

## **Licensing Committee**

### **Minutes of the meeting held on 7 September 2015**

#### **Present**

Councillor Longsden (in the Chair)

Councillors Barrett, Evans, Grimshaw, Hughes, Loughman, Ludford, Paul and Stone

#### **Apologies**

Councillors Austin and S Judge.

#### **LC/15/8      Minutes**

The minutes of the meeting on 15 June 2015 were submitted for consideration.

#### **Decision**

To approve as a correct record the minutes of the meeting held on 15 June 2015

#### **LC/15/9      Licensing Update**

A report of the Head of Planning, Building Control and Licensing was presented to the Committee. The report provided the Committee with information on proposed revisions to the Council's policies under the Licensing Act 2003 and Gambling Act 2005. The report also provided the Committee with information regarding a project exploring local area-based vulnerability to gambling-related harm.

The Principal Licensing Officer (PLO) explained that there was a statutory requirement to review and produce a Statement of Licensing Policy at least once every 5 years. The PLO also explained the main points that were proposed to change within the policy, details of which were given in the written report.

The PLO also notified the Committee of the detailed research being carried out in conjunction with Westminster City Council and the Local Government Association with regard to identifying and protecting vulnerable people and children from being harmed or exploited by gambling.

The Committee discussed the scope of both the consultation on the revised Policy, and asked for clarification from the author of the research study as to who had been consulted as a result of the research project.

The Committee requested clarification as to whether the proposed Greater Manchester Devolved Authority would assume responsibility for Licensing functions, or whether responsibility would remain with individual local authorities. The Head of Planning, Building Control and Licensing confirmed that the responsibility for fulfilling Licensing functions would remain with individual local authorities rather than pass to the Greater Manchester Devolved Authority.

The Committee welcomed the report and noted the contents.

## **Decision**

To note the report.

### **LC/15/10 Licensing (Premises) applications between 1 April 2015 and 30 June 2015.**

A report of the Head of Planning, Building Control and Licensing was presented to the Committee. The report provided information regarding the decisions made by the Premises Licensing Team in relation to applications for Premises Licences received between 1 April 2015 and 30 June 2015.

A representative from the Premises Licensing Unit (PLU) explained the background and scope of the report. The report provided members with information on all applications that related to licensed premises and licensable activities, including those which were considered by the Licensing Sub-Committees, and those granted under delegated authority by officers.

The Committee discussed the matter of when a premises is closed but still retains a Licence. A representative of the Premises Licensing Unit (PLU) confirmed that no action could be taken in this circumstance, and that the Licence would remain valid, unless the annual fee was not paid. If the annual fee was not paid, then the Licence would be suspended pending payment of the fee. The PLU also confirmed that if back dated fees were paid, even if they had not been paid for some years, the Licence would in effect be re-activated and would be valid unless there was a change to the layout of the premises.

The Committee expressed concern that a historical licence could be restored without any further checks or safeguards, and were told that this practice is not a Policy decision on the part of the Licensing Authority, but due to the structure of the relevant legislation. The Committee were assured that non-payment of fees was pursued as a debt. The Committee requested a report to clarify whether the issue of licences being suspended rather than revoked for non payment of the annual fee could be more tightly controlled, and that the report also contain information regarding the process of recovery of Licence fees that had not been paid.

## **Decision**

1. To note the report.
2. To request a report clarifying whether the process could be more tightly controlled, to include information regarding the recovery of outstanding fees.