

**MINUTES OF THE GENERAL PURPOSES COMMITTEE
THURSDAY, 20 DECEMBER 2007**

Councillors Griffith (Chair), Beynon, Dodds and Whyte

Apologies Councillor Rahman Khan, Bloch and Kober

Also Present: Councillor

MINUTE NO.	SUBJECT/DECISION
GPCO51.	<p>APOLOGIES FOR ABSENCE (IF ANY)</p> <p>Apologies for absence were received on behalf of Councillors Bloch, Khan, and Kober.</p> <p>NOTED</p>
GPCO52.	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p>
GPCO53.	<p>CONSULTATION ON THE NEW STATEMENT OF LICENSING POLICY FOR LICENSING ACT 2003</p> <p>In a brief introduction of the circulated report Licensing Officer – Ms Barrett advised the Committee that the Licensing Act 2003 (the ‘2003 Act’) introduced new regime under which the responsibility for the licensing of the sale of alcohol , regulated entertainment and late night refreshment transferred from the Magistrates Court to the licensing authority , i.e. the local authority. One of the key requirements under the 2003 Act was to prepare and publish a Statement of Licensing policy which would set out the basis on which the authority will make its license application decisions. This was first published on 7th January 2005 after widespread consultation. The legislation requires that the Statement of Licensing Policy be reviewed at least every three years.</p> <p>Ms Barrett further advised that the Licensing Authority was required under the Act to consult on their policy (and any subsequent revisions) and the requirements of this consultation were also detailed in statute. Guidance provided by the Local Authorities Coordinators of Regulatory Services (LACORS) was that in addition to the planned review of policy, a republished policy should be available within 3 years of the original publication. It had created the need to bring forward arrangements for consultation and formal adoption.</p> <p>Ms Barrett commented that the areas of the policy which had been revised reflect the revision of the S182 Guidance, the changes brought in by various legislation and the demands being made on the Service. The additions made to the Policy were:</p> <ol style="list-style-type: none"> I. All reference to the transitional stage has been removed

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This section is no longer required as the Transitional stage ended in August 2005

- II. Clarification on the application of gaming machines in alcohol licensed premises, up to 2 machines is an automatic entitlement. This Authority has delegated to officer level the ability to authorise up to 4 machines at any one premise. Applications for more than 4 will be required to show reasons for the higher number and how it will be managed; such applications will be put before the licensing sub Committee.

- III. Adult entertainment – guidance on what the Licensing Authority will require to be clarified in any such application. Entertainment comprising of nudity, striptease, table and pole dancing falls within the remit of the Licensing Act 2003. The Licensing Service is receiving an increasing amount of calls enquiring about what rules the Authority applies to establishing seeking to provide such entertainment. It is proposed that the Licensing policy will now contain criteria that will be considered for any such application. This includes proximity to sensitive locations, protection of children, management arrangements to avoid crime and disorder, and a code of conduct for dancers.

- IV. Risk assessments to be carried out by applicants in relation to fire safety, crowd control, audience and artists profiling (v) tables and chairs outside pubs and clubs. London Councils in association with the Association of Chief Police Officers (ACPO) have asked all authorities to ensure that systems are in place to gather information from club promoters/DJs (disc jockeys) and the like to enable officers to adequately assess the type of event and likelihood for crime and disorder.

- V. Fuller guidance to applicants
Further guidance is given to applicants on possible conditions that they should consider when addressing the four licensing objectives in their Operating Schedule.

- VI. Planning and Licensing Interface.
Clarity is given that the Licensing and Planning are separate regimes.

- VII. Tables and Chairs Policy
With the introduction of the Health Act 2006 and the smoking ban taking effect there has been an increase in applications for tables and chairs outside premises. It is advantageous that all applications are consulted on and permitted hours of use are stated on the licences issued.

- VIII. An overview of the new powers available to the Police to apply for accelerated reviews of a Premises License, and extra powers available to authorised officers to enable them to serve penalty notices on Licensees allowing or cause noise nuisance to emanate from within their properties.

In response to points of clarification from the Committee the legal representative Mr Mitchison, and Ms Barrett clarified that:

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- That there had been some positive feedback thus far from the British Beer and Pub Association, and also the Safer Neighbourhood Team in respect of alcohol disorder zones;
- That in terms of the gambling machines licences it was necessary to get permission for over 4 and that the rules pertaining to issuing of such licences was mandatory;
- That the SIA licensing rules were not in the remit or control of the Local Authority.

There being no further comments or questions the Chair summarised and it was:

RESOLVED

- i. that approval be given to the draft statement of licensing policy and that this Committee formally recommends its adoption by Full Council on 21 January 2008;and
- ii. that authority be delegated to the Assistant Director Enforcement or Director of Urban Environment to make any amendments to the draft Statement of Licensing Policy, having regard to the responses from the consultation, prior to the policy being reported to Council for adoption, in consultation with the Chairs of Licensing and General Purposes.

There being no further business the meeting terminated at 18.27hrs.

Councillor EDDIE GRIFFITH

Chair