

# Agenda

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## Licensing and Gambling Acts Committee

Date: **Wednesday 15 June 2011**

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Time: **5.00 pm**

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Place: **Oxford Town Hall**

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For any further information please contact:

**Mathew Metcalfe, Democratic Services Officer**

Telephone: 01865 252214

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# Licensing and Gambling Acts Committee

## Membership

<b>Chair</b>	<b>Councillor Mary Clarkson</b>	Marston;
<b>Vice-Chair</b>	<b>Councillor Tony Brett</b>	Carfax;
	<b>Councillor Jim Campbell</b>	St. Margaret's;
	<b>Councillor Colin Cook</b>	Jericho and Osney;
	<b>Councillor John Goddard</b>	Wolvercote;
	<b>Councillor Ben Lloyd-Shogbesan</b>	Lye Valley;
	<b>Councillor Mark Lygo</b>	Churchill;
	<b>Councillor Mike Rowley</b>	Barton and Sandhills;
	<b>Councillor Gwynneth Royce</b>	St. Margaret's;
	<b>Councillor Gill Sanders</b>	Littlemore;
	<b>Councillor Dee Sinclair</b>	Quarry and Risinghurst;
	<b>Councillor David Williams</b>	Iffley Fields;

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## AGENDA

### Pages

#### 1 APOLOGIES FOR ABSENCE

No substitutes are allowed and the Quorum is 5 Members.

#### 2 DECLARATIONS OF INTEREST

Councillors serving on the Committee are asked to declare any personal or prejudicial interests they may have in any of the following agenda items.

#### 3 UPDATE ON LICENSING AUTHORITY ACTIVITY JANUARY 2011 - MARCH 2011

1 - 22

The Head of Environmental Development has submitted a report which informs the Committee of the progress made by the Licensing authority under the Licensing Act 2003 and Gambling Act 2005 between January 2011 and March 2011.

The Committee is asked:

- (a) To note the contents of the report;
- (b) To make comments and recommendations regarding the future work of the Licensing Function.

#### 4 MINUTES

23 - 28

The Committee is asked to approve the minutes of the meetings held on 1 March 2011 and 19 May 2011.

#### 5 DATES OF FUTURE MEETINGS

The Committee is asked to note that it will meet on the following dates at the Town Hall:

Wednesday 19 October 2011  
Wednesday 22<sup>nd</sup> February 2012

## **DECLARING INTERESTS**

What is a personal interest?

You have a personal interest in a matter if that matter affects the well-being or financial position of you, your relatives or people with whom you have a close personal association more than it would affect the majority of other people in the ward(s) to which the matter relates.

A personal interest can affect you, your relatives or people with whom you have a close personal association positively or negatively. If you or they would stand to lose by the decision, you should also declare it.

You also have a personal interest in a matter if it relates to any interests, which you must register.

### **What do I need to do if I have a personal interest?**

You must declare it when you get to the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you. You may still speak and vote unless it is a prejudicial interest.

If a matter affects a body to which you have been appointed by the authority, or a body exercising functions of a public nature, you only need declare the interest if you are going to speak on the matter.

### **What is a prejudicial interest?**

You have a prejudicial interest in a matter if;

- a) a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest; and
- b) the matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) the interest does not fall within one of the exempt categories at paragraph 10(2)(c) of the Code of Conduct.

### **What do I need to do if I have a prejudicial interest?**

If you have a prejudicial interest you must withdraw from the meeting. However, under paragraph 12(2) of the Code of Conduct, if members of the public are allowed to make representations, give evidence or answer questions about that matter, you may also make representations as if you were a member of the public. However, you must withdraw from the meeting once you have made your representations and before any debate starts.



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**To:** Licensing and Gambling Acts Committee

**Date:** 15 June 2011 **Item No:**

**Report of:** Head of Environmental Development

**Title of Report:** Update on Licensing Authority Activity  
January 2011 – March 2011

### Summary and Recommendations

**Purpose of report:** To inform Committee of the progress made by the Licensing Authority under the Licensing Act 2003 and Gambling Act 2005 between January 2011 and March 2011.

**Report Approved by:**

**Finance:** Paul Swaffield  
**Legal:** Daniel Smith

**Policy Framework:** Statement of Licensing Policy

**Recommendation(s):**

The Committee recommended to  
(i) note the contents of the report, and  
(ii) make comments and recommendations regarding the future work of the Licensing Function.

### **Introduction**

1. This report informs Committee of progress made by the Licensing Authority ("the Authority") under the duties of the Licensing Act 2003 and Gambling Act 2005 between January 2011 and March 2011. Under Policy GN10 of the Statement of Licensing Policy, the Licensing Authority should report to the Committee on matters determined by the Head of Environmental Development with delegated authority.
2. The report covers data on service volumes; details of Licensing hearing decisions; decisions made under delegated powers; information on Temporary Event Notices ("TENS") and enforcement activity.
3. There are no financial requirements for consideration contained within this report.

## Applications Received by the Licensing Authority

4. The table below provides data on licence applications received and processed during the period January 2011 to March 2011, and the totals for this period; and the totals for the year end.

Applications Received	JAN	FEB	MAR	TOTAL	YEAR
Gambling	1	2	7	10	34
Club/ Premises	0	1	2	3	29
Variations	3	4	0	7	44
Personal Licences	3	6	0	9	63
Administrative Changes	18	27	36	81	246
TEN's	44	42	58	144	649

5. To date the Licensing Authority has processed; 1,250 Personal Licences; 850 New Premises Licences and Club Premises Certificates; 252 Variations on Premises Licences and Club Premises Certificates; 594 Premises Transfer Applications.

## Applications Granted by the Licensing Authority

6. A hearing is not required where an application has been lawfully made and no Responsible Authority or Interested Party has made a representation. 13 licences in this category were issued by the Head of Environmental Development under delegated authority, details of which are listed in **Appendix 1**.

## Temporary Event Notices

7. A Temporary Event Notice (TEN) is a notification given by an individual to Oxford City Council giving notice of an event that is to take place. Only the Police can object to a TEN. If, as in most cases, there is no objection and the application does not exceed the maximum number of events in a year, the TEN is simply acknowledged and returned to the applicant. Should the Police object then the TEN will go to a hearing.
8. Temporary Event Notices relate to temporary events with less than 500 attendees where 'licensable activities' are planned to take place. Attached at **Appendix 2** is a list of the 144 TENs applied for between January 2011 and March 2011.



## **Representations and Licensing Sub-Committee Hearings**

9. When Relevant Representations are received from Interested Parties or Responsible Authorities then the application is determined at a Licensing Sub-Committee Hearing.
10. A total of 7 Relevant Representations were received for 2 Premises Licence applications, and 1 Review application processed during January 2011 – March 2011. This resulted in all of the applications being determined by hearings (details of which are attached as **Appendix 3**), and 2 other applications being withdrawn by the applicants.
11. Representations were made as follows:

Kukui (Variation) – Thames Valley Police  
Branos Express (Variation) – Thames Valley Police + 1 Interested Party  
The Bridge (Review) – Thames Valley Police + 3 Interested Parties

Interested Parties	4 (all of which led to Hearings)
Thames Valley Police	3 (all of which led to a Hearing)
Environmental Protection	0
Fire Officer	0
Other Responsible Authorities	0

## **Reviews of Licensed Premises**

12. Under the 2003 Act it is possible for the Authority to review a Premises Licence at any time if a representation is received from a Responsible Authority or an Interested Party. The Authority has no powers to initiate its own review. Reviews may only arise in connection with a failure or failures in the premises connected to the licensing objectives.
13. Between January 2011 and March 2011 there was 1 application for a Premises Licence Review as listed above. This was applied for by Thames Valley Police, and is detailed further in **Appendix 3**.
14. Representations were received from 3 Interested Parties supporting the Police in their Review application.

