

Public Document Pack

BRECKLAND COUNCIL

At a Meeting of the

LICENSING COMMITTEE

**Held on Wednesday, 16 November 2011 at 2.00 pm in
Norfolk Rooms, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mrs S Armes	Mr J.D. Rogers
Mr P R W Darby	Mrs P.A. Spencer (Vice-Chairman)
Mrs E. M. Jolly	Mr N.C. Wilkin
Mr I. Sherwood (Chairman)	Mr K. Martin
Mr T.J. Lamb	Mr M. A. Wassell
Mrs K. Millbank	

Also Present

Councillor C Bowes	Mrs D.K.R. Irving
Mr S.G. Bambridge	

In Attendance

Jane Osborne	- Committee Officer
Tiffany Bentley	- Senior Licensing Officer
Fiona Inston	- Acting Principal Licensing Officer
Patrick O'Brien	- Licensing Officer
Josie Hoven	- Assistant Licensing Officer

Action By

5/11 MINUTES

The Chairman welcomed the new Members to the Committee, and explained for the benefit of all present how the Committee functioned and that the Licensing and Appeals Committees covered the Licensing functions, as follows :

- All Licensing Act 2003
- All Gambling Act 2005
- Sex entertainment venues/shops etc
- All Animal Welfare licensing
- Street collections
- House 2 house collections
- Street trading/pedlars
- All Hackney Carriage and Private Hire Licensing
- Scrap metal and motor salvage
- Training for licensed premises
- SAG

Training was taking place on 30 November 12 noon – 4 p.m on the Conduct of a Licensing Committee, which was relevant to both the Appeals and Licensing Committees. He urged as many Members to attend as possible. A copy of the Member Development Programme was available from Richard Wills in HR, and he was the Officer to

Action By

contact with regard to attendance at the training.

The minutes of the meeting held on 6 April 2011 were confirmed as a correct record and signed by the Chairman.

6/11 APOLOGIES

Apologies for absence had been received from Cllr Monument.

7/11 DECLARATION OF INTEREST

8/11 NON-MEMBERS WISHING TO ADDRESS THE MEETING

Cllrs Bambridge and Irving were in attendance, along with Cllr Bowes (substitute Member), the Chairman was happy for them all to contribute to the meeting.

9/11 OVERVIEW ON THE POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011

Patrick O'Brien, Licensing Officer, presented the report of the Environmental Health and Building Control Manager, which was for Members to consider and discuss the new legislative changes, and initiate any changes to Licensing Procedures and Policy as appropriate. He went through the 14 areas of change as detailed in the report, and all Members had received a copy of the Briefing Document on the Police Reform and Social Responsibility Bill 2010-11 which was given in conjunction with the areas of change. He assured the Members that the Committee would be kept aware of any changes.

Both Tiffany Bentley, Licensing Officer and Patrick O'Brien answered questions by Members and clarified points raised on the 14 areas of change.

The Chairman stated that there were significant changes in Policy, Powers and Procedures and made particular reference to the following items of the report :

- 1.2.6 – Making Relevant Licensing Authorities Responsible Authorities
- 1.2.8 – Police Representations
- 1.2.11 – Temporary Event Notices (TEN's)
- 1.2.12 – Removal of Vicinity Test for Interested Parties
- 1.2.14 – Licensing Fees

He believed that it would be very likely that workload would increase. It was probable that some changes would be effective April 2012 and others in October 2012. All Members had the opportunity to make representations to their Members of Parliament if they wished to.

The Chairman reminded Members that should they wish to read up further on the Act the following web link was available (Section 2 dealt with the Licensing aspect)

www.legislation.gov.uk/ukpga/2011/13/contents/enacted along with

Action By

the Briefing Document.

10/11 OVERVIEW OF THE DE-REGULATION OF REGULATED ENTERTAINMENT

Tiffany Bentley, Licensing Officer presented the report of the Building Control and Environmental Health Manager which was for Members to consider and discuss the Department for Culture, Media and Sports' proposal to deregulate Regulated Entertainment under the Licensing Act 2003.

In answer to a question as to whether closure powers would be strengthened, with regard to item 1.2.9 on page 11 of the report, she explained that there was a sliding scale of enforcement action within the Act which could be taken by the Authority and Police.

The Chairman felt that as it was a public consultation, it was the job of Councillors to speak to their Parish and Town Councils to make them aware of both the proposals discussed by the Committee and encourage them to view information online via the web link given below. Cllr Martin explained that he attended the Attleborough Town Council monthly and cascaded information to them, as they did to him.

<http://www.culture.gov.uk/consultations/8408.aspx>

As Councillors received most of the published Agendas, the Chairman felt it important that they should all be looked at by them and not just Committee Agendas they were Members of.

11/11 DATE OF NEXT MEETING

The next meeting scheduled for Wednesday, 25 January 2012 at 10 a.m in the Norfolk Room was noted.

12/11 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100(A)(4) of the local Government Act 1972, the press and the public be excluded from the meeting for the following item of business on the grounds that it involved the disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A to the Act.

13/11 OVERVIEW OF STATUS OF THE LICENSING TEAM

Fiona Inston, Principal Environmental Health Officer, presented the report of the Environmental Health and Building Control Manager which was for Members' information and for update purposes only. The Chairman also wanted the Committee to understand the work of the team, and the team itself.

A higher level review was currently ongoing.

The Chairman thanked the 3 Officers for their very full and detailed reports both written and verbal.

Action By

14/11 LICENSING OVER THE NEXT 12/24 MONTHS

An email had been sent to all Members prior to the meeting which highlighted the workload for the next 12-24 months, contents of which was noted.

The meeting closed at 3.40 pm

CHAIRMAN