

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY 8TH JUNE 2015 AT 6.06 P.M.

PRESENT: Councillors M. T. Buxton, J. M. L. A. Griffiths (Vice-Chairman in the Chair), H. J. Jones (substituting for B. T. Cooper), P. Lammas, K.J. May, S. R. Peters, P.L. Thomas, L. J. Turner and S. A. Webb

Officers: Mrs. V. Brown, Mr. D. Etheridge, Mrs. A May and Mrs. P. Ross

1/15 **ELECTION OF CHAIRMAN**

RESOLVED that Councillor B. T. Cooper be elected as Chairman for the ensuing municipal year.

2/15 **ELECTION OF VICE-CHAIRMAN**

RESOLVED that Councillor J. M. L. A. Griffiths be elected as Vice-Chairman for the ensuing municipal year.

3/15 **APOLOGIES**

Apologies for absence were received from Councillors B. T. Cooper and S. P. Shannon.

4/15 **DECLARATIONS OF INTEREST**

Councillor H. J. Jones declared an Other Disclosable Interest as a Personal Licence Holder and Designated Premises Supervisor.

5/15 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 23rd March 2015 were submitted.

RESOLVED that the minutes be approved as a correct record.

6/15 **GAMBLING ACT 2005 - REVIEW OF STATEMENT OF PRINCIPLES - APPROVAL FOR CONSULTATION**

Consideration was given to a report informing Members of the required consultation on the Statement of Gambling Principles, in accordance with

Section 349 of the Gambling Act 2005, the Council were required to prepare and publish a Statement of Principles every three years.

The Senior Licensing Practitioner, Worcestershire Regulatory Services (WRS) 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; and Members were being asked to approve the draft revised Statement of Principles, as detailed at Appendix 1 to the report, for the purpose of consultation with relevant parties, as detailed in paragraph 3.18 in the report.

Members were further informed that there had been no significant changes to the provisions of the Gambling Act 2005 since the last Statement of Principles took effect. The Gambling Commission were currently carrying out consultation on revised guidance to licensing authorities, but it was not clear when the revised version of this guidance would be published. Given the requirement to prepare and publish a new Statement of Principles by 31st January 2016, the Council could not wait for publication of the revised guidance before proceeding with this consultation.

The report detailed the minor amendments that had been included in the revised draft Statement of Principles.

It was proposed that the consultation would take place over a period of 8 weeks, with the consultation also made available for comment via the Council's website and publicised via social media and the local press. Responses to the consultation would be reported back to the Licensing Committee prior to its implementation in January 2016.

Councillor S. R. Peters informed the Senior Licensing Practitioner that Parish Council's did not hold meetings during the month of August and could officers take this into account so as it did not hamper their ability to respond to the consultation. The Senior Licensing Practitioner thanked Councillor S.R. Peters for making him aware of this and agreed that officers would take this into account and should Members approve the revised draft Statement of Principles, officers would look to start the consultation process as soon as possible.

RESOLVED:

- a) that the revised draft Statement of Principles, as detailed at Appendix 1 to the report, be approved for the purpose of consultation with relevant parties, and
- b) that the findings of the consultation be reported to the Committee prior to the implementation of the Statement of Principles in January 2016.

7/15

DEREGULATION ACT 2015 - UPDATE ON LICENSING IMPLICATIONS

Members were asked to note the contents of a report which provided an update on the Deregulation Act 2015 and the licensing implications contained within the legislation.

The Senior Licensing Practitioner introduced the report and informed the Committee that the Deregulation Act 2015 contained some provisions that related to the deregulation of licensing functions carried out by Worcestershire Regulatory Services on behalf of Bromsgrove District Council. Those functions affected were carried out under the Licensing Act 2003 (alcohol, entertainment and late night refreshment licensing) and taxi and private hire licensing.

The Act received Royal Assent on 26th March 2015 and a number of commencement dates had been confirmed for various provisions included within the Act. The table, detailed at Appendix 1 to the report, provided a summary of the relevant provision included within the Act along with information on commencement dates and the actions to be taken by the Council.

RESOLVED that the Deregulation Act 2015 update report on licensing implications and Appendix 1 to the report be noted.

8/15

LICENSING ANNUAL REPORT

The Committee considered the Licensing Annual Report 2014/2015 which provided an overall view of the activities, under the Licensing Act 2003, Gambling Act 2005 and other aspects of Licensing, and to inform the Committee on any issues anticipated in the ensuing year. The report detailed the work carried out by Worcestershire Regulatory Services (WRS) Enforcement and Licensing Teams for Bromsgrove District Council.

The Senior Licensing Practitioner introduced the report and in doing so informed the Committee that since 1st June 2010 the WRS Licensing Team had taken over operational delivery of the statutory functions of licensing and enforcement of regulated activities and businesses operating under the Licensing Act 2003 on behalf of Bromsgrove District Council.

In April 2014 a new Statement of Licensing Policy under the Licensing Act 2003 was published following consultation. The Gambling Act 2005 Statement of Principles was last published with effect from 31st January 2013 and was therefore due to be reviewed with a new Statement of Principles to be published by 31st January 2016.

The report also detailed the number of new licences issued and granted by Bromsgrove District Council in 2014/2015, under the Licensing Act 2003; the number of premises which had continued to be licensed by the Council under the Gambling Act 2005. The number of Hackney Carriage and Private Hire licensed vehicles and drivers had remained relatively steady during 2014/2015.

In October 2013 the Scrap Metal Dealers Act 2013 came into force within the District. Under this new legislation the Council was responsible for issuing mobile scrap metal collector licences and scrap metal site licences. The Council had issued five site licences and 9 mobile collector licences. The

Licensing Team were responsible for enforcing the legislation in partnership with the Police and Environment Agency.

In response to questions raised by Members, officers informed the Committee that the Police had been very proactive and that certain areas had been targeted in order to prevent scrap metal theft. With regards to enforcement the Police had taken the lead, as under the Road Traffic 1988, the Police had the power to stop vehicles which WRS officers did not possess.

Councillor M. T. Buxton queried why the Annual Report 2014/2015 had not included any reference to the successful introduction of the Site Management Agreement between Bromsgrove District Council and the Public Fundraising Regulatory Association (PFRA); which regulated face to face fundraising by way of direct debit in Bromsgrove Town Centre. For the benefit of new Licensing Committee Members, the Senior Licensing Practitioner gave a brief overview of the Site Management Agreement and in response to Councillor Buxton agreed this had been an oversight on his behalf.

Members agreed that the Annual Report 2014/2015 be amended to include information on the Site Management Agreement between Bromsgrove District Council and the Public Fundraising Regulatory Association (PFRA).

RESOLVED:

- a) that, as detailed in the preamble above, information on the Site Management Agreement between Bromsgrove District Council and the Public Fundraising Regulatory Association (PFRA) be included in the Annual Report 2014/2015;
- b) that the amended Annual Report 2014/2015 be issued as a supplementary agenda item; and
- c) that the Licensing Annual Report 2014/2015, as presented, be noted.

9/15

LICENSING COMMITTEE WORK PROGRAMME 2015/2016

The Committee considered the Licensing Committee Work Programme for 2015/2016.

RESOLVED that Licensing Committee Work Programme 2015/2016 be noted.

The meeting closed at 6.45 p.m.

Chairman