## **Appeals under the Licensing Act 2003**

15. The Licensing Authority received notification from the Magistrates' Court of 2 appeals lodged by applicants.
16. The first was lodged by the premises licence holder of Grays Road Stores. The matter was referred back to the Licensing Sub-Committee Hearing on 27<sup>th</sup> January 2011 for consideration. The applicant has amended the working practices of the business to uphold the licensing objectives, and the Sub-Committee were satisfied that the licence need not be revoked, and the Magistrates made a Consent Order that the conditions agreed between Thames Valley Police and the Premises Licence holder at this Hearing, be placed on the Premises Licence.

17. The second was lodged by the premises licence holder for The Bridge. At the time of writing this report, as date has not yet been set to hear the appeal.

### **Enforcement Activity**

18. Between January 2011 and March 2011, the Licensing Team has instigated:
  - 59 Compliance Check inspections of licensed premises.
  - On 6 occasions during the period January 2011 - March 2011, the Licensing Team carried out night time enforcement of late night venues. A total of 47 premises were visited. Some minor issues were found during these late night visits that resulted in further action being taken on the night to rectify matters found.
  - Further to the compliance checks, and the late night enforcement inspections, the following actions were taken:
    - 4 Advisory letters issued
    - 3 Verbal Warnings were issued
    - 0 Written Warning were issued
    - 0 Final Warning were issued
    - 2 PACE interviews were conducted
19. Between January 2011 – March 2011, no test purchase operations took place, due to internal financial restructuring within Thames Valley Police Licensing Units. Funding has been provided to Thames Valley Police for Test Purchase Operations to commence shortly.

### **Nightsafe**

21. The NightSafe initiative contributes to the licensing objectives. This includes intelligence sharing with the Police, Fire Authority and Trading Standards. However due to internal financial restructuring, the NightSafe inspections have now ceased.
22. The Licensing Team has invited the NightSafe Manager to attend Enforcement visits in order to benefit from her knowledge and to provide for close agency partnership working.

### **Future Work**

23. Following the restructuring of the Thames Valley Police Licensing Units, and the financial restructuring to the NightSafe Partnership, the Licensing Team has explored alternative ways in which to maintain Partnership working. Test Purchase Operations are due to commence from 1<sup>st</sup> June 2011 with Thames Valley Police following funding provided by Oxford City Community Safety Team.

24. The monthly NightSafe meetings have been reconstructed to meet the needs of the varying agencies in attendance, however, the Licensing Team is keen to initiate a meeting of just Responsible Authorities, in order to ensure clarity in the use of the Licensing Act 2003, and avoid confusions between irresponsible individual social behaviours and the responsibilities of the licensed premises.
25. Discussions have commenced with the City Centre Manager, and the licensees of the City Centre, in an attempt to provide joint initiatives that will make Oxford more appealing to those who visit during the day, and work towards the evening and night time economy all being interlinked. The idea of making coming to Oxford an “event” to the visitor is one of the initiatives being considered.
26. Members are to receive “bespoke” training in licensing matters from Ely Place Chambers. This follows on from the Licensing Team’s tie in with the Institute of Licensing. It should be noted that such training is in keeping with the City Council’s vision of being an efficient and modern service provider, and shows initiative in investing in it’s Members.
27. The relationship between the Licensing Team and the Institute of Licensing has grown significantly in recent months. Oxford hosted it’s first I.O.L. course on 11<sup>th</sup> May 2011, and various others are planned for later in the year. Such developments raise the profile of the Authority, and provide links to other Licensing practitioners in the country.
28. The Licensing Team is continuing to explore avenues to obtain the necessary accreditation to teach the National Award for Personal Licence Holders, however this has been put on hold during the Council’s restructure.
29. At present the Police Reform and Social Responsibility Bill is making it’s way through Parliament. This will have some effects on the Licensing Act 2003, and as a way to introduce Members to the relevant contents of the Government’s proposed “Rebalancing of the Licensing Act”, a brief description of the proposed changes are attached as **Appendix 4**. A report giving further details of these changes will be submitted upon the Bill receiving ascent.

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**Background papers:**

**Version: 1.0**

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**Premises Licenses Granted Under Delegated Authority**

**1. Examination Schools, 75-81 High Street, Oxford,OX1 4BH**

**New Premises Licence granted:** Sale of Alcohol, Live Music, Recorded Music, Plays, Films, Performances of Dance, Facilities for Dancing and Similar Entertainment from 08.30 hours to 23.00 hours Sunday to Thursday and 08.30 hours to 01.00 hours Friday and Saturday. Late Night Refreshment will also be served from 23.00 hours to 01.00 hours Friday and Saturday.

**2. Blackwell Bookshop, 48-53 Broad Street, Oxford, OX1 3BQ**

**New Premises Licence granted:** Plays, Monday to Sunday 18.00 hrs to 23.30 hrs, Late night refreshment, Monday to Sunday 23.00 hrs to 23.30 hrs and Sale of alcohol (on sales only) Monday to Sunday, 18.00 hrs to 23.30 hrs

**3. First Floor Restaurant, 156-160 Cowley Road, Oxford, OX4 1UE**

**Variation of a Premises Licence granted:** Variation of hours of trading on up to 12 occasions per annum. Unless otherwise agreed with Thames Valley Police, such occasions to be notified at least 14 days in advance in writing to the Police. Until 02.00 hrs for all current licensable activities except sale of alcohol (on and off supplies) which will be until 01.45 hrs

**4. The Red Lion, 14 Gloucester Street, Oxford, OX1 2BN**

**Minor Variation of a Premises Licence granted:** To replace the approved plan of the premises.

**5. The Mitre, 18 High Street, Oxford, OX1 4AQ**

**Minor Variation of a Premises Licence granted:** Refurbishment of the premises.

**6. Gala Club (Area 3), Ozone Leisure Park, Grenoble Road, Oxford, OX4 4XP**

**Variation of a Premises Licence (Gambling Act 2005) granted:** To include area 4 within the ambit of the current licence.

**7. Bella Italia, 12 George Street, Oxford, OX1 2AF**

**Minor Variation of a Premises Licence granted:** for internal layout changes

8. **Balliol College, Broad Street, Oxford, OX1 3BJ**

**Variation to a Premises Licence granted:** To extend the hours for the sale of alcohol Sunday to Saturday from 10.00 hours to 02.00 hours and recorded music from 10.00 hours to 23.00 hours

9. **Duke of Cambridge, 5-6 Little Clarendon Street, Oxford, OX1 2HP**

**Variation to a Premises Licence granted:** To extend the trading hours by one hour Sunday to Thursday resulting in the Sale of Alcohol and Recorded Music being from 11.00 hours to 01.00 hours Sunday to Thursday

10. **The Oxford Academy, 190-194 Cowley Road, Oxford, OX4 1UE**

**Variation to a Premises Licence granted:** To extend the hours for all licensable activities to 06.00 on each April 30th trading into 1st May annually with premises remaining open until 06.30.

