRENT ISSUES**

- 4.1 As ongoing enforcement, officers are visiting local gambling premises to meet managers and answer any queries under the legislation. We are also carrying out inspections, with the Compliance Manager from the Gambling Commission.
- 4.2 National increase in stake and prizes for category 'C' gaming machines.

5 RECOMMENDATIONS

Members are requested to note this report.

Contact Officer: Jim Messenger Ext: 7025
Appendices None
attached to report:

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's – None

Community Engagement – None

Economic Development – None

Governance – None

Local Environment – None

Resources – None