

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY, 11TH JUNE 2012 AT 6.00 P.M.

PRESENT: Councillors Mrs. J. M. Boswell, J. R. Boulter, Ms. M. T. Buxton,
Mrs. R. L. Dent, K. A. Grant-Pearce, Mrs. J. M. L. A. Griffiths,
Miss P. A. Harrison, R. J. Shannon, S. P. Shannon and L. J. Turner

Officers: Mrs. S. Sellers, Ms. S. Garratt and Mrs. P. Ross

1/12 **ELECTION OF CHAIRMAN**

RESOLVED that Councillor Mrs. R. L. Dent be elected Chairman of the Committee for the ensuing municipal year.

2/12 **ELECTION OF VICE-CHAIRMAN**

RESOLVED that Councillor Mrs. C. J. Spencer be elected Vice-Chairman of the Committee for the ensuing municipal year.

3/12 **APOLOGIES**

Apologies for absence were received from Councillors Mrs. H. J. Jones, Mrs. C. J. Spencer and S. J. Dudley.

4/12 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

5/12 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 16th April 2012 were submitted.

RESOLVED that the minutes be approved as a correct record.

6/12 **STATEMENT OF GAMBLING PRINCIPLES - REVIEW**

Consideration was given to a report informing Members of the required consultation on the Statement of Gambling Principles as part of the statutory triennial review in accordance with Section 349 of the Gambling Act 2005.

The Senior Licensing Practitioner introduced the report and informed the Committee that The Gambling Act required the Council to carry out a review of its Gambling Act 2005 – Statement of Gambling Principles every 3 years. The Gambling Commission was currently updating the Gambling Act 2005 Guidance and no changes were proposed to the guidance on the Statement of Gambling Principles. The Consultation was required over a 12 week period and would take place with all of the interested parties as identified in the Gambling Act 2005 Guidance. Once the consultation had closed the results would be collated and evaluated in conjunction with the other district Councils within Worcestershire County and incorporated where necessary into the Statement of Gambling Principles. Findings from the consultation would be reported back to the Committee prior to its implementation in January 2013.

RESOLVED:

- a) that the forthcoming consultation on the Statement of Gambling Principles, be noted; and
- b) that the findings of the consultation be reported to the Committee prior to the implementation of the Statement of Gambling Principles in January 2013.

7/12 **STREET TRADING CONSENT POLICY - AMENDMENT**

The Committee was asked to consider a report which detailed an amendment to the District's Street Trading Policy and the application process.

The Senior Licensing Practitioner responded to Members questions with regard to the Criminal Records Bureau (CRB) Disclosure. Members were informed that the Chief Officer of Police was one of the agencies consulted during the Street Trading Application process and any concerns would be identified during this consultation process. The Senior Licensing Practitioner informed Members that the decision to remove the need for a Basic CRB Disclosure would be a countywide decision.

It was noted that Councillor S. P. Shannon voted against the Recommendation.

RESOLVED that any reference to undertake a Basic Criminal Records Bureau (CRB) Disclosure be removed from the Council's Street Trading Policy.

8/12 **THE LICENSING ACT 2003 AS AMENDED BY THE POLICE REFORM AND SOCIAL RESPONSIBILITIES ACT 2011**

Consideration was given to a report which provided details of an amendment to The Police Reform and Social Responsibility Act 2011 in relation to the suspension of licences due to the non payment of fees.

The Senior Licensing Practitioner responded to Members' questions with regard to annual fees and the Council's procedure for collecting renewal fees.

RESOLVED:

- a) that at the Committee's request the Head of Worcestershire Regulatory Services writes to the Home Office to express the Committee's view that in the event of non payment of Premises and Club Premises Licence fees, Local Authorities should be able to set fees locally and on a cost recovery basis to take into account any enforcement action that has had to be taken to recover fees that are paid late; and
- b) that authority be delegated to the Head of Worcestershire Regulatory Services to suspend Premises and Club Premises Licences following non payment of fees under sections 55A and 92A of the Licensing Act 2003 (as amended).

9/12 **LICENSING COMMITTEE WORK PROGRAMME 2012 / 2013**

The Committee Work Programme was noted.

The meeting closed at 6.30 p.m.

Chairman