11. **Meatmaster Cash & Carry, Units 1 & 2 Centremead, Osney Mead, Oxford, OX2 0ES**

**New Premises Licence granted:** Sale of alcohol from 09.00 hours to 17.00 hours Monday to Saturday and 12.00 hours to 14.00 hours on a Sunday

12. **F & M's General Store, 2 Burdell Avenue, Headington, Oxford, OX3 8ED**

**New Premises Licence granted:** Sale of alcohol Monday to Friday 07.00 hrs to 20.00 hrs, Saturday 07.30 hrs to 19.00 hrs and Sunday 08.00 hrs to 16.00 hrs

13. **Dil Dunia, 209 Cowley Road, Oxford, OX4 1XF**

**New Premises Licence granted:** Sale of alcohol 11.00 hrs to 23.30 hrs Sunday to Thursday and 11.00 hrs to 00.00 hrs Friday and Saturday and late night refreshment 23.00 hrs to 23.30 Sunday to Thursday and 23.00 hrs to 00.00 hrs Friday and Saturday

Applicant	Premises	Date rec'd	Event dates
Ms Ruth Stavris	West Oxford Primary School, Ferry Hinksey Road, Oxford, OX2 0BY	05/01/11	20/01/11
Mr Joseph De Sousa	Flora Anderson Hall, Somerville College, Woodstock Road, Oxford, OX2 6MD	07/01/11	22/01/11
Mrs Laura May Cottrell	Gee's Restaurant, 61a Banbury Road, Oxford, OX2 6PE	10/01/11	27/01/11
Mr Rayner P.D Hobbs	Oxpens Meadow, Oxpens Road, Oxford, OX1 1RQ	10/01/11	03/07/11
Ms Joanna Clare Newson	St Ebbe's Primary School, Oxford, OX1 4NA	11/01/11	29/01/11
Mr Ilias Karalivanos	Strada, 1-2 Little Clarendon Street, Oxford, OX1 2HP	11/01/11	14/02/11
Mr Michael Robert Bertie Whitmore	The Priory PH and car park. Minchery Farm Lane, Oxford, OX4 4YY	11/01/11	29/01/11
Mr Karl Matthias Sjoberg	Top End of Kennett Road, Oxford, OX3 7BH	12/01/11	28/01/11
Mr Tom Stringer	Oddbins, 7 Little Clarendon Street, Oxford, OX1 2HP	13/01/11	17/02/11
Mr Thomas Peter Nolan	Area 1, The Old Bookbinders, 9 Green Street, Oxford, OX4 1YB	14/01/11	28/01/11
Mrs Kathryn Daisy Marshall	Oxford High School, Junior Department, Bardwell Road, Oxford.	17/01/11	27/01/11
Mr Ian Anthohy Liddle	The Royal Blenheim, 13 St Ebbes Street, Oxford, OX1 1PT	17/01/11	06/02/2011-07/02/2011
Mr Ian Anthohy Liddle	The Royal Blenheim, 13 St Ebbes Street, Oxford, OX1 1PT	17/01/11	05/03/2011-06/03/2011
Mr Paul Crowther	22nd Oxford Sea Scouts HQ, Meadow Lane, Donnington Bridge Road, Oxford, OX4 4BJ	18/01/11	12/02/11
Mrs Julia Jane Horsnell	New College School, 2 Savile Road, Oxford, OX1 3UA	18/01/11	04/02/11
Mr Nigel James	St Edmund Hall Boat House, Christ Church Meadow	18/01/11	01/06/2011-04/06/2011
Mr Ian Joseph Nolan	The Old Bookbinders, 9 Green Street, Oxford, OX4 1YB	20/01/11	04/02/11
Dr Sally Collins	Nicholas Tingewick Hall, John Radcliffe Hospital, Headington, Oxford, OX3 9DU	20/01/11	05/02/11
Miss Georgina Kate Bradley	The Old Bookbinders, 9 Green Street, Oxford, OX4 1YB	21/01/11	07/02/11
Mrs Melanie Trinder	St Gregory the Great Catholic School, Cricket Road, Oxford	21/01/11	11/02/11
Mr Kenneth Davies	David Lloyd Leisure Oxford, Oxford Business Park North, Garsington Road, Oxford, OX4 2JY	24/01/11	05/02/2011-06/02/2011
Miss Caroline Marie Sykes	Sandhills Community Primary School, Terrett Avenue, Sandhills, Oxford	24/01/11	12/02/11
Ms Daryl Back	Oxford High School, Belbroughton Road, Oxford, OX2 6XA	24/01/11	04/02/11
Mr Andrew Cashin	Ashmolean Dining Room, Beaumont Street, Oxford, Oxford, OX1 2PH	25/01/11	30/07/2011-31/07/2011
Ms Elizabeth Shand	The Cherwell School, Marston Ferry Road, Oxford, OX2 7EE	25/01/11	04/02/11
Mr Thomas Luke Anderson	Number 9, 9A High Street, Oxford, OX1 4DB	25/01/11	19/02/2011-20/02/2011
Mr Thomas Luke Anderson	Number 9, 9A High Street, Oxford, OX1 4DB	25/01/11	08/02/2011-09/02/2011
Mr Joseph Michael Bennett	101 Cowley Road, Oxford, OX4 1HU	26/01/11	10/02/11
Mrs Jo Lewis	Headington Prep School, London Road, Oxford	26/01/11	18/03/11
Mr Timothy Graham Rackley	The Priory PH and car park. Minchery Farm Lane, Oxford, OX4 4YY	27/01/11	12/02/11
Mr Timothy Graham Rackley	The Priory PH and car park. Minchery Farm Lane, Oxford, OX4 4YY	27/01/11	26/02/11
Mr Timothy Graham Rackley	The Priory PH and car park. Minchery Farm Lane, Oxford, OX4 4YY	27/01/11	15/03/11
Mr Timothy Graham Rackley	The Priory PH and car park. Minchery Farm Lane, Oxford, OX4 4YY	27/01/11	19/03/11
Mr Timothy Graham Rackley	The Priory PH and car park. Minchery Farm Lane, Oxford, OX4 4YY	27/01/11	27/03/11
Mr Timothy Graham Rackley	The Priory PH and car park. Minchery Farm Lane, Oxford, OX4 4YY	27/01/11	09/04/11
Mr Timothy Graham Rackley	The Priory PH and car park. Minchery Farm Lane, Oxford, OX4 4YY	27/01/11	30/04/11
Ms Jean Burrell	North Oxford Community Centre, Diamond Place, Oxford	27/01/11	11/02/11
Miss Georgina Kate Bradley	The Old Bookbinders, 9 Green Street, Oxford, OX4 1YB	27/01/11	11/02/2011-13/02/2011
Mrs Rebecca Kate Bannister	Join the Jig, Cornmarket Street, Oxford	27/01/11	13/03/11
Mrs Rebecca Kate Bannister	Join the Jig, Broad Street, Oxford	27/01/11	13/03/11
Mr Luis Carrera	Clementines, 15 St Clement's Street, Oxford, OX4 1AB	28/01/11	12/02/2011+13/02/2011
Ms Claire Thompson	Cornmarket Street, Oxford, OX1	28/01/11	19/02/11
Mr Shane Mansfield	Wolfson College Cellar Bar, Wolfson College, Linton Road, Oxford, OX2 6UD	31/01/11	12/02/2011-13/02/2011
Mr Edward Owen Turner	Cheney School Hall, Cheney School, Cheney Lane, Oxford, OX3 7QH	31/01/11	15/02/11
Mr Ian Anthohy Liddle	The Royal Blenheim, 13 St Ebbes Street, Oxford, OX1 1PT	31/01/11	01/05/11
Mr Bryan Wardley	St Margarets Institute, St Margarets Centre, Polstead Road, Oxford	31/01/11	12/02/11
Mr Simon Forbes	Kukui 42/43 Park End Street, Oxford, OX1 1JD	31/01/11	12/02/11

