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Licensing Committee (Miscellaneous)

Tuesday 15 June 2010

PRESENT:

Councillor Mrs Bowyer, in the Chair.
Councillor Delbridge, Vice Chair.
Councillors Lock, Mrs Nelder, Mrs Nicholson, Rennie and Wright.

Apologies for absence: Councillors Bowie, Browne, Drean, K Foster, Gordon and Dr. Mahony

Also in attendance: Andy Netherton – Principal Environmental Health Officer, Ann Gillbanks – Senior Lawyer and Peter Clemens – Senior Licensing Officer.

The meeting started at 10.00 am and finished at 10.20 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

1. APPOINTMENT OF CHAIR AND VICE CHAIR

It was agreed that Councillor Mrs Bowyer is appointed as Chair and Councillor Delbridge is appointed as Vice Chair for the current municipal year.

2. DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the code of conduct.

3. MINUTES

It was resolved that the following minutes be approved as a correct record:

| | |
|---------------|-----------------------------------|
| 13 April 2010 | Licensing Committee Miscellaneous |
| 30 March 2010 | Licensing Sub Committee |
| 13 April 2010 | Licensing Sub Committee |
| 20 April 2010 | Licensing Sub Committee |

4. CHAIR'S URGENT BUSINESS

There were no items of Chair's Urgent Business.

5. UPDATE ON LEGISLATIVE AND POLICY DEVELOPMENT FOR 2010-2011

Andy Netherton, the Principal Environmental Health Officer, provided the Committee with an update on legislative and policy development.

Members were informed that –

- (i) any elected Member of the Licensing Authority may now make representations or request variations to Licenses;
- (ii) the following legislative changes were to be incorporated into licence operating schedules from 6 April 2010:
 - a ban on irresponsible drinks promotions
 - a ban on dispensing direct into the mouth
 - free access to tap water
- (iii) from 1 October 2010 new mandatory conditions were to be added to licence operating schedules:
 - age verification policy
 - opportunity for patrons to choose smaller measures of alcohol
- (iv) there was a new power for licensing authorities to restrict sales of alcohol between 3am and 6am; section 172A gives the licensing authority the power to make an early morning alcohol restriction order. The effect of the order was to suspend any authorisation of the sale of alcohol between 3am and 6am; this would include premises licenses, club premises certificates and temporary events notices. The provisions would come into force once the Secretary of State had set the necessary order; Members may only wish to make such an order when representations had been received from the Police;
- (v) legislation has amended the Licensing Act 2003 to remove venues that previously required licensing under the Licensing Act, such as lap dancing; the Council must now decide whether to adopt the Local Government (Miscellaneous Provisions) Act 1982 and regulate these activities in the same way as sex shops;
- (vi) Government consultation has been completed on the question of if a small music venue had less than 100 patrons it would be exempt from licensing for regulated live music; Local Authorities Coordinators of Regulatory Services (LACORS) have also made a response to this consultation;
- (vii) the Licensing Act 2003 - Licensing Policy was due for renewal in January 2011. Consultation had now commenced and would run until September 2010. This would include a review of the Cumulative Impact Policy. Officers were also about to consult on the new sex establishment policy.

Members noted the update.

6. **INFORMATION REGARDING DELEGATED DECISIONS FOR APPLICATIONS FOR THE GRANT/VARIATION OF PREMISES LICENCES AND CLUB PREMISES CERTIFICATES**

Peter Clemens, the Senior Licensing Officer, provided the Committee with an update on information upon premises licences that had been mediated by Licensing officers.

The Committee noted the update.

7. **EXEMPT BUSINESS**

There were no items of exempt business.

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