

Minutes of Licensing Committee

Meeting Date: Tuesday, 15 June 2010 starting at 6.30pm
Present: Councillor J Alcock (Chairman)

Councillors:

P Ainsworth	S Hore
S Brunskill	C Punchard
R Croasdale	M Sutcliffe
R Hargreaves	M Thomas
J Holgate	N Walsh

In attendance: Legal Services Manager, Environmental Health Manager.

114 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillor G Geldard.

115 MINUTES

The minutes of the meeting held on 16 March 2010 were approved as a correct record and signed by the Chairman.

116 MATTERS ARISING

With reference to minute 869, Councillor Brunskill asked if an appropriate officer from the Lancashire County Council would be speaking to the Licensing Committee about taxi ranks in the near future. The Legal Services Manager informed Committee that Mr Nugent would be attending the Annual Taxi Meeting which was to follow this Committee.

117 DECLARATIONS OF INTEREST

There were no declarations of interest at the meeting.

118 PUBLIC PARTICIPATION

There was no public participation.

119 REFERENCES FROM OVERVIEW AND SCRUTINY COMMITTEE

There were no references from Overview and Scrutiny Committee.

120 REVIEW OF THE COUNCIL'S LICENSING STATEMENT OF PRINCIPLES

The Legal Services Manager submitted a report informing Committee of the requirement to review the Council's Licensing Policy Statement and to seek instructions in relation to adoption of sex establishment provisions contained

under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 which were brought into effect by Section 27 of the Policing and Crime Act 2009. She reminded Committee that the Licensing Act 2003 required each local authority to formulate and publish a Licensing Act 2003 Policy Statement and that this document should be reviewed every three years. The next version of the Licensing Policy Statement must be consulted on and published by the 7 January 2011. The report outlined the proposed amendments to the policy statement for Committee's consideration. It was also suggested that during the same consultation period, there should be opportunity provided to consult on the adoption of the Sexual Entertainment Venue Legislation thereby preventing unnecessary duplication. Whilst the Council's experience to date suggests that these provisions would be unlikely to be relied upon in the Council's area, the provisions require adoption to be effective.

Committee considered the suggested amendments to the policy documents and felt that with regard to the use of longer opening hours, the statement should be amended to indicate that the Council no longer supports the use of longer opening hours but recognises that longer opening hours are used as a possible means of reducing the concentration of people leaving licensed premises at the same time, and that they might thereby minimise the potential nuisance caused to local residents.

Questions were also asked with regard to temporary event notices and the approximate number of these that the Council issued (1/4/09 to 31/3/10 – 146) and whether there was an imminent problem with the World Cup. The Legal Services Manager confirmed that in many cases the activities planned for the World Cup would be covered by existing licences.

RESOLVED: That Committee

1. approve the amended draft Statement of Licensing Policy as attached at Appendix 1 to form the basis of consultation with the following amendment under the general statement of policy:

‘The Council recognises the use of longer opening hours as a possible means of reducing the concentration of people leaving licensed premises at the same time and that it might minimise the potential nuisance caused to local residents and each application will be considered on its own merits’; and
2. agree to consult about the adoption of the sexual entertainment venue powers in addition to the consultation exercise on the Licensing Policy Statement.

121

BEST PRACTICE GUIDANCE – DEPARTMENT OF TRANSPORT

The Legal Services Manager submitted a report incorporating the Department of Transport's best practice guidance for taxi and private hire licenses. This revised guidance had been published in February 2010 and although the bulk of the guidance had been left unaltered The Department for Transport had confirmed that the key premise remains the same – it was for individual licensing authorities

to reach their own decisions both on overall policies and on individual licensing matters, in the light of their own views of the relevant considerations. The guidance is intended to assist licensing authorities but it is only guidance and decisions on any matters remain a matter for the authority concerned. The Legal Services Manager highlighted by reference to the paragraph numbers, the areas where current practice differs.

Committee considered these areas and felt that there was nothing of significance that needed any alteration. Questions were asked with regard to medical fitness, the knowledge test and the steering to success course, as well as 'log checks' and the transfer of hackney vehicles.

RESOLVED: That Committee

1. approve the use of best practice guidance as a guide; and
2. ask the Legal Services Manager to keep under review any current practices that might require amendment.

122 ANNUAL TAXI MEETING

The Legal Services Manager provided Committee with the agenda for the Annual Public Meeting with licence holders which would take place at 7.30pm immediately following this meeting of the Licensing Committee. She informed Committee that there would be representatives attending from both Lancashire County Council and the Police. All Members were invited to stay for the meeting.

RESOLVED: That the report be noted.

123 SECURITY INDUSTRY TRAINING

The Enforcement Officer (Licensing & Environmental Health) submitted a report for Committee's information on a recent initiative organised by the Licensing Enforcement Officer (Alcohol & Entertainment) and funded by the Ribble Valley Community Safety Partnership. This was a course held for door supervisors on licensed premises throughout the Ribble Valley which had proved very successful with 19 people attending and all participants passing the exams which would enable them to apply for the Security Industry Association door supervisor card, which then allows them to carry out their official duties.

RESOLVED: That the report be noted.

124 EU SERVICES DIRECTIVE

The Legal Services Manager submitted a report for Committee's information about the EU Services Directive and the Council's implementation of the Directive. In practical terms this has required the authority to look at any local legislation for example byelaws and screen the legislation to ascertain whether or not it has impact or access for residents of other EU states. This had been completed. The Council was currently working towards complying fully with its

obligations under the regulations and directive which was in part affected by the Council's software suppliers and the need to upgrade the system to meet the requirements of the legislation.

RESOLVED: That the report be noted.

The meeting closed at 7.20pm.

If you have any queries on these minutes please contact Diane Rice (414418).