Applicant	Premises	Date rec'd	Event dates
Mrs Teresa Hudson	Rye St Anthony School, Pullens Lane, Headington, Oxford, OX3 0BY	01/02/11	15/02/2011-17/02/2011
Miss Georgina Kate Bradley	Area 1, The Old Bookbinders, 9 Green Street, Oxford, OX4 1YB	01/02/11	15/02/2011-16/02/2011
Miss Martha Cadle	Area 1, The Old Bookbinders, 9 Green Street, Oxford, OX4 1YB	01/02/11	18/02/2011+19/02/2011
Miss Heidi Stancliffe	Cornmarket Street, Oxford, OX1	01/02/11	11/02/2011-13/02/2011
Mr John Andrew Kaluza	North Oxford Sports Club, 546 Banbury Road, Oxford, OX2 8EQ	03/02/11	19/02/11
Mr Joseph Michael Bennett	101 Cowley Road, Oxford, OX4 1HU	07/02/11	19/02/11
Mr Paul Stokes	St Gregory the Great Catholic School, Cricket Road, Oxford	07/02/11	05/03/11
Mr Harry George Brittain	The Cellar, Frewin Court, Oxford, OX1 3HZ	07/02/11	26/02/11
Mr Peter Frank Zarecky	Coven II, Oxpens Road, Oxford, OX1 1RX	07/02/11	19/02/2011-20/02/2011
Mr Nick Gladwin	Baby Simple, 213 Cowley Road, Oxford	07/02/11	19/02/11
Mr Ian Joseph Nolan	The Old Bookbinders Area 2, 9 Green Street, Oxford, OX4 1YB	08/02/11	28/02/11
Mr Ian Joseph Nolan	The Old Bookbinders Area 2, 9 Green Street, Oxford, OX4 1YB	08/02/11	22/02/11
Mr David Martin Langdon	Summer Fields School, Mayfield Road, Oxford, OX2 7EN	08/02/11	16/04/11
Mr Robin Lipsey	Wolvercote Village Hall, Wolvercote Green, Oxford, OX2 8BD	08/02/11	17/06/2011-18/06/2011
Mr Robin Lipsey	Wolvercote Village Hall, Wolvercote Green, Oxford, OX2 8BD	08/02/11	05/03/11
Mr Vassilis Karatzios	Wadham, St Anne's & St Hugh's Boathouse, Christchurch Meadows, Oxford	09/02/11	01/06/2011-04/06/2011
Mr Michael John Dean	Frewen Club, 98 St Aldate's, Oxford, OX1 1BT	09/02/11	25/03/11
Mr John Andrew Glasgow	East Oxford Community Centre, 44 Prince's Street, Oxford, OX4 1DD	09/02/11	27/02/11
Mr Philip Gauron	St Andrews Church Of England Primary School, London Road, Headington,Oxford, OX3 9ED	10/02/11	04/03/11
Mr Philip Gauron	St Andrews Church Of England Primary School, London Road, Headington,Oxford, OX3 9ED	10/02/11	18/03/11
Mr Karl Matthias Sjoberg	Headington Farmers Market, Kennett Road, Headington, Oxford	11/02/11	25/02/11
Miss Julie Monahan	University College Sports Ground, Abingdon Road, Oxford, OX1 4SR	11/02/11	06/03/11
Professor John Stradling	Nicholas Tingewick Hall, John Radcliffe Hospital, Headington, Oxford, OX3 9DU	11/02/11	05/03/11
Mrs Teresa Graham	South Park, Cheney Lane, Oxford, OX3 7JX	11/02/11	27/03/11
Mrs Laura May Cottrell	Gee's Restaurant, 61a Banbury Road, Oxford, OX2 6PE	11/02/11	26/02/11
Mr Chris Murray	Bottega, 123 Walton Street, Oxford, OX2 6AH	11/02/11	27/02/11
Mr Bartholomew David Ashton	Lady Margaret Hall & Trinity Boathouse, Christchurch Meadow, Oxford	14/02/11	05/03/11
Ms Polly Jess McLean	Grove House, Rotunda, 44 Iffley Turn, Iffley,Oxford, OX4 4DU	14/02/11	05/03/11
Mrs Nicola Juliet Sullivan	St Nicholas Primary School, Raymund Road, Old Marston, Oxford, OX3 0PJ	15/02/11	17/03/11
Mrs Nicola Juliet Sullivan	Meadowbrook Centre, Raymund Road, Marston, Oxford, OX3 0PJ	15/02/11	01/04/11
Mr Matthew Robert Tunna	Pembroke College Boat Club, Christ Church Meadow,St Aldate's, Oxford, Oxfordshire	15/02/11	02/03/2011-05/03/2011
Miss Georgina Kate Bradley	The Old Bookbinders Area 1, 9 Green Street, Oxford, OX4 1YB	17/02/11	05/03/11
Mr Alastair Malick	The Old Bookbinders Area 2, 9 Green Street, Oxford, OX4 1YB	17/02/11	03/03/11
Mr Ian Joseph Nolan	The Old Bookbinders Area 2, 9 Green Street, Oxford, OX4 1YB	17/02/11	09/03/2011-12/03/2011
Mr Harry George Brittain	The Cellar, Frewin Court, OX1 3HZ	23/02/11	13/03/11
Miss Rasmeet Chadha	Nicholas Tingewick Hall, John Radcliffe Hospital, Headington, Oxford, OX3 9DU	23/02/11	12/03/11
Mr Tim Graham Rackley	The Priory PH, Grenoble Road, Littlemore, Oxford,	24/02/11	12/03/2011-13/03/2011
Miss Elinor McDaniell	Somerville College, Woodstock Road, Oxford, OX2 6HD	25/02/11	11/03/11
Mr John Robert Shuckburgh	St Aldate's Parish Centre, 40 Pembroke Street, Oxford, OX1 1BP	28/02/11	19/03/11
Mrs Laura May Cottrell	Gee's Restaurant, 61a Banbury Road, Oxford, OX2 6PE	28/02/11	13/03/11
Mr Ian Joseph Nolan	Area 2, The Old Bookbinders, 9 Green Street, Oxford, OX4 1YB	01/03/11	15/03/11
Mr Ian Joseph Nolan	Area 1, The Old Bookbinders, 9 Green Street, Oxford, OX4 1YB	01/03/11	19/03/2011+20/03/2011
Mr Ian Joseph Nolan	Area 1, The Old Bookbinders, 9 Green Street, Oxford, OX4 1YB	01/03/11	25/03/2011+26/03/2011
Mr Ian Joseph Nolan	Area 2, The Old Bookbinders, 9 Green Street, Oxford, OX4 1YB	01/03/11	29/03/11
Mr Nick Gladwin	Baby Simple, 213 Cowley Road, Oxford	02/03/11	16/03/11
Miss Sally Louise Tee	G&D's, 104 Cowley Road, Oxford, OX4 1JE	02/03/11	21/04/11
Mrs Maureen Butler	West Oxford Democrats Club, 1 North Street, Oxford, OX2 0AY	04/03/11	09/04/11
Ms Sarah Sleet	SS Mary & John Primary School, Meadow Lane, Oxford OX4 1TJ	04/03/11	19/03/11
Mr Simon Michael Wood	Jowett Walk Playing Fields, Jowett Walk, Mansfield Road, Oxford	04/03/11	30/04/11



