
BRECKLAND COUNCIL

At a Meeting of the

LICENSING COMMITTEE

**Held on Monday, 30 November 2015 at 10.00 am in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr S.G. Bambridge (Chairman)	Mr T F C Monument
Mr K. Martin (Vice-Chairman)	Mr W. R. J. Richmond
Mrs E J Bishop	Mr F.J. Sharpe
Mr P R W Darby	Mr M. S. Robinson
Mrs J Hollis	

In Attendance

Tiffany Bentley	- Interim Licensing & Business Support Manager
Helen McAleer	- Senior Democratic Services Officer

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16/15 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 3 June 2015 were confirmed as a correct record and signed by the Chairman.

17/15 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Gilbert and Millbank.

18/15 URGENT BUSINESS (AGENDA ITEM 3)

None.

19/15 DECLARATION OF INTERESTS (AGENDA ITEM 4)

No declarations were made.

20/15 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

None.

21/15 LICENSING ACT 2003 POLICY REVIEW (AGENDA ITEM 6)

Councillor Gilbert was unable to attend the meeting but he had asked for his concern about the lack of consultation with the Town & Parish Councils to be raised. The Chairman asked if other Members had the same concerns.

The Licensing Officer explained that when a Policy was first implemented, much wider consultation took place. In the present

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case there had been no major changes to the decision making process. Therefore a smaller consultation had taken place with only those directly affected being contacted.

It was pointed out that the details of all licence applications were made available on the public website and could be easily accessed. The Chairman noted that he received a weekly list of applications by e-mail which he found very useful. It was agreed that in future that information should be sent out to all Members and Substitute Members of the Licensing Committee.

**Debbie
Anderson/
Josie Hoven**

The Licensing Officer then presented the report and advised that no responses had been received to the public consultation that had taken place. She noted that one area that Members might like to review was the exemption of late night refreshment licences which had come into force on 5 November 2015. That had been too late to include it in the current review.

The change in legislation gave Local Authorities the power to remove the requirement for a licence for late night refreshment. Currently if an establishment provided hot food and drink between the hours of 11pm and 5am it was required to have a licence.

As the power to provide the exemptions was new, it was difficult to determine what effect it would have. Currently, all such premises had to be licensed and each of the licences could have conditions applied, which covered such issues as litter and noise. If the requirement to have a licence was removed, there would no longer be any direct control over those issues.

Members were advised that the average cost of a late night refreshment licence was about £180 per year.

Councillor Sharpe asked what the Police had to say about the change in legislation and he was advised that there was to be a multi-agency meeting the following week at which the views of the police and other authorities would be heard.

Councillor Darby considered that there was not enough information for Members to make a decision.

The Licensing Officer pointed out that the Council was required to publish the statement of its Licensing Policy by 7 January 2016. To meet that deadline, the Policy review had to be approved by Council in December. If Members wished to consider the late night refreshment licensing issue they could do so at a later date.

It was proposed and seconded that the Policy on late night refreshment should remain as it was for the time being and would be reviewed at the next meeting when more information, including consultation with adjoining Authorities, would be available.

RESOLVED to RECOMMEND TO COUNCIL that the revised Statement of Licensing Policy, required for the Council as licensing authority to discharge its statutory duties under the

Licensing Act 2003, be approved.

It was further **RESOLVED** that the deregulation of the licensable activity of late night refreshment would be reviewed at the meeting on 16 March 2016.

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Tiffany Bentley

22/15 REVISED STATEMENT OF PRINCIPLES (GAMBLING ACT 2005)
(AGENDA ITEM 7)

The Licensing Officer presented the report which reviewed the Council's principles that applied to exercising its functions under the Gambling Act 2005. The principles were reviewed every three years and the revised Statement of Principles had to be published by 31 December 2015. Consultation had been carried out and two responses had been received. Norfolk Constabulary had made no comments.

The Chairman had concerns about gambling which he knew affected many families although it was hard to get figures for specific towns or districts. Internet gambling; including on-line bingo, was a big cause for concern but the Council had no control over that. He was also concerned about the cumulative effect of betting shops, although he acknowledged that they were generally well regulated.

The Licensing Officer pointed out that in the Representation on page 143 it explained how the organisations were required to look at the risks, based on the locality of their premises. In guidance which had been released at the end of September there was a requirement for an evidence based approach.

The Chairman suggested that Members might like to attend a Local Government Association Conference in London in January. He would e-mail the information to them.

Councillor Robinson asked if the Planning and Licensing departments worked together when an application for a betting shop was received.

The Licensing Officer advised that two separate applications had to be made. Generally the planning application was sought first and then the Licence. Proliferation was not something that could be considered by the Licensing Authority.

The Chairman thought that the Licensing Committee would have to have very strong reasons to refuse a Licence once planning permission had been granted. The Council had not considered it necessary to introduce a policy to restrict the number of such establishments in the District. He encouraged Members to write to their MP if they felt they had a problem with gambling in their Ward. He also suggested that the Committee could invite someone from the gambling business and someone from a charity involved with people suffering the effects of gambling, to attend a future meeting.

Councillor Darby asked if the Council had any control over the number of slot machines at a premises and it was confirmed that they did.

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The Chairman said that Members of the Committee could request to accompany the Licensing Team when they carried out visits to premises or to spend time with the Team to understand their work.

With regard to the report, Members confirmed that they had considered the representations made and did not require any changes to the Statement.

RESOLVED to **RECOMMEND TO COUNCIL** that the revised Statement of Principles, required in order for the Council to act as the licensing authority and discharge its statutory duties under the Gambling Act 2005, be approved.

23/15 NEXT MEETING (AGENDA ITEM 8)

The arrangements for the next meeting were noted.

The meeting closed at 11.13 am

CHAIRMAN