

## LICENSING COMMITTEE

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**DRAFT MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 27 APRIL 2015 AT WEST WILTSHIRE ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

**Present:**

Cllr Pip Ridout (Chairman), Cllr Desna Allen (Vice Chairman), Cllr Allison Bucknell, Cllr Dennis Drewett, Cllr Sue Evans, Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans and Cllr Bill Moss (Substitute - Part II)

**Also Present:**

Tracy Daszkiewicz (Public Health Specialist), Linda Holland (Public Protection Team Leader), Cllr Peter Hutton (Portfolio Holder) and Lisa Pullin (Democratic Services Officer)

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**1 Apologies and Substitutions**

Apologies were received from Councillors Blakemore and Jacobs and from Paul Taylor (Senior Solicitor). Councillor Moss was substitute for Councillor Jacobs.

**2 Minutes**

The minutes of the meeting held on 8 December 2014 were presented to the Committee.

**Resolved:**

**That the minutes of the meeting held on 8 December 2014 be approved and signed as a correct record.**

**3 Chairman's Announcements**

The Chairman made the following announcements:

Sub Committee Hearings

There were a number of proposed Sub Committee hearings in the pipeline and Lisa would speak to members after the meeting to check their availability to attend on any of these hearings.

So that all Members gain practical on going experience of Sub Committee hearings, Democratic Services will now ask for a fourth reserve member for each hearing. That Member will be asked to attend the briefing, hearing and deliberations so that they could step in at the last minute if required and gain relevant experience. So you may be asked to be a reserve Councillor for forthcoming hearings!

*Members asked officers to consider scheduling a monthly Sub Committee hearing date into the diaries. Officers agreed to look at this, but this would not always work as deadline hearing dates occur at different times throughout the month.*

#### Training

Training requirements for the Committee will be considered after May 2015 when the membership is confirmed. Two of our Members have left the Council and so their places will be filled at Annual Council.

#### 4 **Declarations of Interest**

There were no declarations of interest.

#### 5 **Public Participation**

No questions had been submitted from the public prior to the meeting and there were no members of the public present at the meeting.

#### 6 **Minutes of the Licensing Sub Committees**

The draft Minutes of the following Sub Committees were presented for consideration.

Eastern Area – 19/01/15 - Application for a Variation of a Premises Licence in respect of Central Stores, 47 Hillworth Road, Devizes.

Northern Area – 26/11/14 – Application for a Premises Licence made by SN15 Leisure Ltd in respect of SN15, 17a Station Hill, Chippenham.

Western Area – 24/03/15 – Application for a Review of a Premises Licence in respect of Favourite Chicken and Ribs, 3 Market Street, Trowbridge

**Resolved:**

**That the minutes of the meetings detailed above be approved and signed as correct records.**

7 **Briefing Note - Deregulation Bill and Legislative Reform**

Linda Holland (Public Protection Team Leader) gave details of the Deregulation Bill and Legislative Reform (Entertainment Licensing) Order 2014 which came into force on 6 April 2015. It added more exemptions to The Licensing Act 2003 relating to regulated entertainment.

Linda reported that the intention of the deregulations was to:

- to remove bureaucracy and cost from community entertainment activities and strengthen creativity and community participation;
- to make it easier for schools, community groups and civil society organisations to put on cultural and sporting events by removing them from the entertainment licensing regime, and
- to grow the creative economy and remove burdens from small and medium businesses.

The impact for the Council of the deregulations could be that there are more Sub Committee hearings required and Members could receive more concerns/complaints from their constituents.

One of the consequences of these changes is that, where a licence includes conditions that relate specifically to something that is now deregulated, those conditions are deemed to be suspended between the hours of 08:00 and 23:00. For example, a condition requiring doors and windows to be kept closed to prevent noise 'breakout' from recorded music will not be enforceable between 08:00 and 23:00.

This would probably create more work for colleagues in the Noise Pollution Teams to deal with complaints.

However, the Licensing Authority, on considering an application for the review of a premises licence or club premises certificate, may determine that the suspension of conditions be lifted, or if such conditions are not on the licence, it may apply those conditions. This provision does provide a degree of safeguard to local communities; however there remain some potential implications arising from the deregulation.

Linda added that the changes were being highlighted through the Pubwatch meetings and the promotion of the changes was to be low key. The changes agreed were more substantial than the Licensing Team was expecting and if Members had any feedback or concerns then they should speak to an Officer in

the Licensing Team. An update on the impact of the changes would be reported at the December 2015 meeting.

Councillor Peter Hutton, Portfolio Holder stated that a Briefing Note would be made available for Members which would contain FAQs that Members may get asked about the changes. He also wished to give a vote of thanks to the Licensing Team in their recent temporary reduction in staff following a road traffic accident involving two staff members.

Committee Members asked a number of questions and it was agreed that when adding conditions relating to noise at Sub Committee hearings, consideration be given to use appropriate wording so that there were not dis-applied.

**Resolved:**

**To note the information given in the Deregulation Bill and Legislative Reform Briefing Note.**

**8 Gambling Policy Statement of Principles - Update**

Linda Holland (Public Protection Team Leader) presented a report which gave background information on the new proposed Statement of Gambling Principles.

She highlighted the following:

- The draft Statement had been modernised and there were very few changes from the previous Statement;
- There are 60 gambling premises in Wiltshire with about 39 of those being betting shops. There are no casinos or private gambling clubs;
- Only 2 complaints about licensed gambling premises had been received in the last year;
- Officers would arrange to carry out an extensive public consultation process over a 12 week period to consider the views of those affected and the public of Wiltshire;
- Following this, consideration would be given to any suggested changes and then the final draft of the Statement would be presented to the Licensing Committee at the September meeting and this would then be recommend for final approval I at Council in November;

- Committee Members were encouraged to respond to the consultation and ask all in their groups to do so during the consultation period; and
- Online gambling was not in the control of the Local Authority and so as not to encourage a debate about matters out of our control, details of the Gambling Commission would be provided in response to any concerns about online gambling.

**Resolved:**

**That the Licensing Committee:**

- 1. Requests Officers to carry out a 12 week consultation process on the proposed Statement of Gambling Principles 2015-2018.**
- 2. Note that at its meeting in September 2015, the Committee will be required to consider commending for approval the finalised Statement of Gambling Principles to Full Council.**

**9 Dates of Future Committee Meetings**

Members noted the dates of future meetings of Licensing Committee as detailed below, all to start at 10.30am:

Monday 1 June 2015

Monday 7 September 2015 (*Following the meeting the date of the September meeting was changed to Monday 21 September 2015*)

Monday 7 December 2015

Monday 1 February 2016.

**10 Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30am – 11.35am)

The Officer who has produced these minutes is Lisa Pullin, of Democratic Services, direct line 01225 713015, e-mail [lisa.pullin@wiltshire.gov.uk](mailto:lisa.pullin@wiltshire.gov.uk)

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