Applicant	Premises	Date rec'd	Event dates
Mrs Philippa Ruth Vose	St Aloysius Catholic Primary School, 143 Woodstock Road, Oxford, OX2 7PH	04/03/11	19/03/11
Mrs Paula Falck	The Ashmolean Dining Room & Café, Beaumont Street, Oxford, OX1 2PH	04/03/11	31/12/2011-01/01/2012
Mrs Paula Falck	The Ashmolean Dining Room, Beaumont Street, Oxford, OX1 2PH	04/03/11	23/04/2011-24/04/2011
Mr John Andrew Glasgow	East Oxford Community Centre, 44 Prince's Street, Oxford, OX4 1DD	07/03/11	26/03/11
Mrs Melanie Trinder	St Gregory the Great Catholic School, Cricket Road, Oxford	08/03/11	01/04/11
Miss Simone Ceri Girardeau	New College Boathouse, Boat House Island, River Isis, Oxford	08/03/11	01/06/2011-04/06/2011
Mr Robert Yue Opher	Thirst Bar, 7-8 Park End Street, Oxford, OX1 1HH	09/03/11	27/03/11
Mr Robert Yue Opher	The Lodge, Pennyfarthing Place, Oxford, OX1 1QF	09/03/11	27/03/11
Mr Simon Forbes	Kukui 42/43 Park End Street, Oxford, OX1 1JD	09/03/11	25/04/11
Mr Karl Matthias Sjoberg	Headington Farmers Market, Kennett Road, Headington, Oxford	10/03/11	25/03/11
Mrs Laura May Cottrell	Gee's Restaurant, 61a Banbury Road, Oxford, OX2 6PE	10/03/11	21/05/11
Mrs Laura May Cottrell	Gee's Restaurant, 61a Banbury Road, Oxford, OX2 6PE	10/03/11	30/04/11
Ms Elisabete Gomes	Gee's Restaurant, 61a Banbury Road, Oxford, OX2 6PE	10/03/11	29/05/11
Mr Carl Lee Smithson	101 Cowley Road, Oxford, OX4 1HU	10/03/11	24/03/11
Mr Samuel James Knox	The Dukes Cut, 1 Park End Streetm, Oxford, OX1 1NH	10/03/11	24/03/2011-25/03/2011
Mrs Jane Boyce	Oxford Deaf & Hard of Hearing Centre, 10 Little Gate Street, St. Ebbe's, Oxford, OX1 1RL	10/03/11	28/05/11
Miss Alexandra Dury	Oxford Deaf & Hard of Hearing Centre, 10 Little Gate Street, St. Ebbe's, Oxford, OX1 1RL	10/03/11	11/06/2011-12/06/2011
Mr Ian Anthohey Liddle	The Royal Blenheim, 13 St Ebbes Street, Oxford, OX1 1PT	11/03/11	27/03/11
Miss Juliet Elizabeth Strother	SS Mary & John Primary School, Meadow Lane, Oxford OX4 1TJ	14/03/11	01/04/11
Mr Charles McCreedy	Kiss Bar, 39 Park End Street, Oxford, OX1 1JD	14/03/11	27/03/11
Mr Andrew Williams	William Morris, 59a Between Towns Road, Cowley, Oxford, OX4 3LR	14/03/11	28/04/2011-29/04/2011
Mrs Teresa Hudson	Rye St Anthony School, Pullens Lane, Headington, Oxford, OX3 0BY	14/03/11	12/06/11
Mrs Teresa Hudson	Rye St Anthony School, Pullens Lane, Headington, Oxford, OX3 0BY	14/03/11	24/06/11
Mr Philip David Doubtfire	Grandpont Children's Centre, Whitehouse Road, OX1 4QH	15/03/11	01/04/11
Miss Annabel Church	Oddbins, 7 Little Clarendon Street, Oxford, OX1 2HP	15/03/11	26/05/11
Miss Annabel Church	Oddbins, 7 Little Clarendon Street, Oxford, OX1 2HP	15/03/11	28/04/11
Mr Panagiotis Tiligadas	Brasserie Gerard, 41-47 George Street, Oxford, OX1 2BE	15/03/11	03/04/11
Mr Harry George Brittain	The Cellar, Frewin Court, Oxford, OX1 3HZ	16/03/11	27/03/11
Mr Simon Forbes	Kukui 42/43 Park End Street, Oxford, OX1 1JD	16/03/11	03/04/11
Miss Patricia Helen Ruth Shilton	Modern Art Oxford, Pembroke Street, Oxford, OX1 1BP	18/03/11	27/04/2011-28/04/2011
Mr Robert Michael Davies	Room FG01, Oxford & Cherwell Valley College, Oxpens Road, Oxford, OX1 1SA	18/03/11	05/04/2011+06/04/2011
Mr Matthew William Porter	The White Horse, London Road, Headington, Oxford, OX3 7SP	18/03/11	03/04/11
Ms Daryl Back	Oxford High School For Girls, Belbroughton Road, Oxford, OX2 6XA	21/03/11	01/04/11
Miss Olga Tanailova	All Bar One, 124 High Street, OX1 4DF	21/03/11	01/05/11
Mr James Michael Fisher	The Newman Rooms, Rose Place, Oxford, OX1 1RD	22/03/11	16/04/11
Mr Gavin Douglas Turner Park	Oddbins, Unit 10 263 Banbury Road, Summertown, Oxford, OX2 7HN	22/03/11	14/04/11
Mr Nicholas David Tozer	Rewley Road Fire Station, Rewley Road, Oxford, OX1 2EH	23/03/11	07/05/11
Miss Sally Louise Tee	G&D's, 104 Cowley Road, Oxford, OX4 1JE	23/03/11	05/05/11
Miss Michelle Louise Sporle	The Royal Oak, 42-44 Woodstock Road, Oxford, OX2 6HT	24/03/11	29/04/11
Mrs Philippa Ruth Vose	St Aloysius Catholic Primary School, 143 Woodstock Road, Oxford, OX2 7PH	25/03/11	28/04/11
Mr Jan Rasmussen	Mission, 2 King Edward Street, Oxford, OX1 2HS	25/03/11	30/04/2011-01/05/2011
Mr Jan Rasmussen	Mission, 8 St Michael's Street, Oxford, OX1 2DU	25/03/11	30/04/2011-01/05/2011
Mr David Vernon Smith	Trinity College Boat Club, Boat House Island, Oxford,	25/03/11	04/06/11
Ms Joanna Clare Newson	St Ebbe's Primary School, Whitehouse Road, Oxford, OX1 4NA	28/03/11	06/05/11
Ms Joanna Clare Newson	St Ebbe's Primary School, Whitehouse Road, Oxford, OX1 4NA	28/03/11	18/06/11
Mr Stephen Michael Gaw	Holywell Manor, Manor Road, Oxford, OX1 3UH	28/03/11	01/07/2011-02/07/2011
Mr Simon Forbes	Kukui 42/43 Park End Street, Oxford, OX1 1JD	28/03/11	02/05/11
Mr Thomas David Evans	The Jericho Tavern, 56 Walton Street, Oxford, OX2 6AE	31/03/11	17/04/11
Mr Gurshan Saini	The Old Black Horse Hotel, 102 St Clements, Oxford, OX4 1AR	31/03/11	01/05/11

