

Agenda Item 8

LICENSING AND GAMBLING ACTS COMMITTEE

Wednesday 19 October 2011

COUNCILLORS PRESENT: Councillors Clarkson (Chair), Brett (Vice-Chair), Brundin, Cook, Goddard, Lloyd-Shogbesan, Royce, Sanders, Sinclair, Timbs and Campbell.

OFFICERS PRESENT: Julian Alison (Licensing Team Leader), Tony Payne (Licensing and Development Manager), Lois Stock (Democratic and Electoral Services Officer) and Daniel Smith (Law and Governance)

6. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Mike Rowley.

7. DECLARATIONS OF INTEREST

None

8. UPDATE ON LICENSING AUTHORITY ACTIVITY APRIL 2011 - AUGUST 2011

The Head of Environmental Development submitted a report (previously circulated, now appended) concerning licensing authority activity between April and August 2011. Julian Alison presented this report to the Committee and explained the background. He gave the following additional information in answer to questions posed by members of the Committee:-

- “PACE” refers to the Police and Criminal Evidence Act;
- Following concerns expressed by the Committee at the last meeting, the licensing team have been round to almost all off-licences in the City to offer guidance and advice. No further incidents involving off-licence have come to their attention since;
- The checking of ID – in particular looking for fake ID – is a Police matter. The Police do sometimes send officers out with the licensing team. If fake ID is found, the premises are reported to the licensing team and the Police deal with the individual concerned;
- The new City Chief Inspector has been very helpful, and there has been good liaison between the City and the Police licensing teams;
- Thames Valley police, Nightsafe and the Council’s licensing team are jointly seeking funding for further test purchasing campaigns.

Resolved to thank the licensing team for their work and note the report.

9. PROPOSAL TO EXAMINE THE DEREGULATION OF SCHEDULE ONE OF THE LICENSING ACT 2003

The Head of Environmental development submitted a report (previously circulated, now appended) concerning proposals to examine the deregulation of Schedule 1 of the Licensing Act 2003. Tony Payne introduced this report to the Committee and explained the background to it. Officers were seeking delegated authority to respond to the consultation. They would take into account the views of the Committee and liaise with the Chair and Vice Chair over the final submission.

The Committee discussed the issue and expressed the following views:-

- It would be unwise to sweep away the current procedures. These allow licensing authorities a degree of control;
- Members of the public are generally satisfied with the way in which the Council deals with licensing issues. One of the functions of the licensing team is to safeguard the public. It would be a retrograde step to remove nearly all forms of regulated entertainment from the Licensing Act 2003 regime;
- The proposals are foolish, the Council needs to send a strong message opposing them;
- It is important to retain control over what happens in the City;
- The proposals, if implemented, would increase the workload for the licensing team, especially in the area of enforcement. There would surely be a rise in complaints that would need enforcement action, and this would be reactive, as opposed to pre-emptive, action. It would not deal with the problem before it arose or when it was experienced;
- The Committee appreciated that the proposals sought to free up events such as school plays and Punch and Judy shows from the constraints of the Licensing Act, but this should not be achieved by sweeping away legislation that would make things worse in many other areas;
- Overall, the Committee had serious concerns about the proposals.

Having thus considered the report, the Committee resolved:-

- (1) To delegate to the Head of Environmental Development the authority to draft a response to the consultation, based upon the views expressed by the Committee;
- (2) To present this draft to the Chair and Vice Chair for final approval before submitting it to the Department of Culture, Media and Sport.

10. MINUTES

Resolved to confirm as a correct record the minutes of the meeting held on 15th June 2011, with the following observations:-

- Thanks were given to Julian Alison for arranging the helpful training with Leo Charalambides;
- Julian Alison would invite the City Centre Inspector, Katy Barrow-Grint, to the next meeting of the Committee. (however he could not guarantee she would be able to attend) The Committee noted that it would be desirable to have her presence at a future meeting;

- The licensing team held regular meetings with the major licensees in the City in order to discuss issues of concern and importance, and keep everyone up to date with any changes and developments in licensing legislation and practice. This was going well. Thanks should be given to Alex Bloomfield, Thames Valley Police licensing officer, for his input into this.

11. DATES OF FUTURE MEETINGS

Resolved to note that the next meeting would be held on 22nd February 2012.

The meeting started at 5.00 pm and ended at 5.35 pm

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