

Licensing Committee

Minutes of the meeting held on 24 October 2016

Present

Councillor Longsdon (in the Chair)
Councillors Barrett, Connolly, Cookson, Evans, Grimshaw, Hassan, Hughes, S. Judge, Madeleine Monaghan, Paul and Stone.

Apologies

Councillors Loughman and Ludford

LC/16/9 Minutes

The minutes of the meeting on 18 July 2016 were submitted for consideration.

Decision

To approve as a correct record the minutes of the meeting held on 18 July 2016.

LC/16/10 Premises Licensing Update report

A report of the Head of Planning, Building Control and Licensing was presented to the Committee. The report provided the Licensing Committee with a brief overview of topical information relevant to premises licensing functions of the licensing authority.

The Principle Licensing Officer explained the background and scope of the report. This report provided the Licensing Committee with topical information relevant to premises licensing functions of the licensing authority.

The Principle Licensing Officer told that Committee that the Home Office has proposed significant changes to the Policing and Crime Bill which would have a major impact on the management of Late Night Levies and Cumulative Impact Policies. The changes to Late Night Levies, if applied in full would have the following effect.

- Make the levy more flexible by enabling the local authority to apply a levy to specific geographical locations, rather than having to apply it across the whole local authority area.
- Add the option to include premises providing late night refreshment within the remit of the levy with the exception of premises only providing hot drinks. (currently the levy can only apply to alcohol on-licensed premises)
- Enable Police and Crime Commissioners to request the licensing authority to consult on introducing a levy; and
- Require licensing authorities to publish information about how funds raised by the levy are spent so that those paying it are clearer about how it is being used.

The Committee were also told that Police forces receive at least 70% of the proceeds of a late Night Levy, but that this amount calculated from the total after the reasonable expenses of the Local Authority who are responsible for collecting the Levy are paid. This ensures that Local Authorities are not prejudiced by the requirement to collect the Late Night Levy.

The proposed changes to Cumulative Impact Policies (CIPs) would see them given a statutory footing as a 'cumulative impact assessment' would need to be undertaken before such a policy could be implemented. It is intended that this would add legal certainty and transparency for applicants, licensing authorities and other responsible authorities on how CIPs are developed and operate.

The proposals set out what steps a licensing authority will be required to take before publishing a cumulative impact assessment and guidance will set out the kinds of evidence which licensing authorities may use.

There would be a new requirement to review and carry out a consultation on the cumulative impact assessment at least every 3 years, and publish a statement about whether the licensing authority remains of the opinion set out in the assessment.

As is currently the case with CIPs, a cumulative impact assessment would not create an automatic refusal of a new licence or variation of an existing licence, and licensing authorities, other responsible authorities or other persons will need to make representations in the usual way.

The Principle Licensing Officer also told the Committee that a Private Members Bill had been tabled that would see licensing authorities being given the power to add a condition restricting the maximum stake for gaming machines to no more than £10. Essentially, this would only impact on B2 machines (commonly known as Fixed Odds Betting Terminals or 'FOBTs') which can only be provided at licensed betting premises and currently have a maximum stake of £100.

The Licensing Authority would also be able to limit the number of machines on the premises. Currently, a licensed premises has an automatic entitlement of machines up to a pre-set statutory maximum e.g. a betting shop has a maximum limit of 4 machines. Under the proposed changes the Licensing Authority could decide to limit the number to zero if there were sufficient reasons to do so.

The other element that the Licensing Authority could condition is the use of the machine by players. The proposed amendment would allow the Licensing Authority to place a condition on the licence so that a customer would have to provide a form of identification to the shop staff before they are permitted to play. In practice, this would mean that for premises that have this condition customers would need an account with that company, where they have provided proof of their identity before they can play a gaming machine.

The account based play element could also be useful to prevent crime such as money laundering or other crimes such as criminal damage where the offender would be known and then identifiable from his account.

Decision

1. To note the report.

LC/16/11 Premises Licensing Quarterly Report (1 April 2016 to 30 June 2016)

A report of the Head of Planning, Building Control and Licensing was presented to the Committee. This report informed the Committee of decisions made in relation to applications managed by the Premises Licensing Team and the work of the Licensing Multiagency Partnership.

This report provided the Licensing Committee with information on the decisions taken in respect of premises licence applications. The information included within the report provided an overview in respect of the full range of premises licensing but the majority of the applications relate to premises involved in the sale of alcohol.

Section 6 of the report is new and provided information regarding the Licensing Multiagency Partnership, which is made up of representatives of the responsible authorities and relevant partner agencies.

Decision

1. To note the report.