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**Sub-Committee Hearings**

1. **Mapledurham Lady, Salters Steamers, Folly Bridge, Oxford, OX1 4LA**

27<sup>th</sup> January 2011: Chair: N/A

**New Premises Licence:** Application for live music, recorded music, provision of facilities for making music and for dancing and sale of alcohol 09.00 hrs to 00.00 hrs Sunday to Saturday and late night refreshment from 23.00 hrs to 00.0 hrs Sunday to Saturday

The application was **withdrawn** before being put before the Sub-Committee.

2. **Bullington Arms, 162 Cowley Road, Oxford, OX4 1EU (Variation)**

27<sup>th</sup> January 2011: Chair: N/A

**Variation of Premises Licence:** Application to extend the sale of alcohol and provision of regulated entertainment on Tuesdays and Thursdays from the current hours of 10.00 to 01.00 hours to 10.00 to 02.00 hours the following morning. To extend the provision of late night refreshment on Tuesdays and Thursdays from the current hours of 23.00 to 01.00 hours the following morning to 23.00 to 02.00 hours the following morning.

The application was **withdrawn** before being put before the Sub-Committee.

3. **Kukui, 42-43 Park End Street, Oxford, OX1 1JD (Variation)**

17<sup>th</sup> February 2011 Chair: Cllr Brundin

**Variation of Premises Licence:** Application to extend licensable hours for the provision of regulated entertainment, provision of entertainment facilities, provision of late night refreshment and for sale of alcohol (on and off supplies) from 02.00 hrs to 03.00 hrs on a Thursday, Friday and Saturday.

**Decisions and reasons of the Licensing Sub-Committee:**

The Sub-Committee took all submissions and evidence presented, both written and oral, into account.

It also considered both the Government Guidance under section 182 of the Act and the City Council's own Statement of Licensing Policy (SLP) in particular paras 10.19 & 10.20 of the Guidance (Hours of Trading) and Policies LH1 (Zoning), LH5 (Closing Times) and G19 of the SLP (Special Saturation Policy (SSP)) of the SLP.

It was not in dispute that the Premises fell within the City Centre SSP area. The Sub Committee found that the application sought was a 'material variation' because if granted it would mean an increase in the operating hours and the evidence from Thames Valley Police indicated that such an increase would aggravate problems of cumulative impact.

There was therefore a presumption against granting the application unless the Applicant could satisfy the Sub Committee that they had measures in place to prevent any increase in crime and disorder.

The Sub Committee was not satisfied that the Applicant had demonstrated this. The Sub Committee reached this conclusion for the following reasons:

1. The fact that a number of temporary events (TENS) had been held until 3am, apparently without incident, was not sufficient, given the overall record of crime and disorder at the Premises, to demonstrate that a permanent variation would not lead to more incidents.
2. Whether, as the Applicants argued, an extension until 3am would reduce on street crime and disorder by preventing 'club hopping', was unknown and not made out by the evidence.
3. The variation, if granted, would lead to a additional hours drinking time for up to 700 persons and the resulting increase in intoxication was in itself likely to aggravate problems of crime and disorder.
4. The Police evidence was clear that the variation would lead to increased problems at local flashpoints at the especially sensitive time of 3am. Whilst the Police case in this respect was to some extent speculative, such speculation was unavoidable and the Sub Committee were more persuaded by the Police speculation than that of the Applicant.
5. Any comparison with the operating hours of similar premises in the vicinity was not a relevant consideration as each application had to be considered on its own merits
6. The Sub Committee took into account the economic pressure on licence holders including the Applicant but found that those pressures were overridden by the requirement to promote the licensing objectives.
7. The Sub Committee considered whether any new conditions could be added to the licence to allow the variation to be granted without compromising the licensing objectives but decided that the licence was already heavily conditioned and no new conditions were likely to have an effect.

The presumption in the SSP against granting the application was therefore not rebutted and in order to promote the licensing objective of preventing crime and disorder the Sub Committee **REFUSED** the Application.

#### **4. The Bridge, 6-9 Hythe Bridge Street, Oxford, OX1 2EW**

**22<sup>nd</sup> February 2011 Chair: Cllr Coulter**

**Review of Premises Licence:** Application made by Thames Valley Police based on the grounds the operator is not upholding his obligations under the four objectives of the Licensing Act most notably the prevention of crime and disorder. Thames Valley Police now believe that the most appropriate recourse moving forward is to refer the premises on again to the Licensing committee

#### **Decision and reasons of the Licensing Sub-Committee**

The Sub-Committee took all submissions and evidence presented, both written and oral, into account.

It also considered both the City Council's Statement of Licensing Policy and Government Guidance under section 182 of the Act in particular section 11 on Reviews and paras 11.9, 11.19 & 11.22.

The Sub-Committee found that the police concerns were valid and the evidence illustrated a high level of crime and disorder at the premises including serious incidents on 25/10/10 and 31/10/10. The level of crime and disorder needed to be addressed. The Sub-Committee gave careful consideration as to how best to promote the licensing objectives in particular the prevention of crime and disorder and were satisfied that modification of the hours of operation is necessary.

The licensable hours of the premises shall be modified by reducing the terminal hour for all licensable activities by one hour in order to reduce crime and disorder. The modification of hours shall be temporary and last for a period of three months from the date this decision comes into effect.

The Sub-Committee took into account the financial impact the modification may have on the premises and the right of the premises licence holder not to be deprived of his licence. However they found that the temporary modification was a proportionate response and in the public interest. The three month period would allow the premises to address the levels of crime and disorder after which the hours would return to those currently operated. However, if after the period of modification the problems had not been addressed the Police would be able to seek a further review. The modification of hours would also go some way to addressing the problems of public nuisance affecting the interested parties.

