

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY, 6TH DECEMBER 2010 AT 6.00 P.M.

PRESENT: Councillors Mrs. C. J. Spencer (Vice-Chairman, in the Chair),
Miss D. H. Campbell JP, J. T. Duddy (During Minute No's 23/10 to 26/10),
Mrs. J. M. L. A. Griffiths, B. Lewis F.CMI, D. McGrath (During Minute No's
24/10 to 26/10), S. P. Shannon (During Minute No's 24/10 to 26/10) and
L. J. Turner

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

21/10 **APOLOGIES**

Apologies for absence were received from Councillor Mrs. R. L. Dent, Mrs. M. A. Sherrey, JP, D. Hancock and P. Whittaker.

22/10 **DECLARATIONS OF INTEREST**

No declarations of interest were received,

23/10 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 11th October were submitted.

RESOLVED that the minutes be approved as a correct record.

24/10 **STATEMENT OF LICENSING POLICY - 3 YEAR REVIEW**

The Committee considered a report which provided details of the responses received following consultation with stakeholders to renew the Statement of Licensing Policy.

The Licensing Manager introduced the report highlighting that the Statement of Licensing Policy was a live document and subject to continuous review in order to meet the changing needs of the community, business circumstances and legislation. The Licensing Manager responded to Members' questions with regard to the policy and confirmed that the Portfolio Holder for Regulatory Services and Affordable Housing had been consulted on the report. It was proposed that paragraph 9.5 of the policy be included within paragraph 9.4.

Following further discussion it was:

RESOLVED that subject to the amendment of paragraph 9.5 of the policy as referred to in the preamble above, the Statement of Licensing Policy for Bromsgrove District for the period 2011-2014 be renewed.

25/10 **LICENSING ACT 2003 - POLICY FOR THE CLASSIFICATION OF FILMS**

The Committee considered a report which provided information on adopting a policy to deal with films for Public Exhibition or requests to reclassify films that were unclassified by the British Board of Film Classification (BBFC).

The Licensing Manager introduced the report and drew Members' attention to the following amendments to the report and to the draft policy as set out in Appendix 1 to the report:

- Section 4.3 of the report should read District of Bromsgrove and not Borough of Bromsgrove as shown;
- Paragraph 2 of the Policy for Determining Film Classifications should read Bromsgrove District Council and not Redditch Borough Council as shown.

The Licensing Manager informed the Committee that the Licensing Authority had the right to classify films that were shown in premises licensed under the Licensing Act 2003. The Licensing Manager responded to questions from Members' on the type of films to be shown. Members agreed that whilst applications may be rare, a policy should be approved as there appeared to be an emerging trend and an increase in film festivals.

RESOLVED:

- (a) that subject to the amendment to the policy as detailed in the preamble above, the Policy for Determining Film Classification be approved;
- (b) that responsibility for the authorisation of films which have not already been classified by the BBFC be delegated to the Director of Planning and Regeneration, Regulatory and Housing Services; and
- (c) that the Licensing Committee be informed of any applications for film classifications received and decided by the Director of Planning and Regeneration, Regulatory and Housing Services

26/10 **SCRUTINY BOARD STREET TRADING CONSENT 6 MONTH REVIEW UPDATE**

The Committee considered a report which provided an update on the review of the Street Trading Consent Policy undertaken by the Scrutiny Board.

The Senior Solicitor informed Members that in order to respond to questions from the Scrutiny Board on the Street Trading Consent Policy she, together with the Portfolio Holder for Regulatory Services, the Licensing Committee Chairman and the Licensing Manager had attended the Scrutiny Board meeting held on 26th October 2010. No recommendations had been received from the Scrutiny Board review of the Street Trading Consent Policy.

The Senior Solicitor and Licensing Manager responded to questions from Councillor B. Lewis F.CMI with regard to Bromsgrove District Council's fee structure and the fees charged by Worcester City Council for Street Trading applications. Councillor Mrs. J. M. L. A. Griffiths expressed concerns that the Licensing Committee should receive any information on fees and charges for 2011/2012 in good time in order for any possible recommendations to be fed

into the process for the 2011/2012 fees to be agreed by Cabinet and Full Council.

The Senior Solicitor responded to Members concerns and agreed to provide the following information to the next meeting of the Licensing Committee:-

- Fees and Charges for Street Trading of neighbouring authorities for comparison purposes;
- Details of Worcester City Council fees and charges for Street Trading including applications for both static and mobile units;
- Details of when the Council's Street Trading Consent Policy was due for review.

Members also indicated that it would be helpful if the Portfolio Holder could be requested to attend the next meeting of the Licensing Committee when this issue would be discussed.

RESOLVED:

- (a) that the Scrutiny Board's consideration of the matter as detailed in section 4 of the report be noted;
- (b) that it be noted that there were no specific recommendations from the Scrutiny Board; and
- (c) that further information as detailed in the preamble above be received at the next meeting of the Licensing Committee, and
- (d) that, if required, the Committee Services Officer be tasked to arrange a special meeting of the Licensing Committee.

The meeting closed at 6.45 p.m.

Chairman