The Sub-Committee found that there appeared to be little co-operation between the management and staff of premises, and the Police and that this may be contributing to the cause of the problems highlighted in the review application. Co-operation between the Police and the Premises should be of particular importance to resolving the problems. The Sub-Committee encouraged the Premises, with the co-operation of the Police, to address problems and in particular the following particular issues:

1. The provision of at least one female doors staff
2. The inadequate partition of the smoking area between the premises and the neighbouring premises which appeared to allow migration between the two.
3. Measures to help prevent any sales of alcohol to intoxicated people

5. **Branos Express, Kiosk 4, 108 Gloucester Green, Oxford, OX1 2BU (Variation)**

17<sup>th</sup> March 2011 Chair: Cllr Coulter

**Variation of Premises Licence:** To extend the hours for Late Night Refreshment from 03.00 hours to 04.00 hours Friday and Saturday night.

**Decisions and reasons of the Licensing Sub-Committee:**

The Sub-Committee took all submissions and evidence presented, both written and oral, into account. The Sub Committee also considered government guidance and relevant parts of the Council's Statement of Licensing Policy, in particular policies PP10 (Late Night Refreshment) and LH3 (Licensing Hours not Limited).

The Sub Committee found that, taking into account the Police representation, any concerns about crime and disorder could be resolved by the Premises joining the Radiolink scheme and installing suitable CCTV.

The Sub Committee considered the risks of public nuisance expressed by Cllr Brett on behalf of residents. However, they found that a certain amount of noise, even late at night, was to be expected in a city centre location. The imposition of conditions requiring sufficient staff to prevent queues developing and notices asking customers to respect local residents would help to reduce the risk of nuisance problems to an acceptable level. Conditions to prevent litter nuisance should also be attached.

The Sub Committee **GRANTED** the Application but found it necessary and proportionate to attach the following conditions on the Licence:

1. A CCTV system shall be installed, or the existing system maintained. It shall be "fit for purpose". It shall comply with the current and relevant Thames Valley police guidelines for Standard Minimum Closed Circuit Television Requirements (Issue 1, July 2004)
  - a. The system will incorporate a camera covering the serving area, and be capable of providing an image which is regarded as "identification standard".
  - b. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 1 calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation and all signs required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
  - c. A member of staff that is able to operate the system and provide copies of any footage requested by an employee of Thames Valley Police upon request, will be on duty at all times the premises is open.

**Reason: The prevention of crime and disorder**

2. The premises shall be a member of the 'Radiolink Scheme'.

**Reason: The prevention of crime and disorder**

3. An adequate number of waste receptacles shall be provided for use by customers.

**Reason: prevention of public nuisance**

4. Within 30minutes after closing time all litter dropped by customers in the vicinity of the premises shall be collected and disposed of.

**Reason: prevention of public nuisance.**

5. Prominent notices shall be displayed requesting customers respect local residents and keep noise down.

**Reason: prevention of public nuisance.**

6. Between 3am and 4am on Fridays and Saturdays there shall be a minimum of 3 members of staff present.

**Reason: prevention of public nuisance.**

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**THE POLICE REFORM AND SOCIAL RESPONSIBILITY BILL**

**The House of Lords is considering the Governments above named Bill, and part of this Bill if it becomes legislation, will affect the Licensing Act 2003.**

The Licensing amendments are:

**PART 2 – LICENSING - CHAPTER 1**

**Responsible authorities**

103 Licensing Authorities as responsible authorities

104 Primary Care Trusts and Local Health Boards as responsible authorities

**Removing the vicinity test**

105 Premises licences: who may make relevant representations

106 Premises licences: who may apply for review

107 Club premises certificates: who may make relevant representations

108 Club premises certificates: who may apply for review

**Reducing the evidential burden on licensing authorities**

109 Reducing the burden: premises licences

110 Reducing the burden: club premises certificates

111 Reducing the burden: other situations

**Temporary event notices**

112 Temporary event notices: who may make an objection

113 Temporary event notices: conditions

114 Temporary event notices: late notices

115 Relaxation of time limits applying to temporary event notices

116 Temporary event notices: acknowledgment of notice

117 Temporary event notice: time for objection by police

**Underage sales**

118 Persistently selling alcohol to children

**Early morning alcohol restriction orders**

119 Early morning alcohol restriction orders

**Suspension for failure to pay annual fees**

120 Suspension of licence or certificate for failing to pay annual fee

**Miscellaneous**

121 Licensing policy statements

122 Personal licences: relevant offences

**Review**

123 Review of effect of amendments on licensing scheme

## **CHAPTER 2 - LATE NIGHT LEVY**

### **Application of late night levy requirement in licensing authority's area**

124 Late night levy requirement

### **Liability to pay late night levy**

125 "Relevant late night authorisation" and related definitions

126 Liability to pay late night levy

127 Amount of late night levy

### **Administration of late night levy**

128 Payment and administration of the levy

129 Net amount of levy payments

### **Application of levy payments**

130 Application of net amount of levy payments

### **Late night levy requirement: further provision**

131 Introduction of late night levy requirement

132 Amendment of late night levy requirement

133 Introduction or variation of late night levy requirement: procedure

134 Permitted exemption and reduction categories

135 Late night levy: regulations

136 Interpretation

137 Crown application

138 Amendments of the Licensing Act 2003

In terms of how the Licensing Act 2003 will be amended and therefore the knock on effect to ourselves, the following parts of the Act will become subject to change:

### **Licensing**

#### **New powers for councils**

*Under the Bill's proposals:*

- Licensing Authorities will become 'Responsible Authorities', gaining the power intervene in licensing applications and to take action against existing premises licences where there are problems.
- The 'light touch' regime for 'temporary events' will be modified to allow council's environmental health departments to intervene if events would disrupt or endanger the local community.
- The loophole which previously allowed premises to avoid existing controls by using temporary event notices will be closed – licensing authorities will be able to insist that existing licensing controls remain in place, and that the local community is properly protected.
- Councils will also be given more flexible powers to allow temporary events to go ahead, rather than having to adhere to the current rigid rules which have led to the cancellation of events, despite their potential benefit to the local community.
- The maximum period a temporary event can last will be extended to seven days.
- Licensing authorities will gain a crucial new power to suspend licences where annual fees are not paid. This will help councils to recover money owing and to tackle the minority of rogue businesses who do not comply.

## **Licensing Fees**

*Under the Bill's proposals:*

- The Government proposes that Licensing authorities set their own fees.

## **Late night levy**

*Under the Bill's proposals:*

- Councils will be able to require late night operators who supply alcohol between midnight and 6am to pay a levy in addition to their existing licence fees. The levy would be payable to licensing authorities, who would then deduct their administrative costs and could then use up to 30% of the levy income in providing extra measures to reduce or prevent crime and disorder. The remaining 70% of levy income must be paid to the police.

Proposals are for charges to be set on a national level and be based on rateable value bands and apply to both on and off-trade. The fees will be split evenly between the police and local authority. The five rateable bands are as follows:

- A. No rateable value to £4,300: £299
- B. £4,301 to £33,000: £768
- C. £33,001 to £87,000: £1,259
- D. £87,001 to £125,000: £1,365
- E. £125,001 and above: £1,493

Premises in Bands D and E who “primarily or exclusively sell alcohol” will be subject to a multiplier of two and three respectively taking the charges to £2,730 and £4,400.

The Government confirmed that discounts and exemptions will be available to premises that take action “to ensure that they do not have a negative impact on their local community through membership of schemes such as Best Bar None and Pubwatch.”

It also suggested authorities may exempt hotels as they only serve their own customers and are unlikely to contribute to policing costs.

## **Other changes to the licensing system**

*Under the Bill's proposals:*

- The burden on councils to produce, consult on and publish a licensing policy statement every three years will be replaced with a system by which councils can update policies whenever necessary.
- The extension of “Early Morning Restriction Orders to be applicable between 24:00 and 06:00 (previously 03:00 to 06:00)
- Fines for underage sales will be doubled from (from £10,000 to £20,000).

Full details as to how each of the changes are expected to help “Rebalance The Licensing Act” can be found at:

**<http://www.homeoffice.gov.uk/publications/alcohol/alcohol-proposals-factsheet/?view=Standard&pubID=845525>**

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## LICENSING AND GAMBLING ACTS COMMITTEE

Tuesday 1<sup>st</sup> March 2011

**COUNCILLORS PRESENT FOR THE WHOLE OF THE MEETING:** The Chair (Councillor Mary Clarkson), the Vice-Chair (Councillor Tony Brett), Councillors Clark Brundin, Jim Campbell, Van Coulter, Bryan Keen and Gwynneth Royce.

**COUNCILLORS PRESENT FOR PART OF THE MEETING:** Councillor David Williams.

**OFFICERS PRESENT FOR THE WHOLE OF THE MEETING:** Mathew Metcalfe and Daniel Smith (Law and Governance) and Tony Payne and Julian Alison (Environmental Development).

### **29. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Laurence Baxter, Colin Cook and Nuala Young.

### **30. DECLARATIONS OF INTEREST**

None declared.

### **31. POLICE LICENSING PROCESSES**

The Committee was informed that Inspector Matthew Bullivant was unable to attend the meeting due to the timing of his shift, and agreed to invite him to the next meeting of the Committee.

### **32. LICENCE FEE 2011/12**

The Head of Environmental Development submitted a report (previously circulated, now appended) which sought agreement of the licence fees for 2011/12 where the Council had discretion over the level of fee charged.

Tony Payne introduced the report.

The Committee agreed:

- (a) To note the licence fees set by statute;
- (b) To approve the licence fees for 2011/12 as detailed in the report.

### **33. RESPONSE TO HOME OFFICE CONSULTATION: RELAXATION OF LICENSING HOURS FOR THE ROYAL WEDDING**

The Head of Environmental Development submitted a report (previously circulated, now appended) which updated the Committee on the response sent to the Home Office consultation regarding the relaxation of licensing hours for the Royal wedding.

Julian Alison introduced the report.

The committee agreed to note the report.

### **34. UPDATE ON LICENSING AUTHORITY ACTIVITY – SEPTEMBER TO DECEMBER 2010**

The Head of Environmental Development submitted a report (previously circulated, now appended) which informed the Committee of the progress made by the Licensing Authority under the Licensing Act 2003 and Gambling Act 2005 between September and December 2010.

Julian Alison introduced the report.

The Committee agreed:

- (a) To note the report:
- (b) To request the Head of Environmental Development to provide Members of the Committee with the following information on a regular basis:
  - (i) A list of main licence holders and the premises that they ran (especially if more than one venue);
  - (ii) The weekly active case list and a copy to Daniel Smith in Law & Governance in order that members may be guided.

### **35. MINUTES**

The Committee approved:

- (a) The minutes (previously circulated) of the meeting held on 13<sup>th</sup> October 2010;
- (b) The minutes (previously circulated) of the special meeting held on 1<sup>st</sup> February 2011.

### 36. MATTERS ARISING FROM THE MINUTES

- (a) Minute 21(c) – 13<sup>th</sup> October 2010 – Update on licensing authority activity – April-August 2010

In response to questions Julian Alison informed the Committee that a meeting had been arranged by Nighsafe which would cover school children and responsible drinking schemes etc. but that he had been advised that he did not need to attend. However he said that he felt that while the Council issued licenses, there was a wider role to this for example responsible drinking and safety.

The meeting started at 5.00 pm and finished at 5.35 pm

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# LICENSING AND GAMBLING ACTS COMMITTEE

Thursday 19<sup>th</sup> May 2011

**COUNCILLORS PRESENT FOR THE WHOLE OF THE MEETING:** The Chair (Councillor Mary Clarkson), the Vice-Chair (councillor Tony Brett), Councillors Clark Brundin, Jim Campbell, Colin Cook, John Goddard, Ben Lloyd-Shogbesan, Mark Lygo, Mike Rowley, Gill Sanders, Dee Sinclair, Bob Timbs and David Williams.

**OFFICERS PRESENT FOR THE WHOLE OF THE MEETING:** William Reed and Mathew Metcalfe (Law and Governance).

## 1. ELECTION OF CHAIR FOR THE 2011/12 COUNCIL YEAR

Councillor Mary Clarkson was elected Chair for the Council Year 2011/12

## 2. ELECTION OF VICE-CHAIR FOR THE 2011/12 COUNCIL YEAR

Councillor Tony Brett was elected Vice-Chair for the Council Year 2011/12.

## 3. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Matthew Morton and Gwynneth Royce.

## 4. DECLARATIONS OF INTEREST

None declared.

## 5. POWERS AND DUTIES

The Head of Law and Governance submitted a note (previously circulated, now appended) which detailed the powers and duties of the Committee.

The Committee agreed to note the powers and duties of the Committee.

## 6. APPOINTMENT OF SUB-COMMITTEE FOR 2010/11

The Head of Law and Governance submitted a report (previously circulated, now appended) which concerned the establishment of licensing casework sub-committees for the 2011/12 Council Year to deal with casework flowing from the Council's responsibilities under the Licensing Act 2003 and the Gambling Act 2005.

The Committee agreed:

- (a) To appoint as many casework Licensing Sub-Committees of three members as there are combinations of three members in a total number of members of the Committee;
- (b) The Sub-Committees' powers and duties as set out in the report.

## **7. LICENSING TRAINING 2011/12**

The Head of Law and Governance informed the Committee that training had been arranged for Friday 8<sup>th</sup> July 2011.

In response to comments on the training dates, William Reed, Democratic Services Manager agreed to speak with the Licensing Manager regarding possible alternative dates and methods of training.

## **8. LICENSING HEARING – 26<sup>TH</sup> MAY 2011**

The Committee agreed to note that the Licensing Hearing provisionally scheduled for 26<sup>th</sup> May 2011, would not be taking place..

## **9. DATE OF NEXT MEETING**

The Committee agreed to note that the Committee would meet on the following dates in the Town Hall and start at 5.00 pm

Wednesday 15<sup>th</sup> June 2011  
Wednesday 19<sup>th</sup> October 2011  
Wednesday 22<sup>nd</sup> February 2012

The meeting started at 4.30 pm and finished at 4.35 pm