

Minutes of Licensing Committee

Meeting Date: Tuesday, 16 March 2010 starting at 6.30pm
Present: Councillor Holgate (Chairman)

Councillors:

P Ainsworth	C Ross
S Brunskill	J Waddington
R Croasdale	N C Walsh
R Hargreaves	

Also in attendance: Legal Services Manager, Community Development Officer and Licensing Enforcement Officer

861 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors J Alcock, S Hore, C Punchard, M Sutcliffe and M Thomas

862 MINUTES

The minutes of the meeting held on 17 November 2009 were approved as a correct record and signed by the Chairman.

863 MATTERS ARISING

The Legal Services Manager referred to Minute 576 of Committee dated 17 November 2009 and reported that the Gambling Commission had recently published a paper on “running a lottery” which was useful when looking at the question at how to run race nights from licensed premises, copies were supplied to Members.

864 DECLARATIONS OF INTEREST

There were no declarations of interest at the meeting.

865 PUBLIC PARTICIPATION

There was no public participation.

866 REFERENCES FROM OVERVIEW AND SCRUTINY COMMITTEE

There were no references from Overview and Scrutiny Committee.

867 ANNUAL FEES AND CHARGES – HACKNEY AND PRIVATE HIRE LICENCES

The Legal Services Manager presented a report asking Committee to determine the annual fees for hackney carriage and private hire vehicle licences and to alter the date when a private hire operator’s licence required renewal.

She gave details of the current level of fees charged (2009) and a list of recommended charged for 2010. She reminded Committee that these fees had generally been raised by the rate of inflation. The only exception in the proposals was the charge for licence plates and brackets, brackets would remain at £22.25 whilst plates would be charged at cost plus by 10%; she explained the reason for this variation.

Committee also was asked to consider altering the date that operator's licences expired. The operator's licence was granted annually, normally from 1 December, but she explained that this date created problems for two reasons. Firstly it coincided with the date of the Register of Electors with the same staff dealing with the two issues, and secondly the date as it fell shortly before the Christmas season created little opportunity to remedy any problems with the application. It was recommended therefore that the renewal for 2010 should be put back to 1 February 2011 and the renewal to be on 1 February each year thereafter.

RESOLVED: That Committee

1. agree to increase the current fees as now set out;
2. agree to move the renewal date for operator's licences to 1 February each year with effect from the next financial year 2010/11.

868 REVISION OF GAMBLING ACT STATEMENT OF PRINCIPLES

The Legal Services Manager referred to Minute No. 576 wherein Committee had reviewed the Council's licensing statement of principles on gambling as required by the Gambling Act 2005. The statement approved by Committee had then formed the basis of a consultation exercise. As a result of that exercise there had been only one response received which was attached to the report. Once the gambling statement was approved by this Committee the statement would then be referred to Policy and Finance Committee and then on to Full Council.

RESOLVED: That Committee

1. note the consultation response received; and
2. make no revision to the Gambling Act Statement and refer this to Policy and Finance Committee for their consideration.

869 ANNUAL TAXI MEETING

The Legal Services Manager sought Committee's views on the content and timing of the annual taxi meeting for 2010.

She reminded Committee that the purpose of the annual taxi meeting was to provide an opportunity for communication between the Council and those holding licences issued by the Council.

Committee were asked the following questions:

1. whether they had any items for the annual taxi meeting agenda;
2. whether the annual taxi meeting should be held on the same evening as a Licensing Committee; and
3. whether the Legal Services Manager should invite an appropriate officer from the Lancashire County Council to speak to about taxi ranks in the Borough.

Members then discussed these questions in some detail.

RESOLVED: That Committee

1. agree that the annual taxi meeting be held at the end of the next meeting of this Committee in June 2010;
2. agree to raise the issue of the speeding of taxis around Clitheroe and Longridge and invite a police representative to the meeting; and
3. invite Martin Nugent or other appropriate County Council officers to attend this meeting to discuss the question of taxi ranks in the Borough.

870

CAMPAIGN FOR MINIMUM PRICES FOR ALCOHOL

The Legal Services Manager informed Committee of a request made to the Chief Executive to consider joining a joint initiative with North West local authorities to establish a minimum unit price for alcohol by means of a by law.

The proposal sought support for establishing a minimum unit price of 50p per unit for the sale of alcohol. The proposal was based on using general powers that local authorities had to make by laws to address the specific issue of alcohol related harm to health. However, in general terms the purpose of by laws related to public order matters rather than public health matters. There could therefore be problems in seeking to achieve an objective by a route which was not primarily intended to achieve that objective. In addition the Local Authority Commission on Regulatory Service (LACORS) had taken advice from the Office of Fair Trading about possible anti competitive effects of such a proposal.

The issue of imposing minimum prices raised a number of complex issues on costs being only one factor in alcohol related harm. Whilst the North West had a disproportionate number of alcohol harm related incidents the experience of implementing the Licensing Act within the local authority's area had been in general successful and there was little or no evidence of areas of excessive public disorder related to alcohol consumption.

The Community Development Officer also informed Committee that Blackpool Council were conducting some research into minimum pricing which had been

sponsored by the Centre for Public Scrutiny. He also highlighted an imminent presentation which had been requested by Overview and Scrutiny Committee on alcohol harm reduction which would contain alcohol related crime figures and accident and emergency admissions which were alcohol related.

RESOLVED: That Committee advise the Chief Executive that they do not wish to support the use of existing powers to create a by law on minimum prices for alcohol.

871 ALCOHOL HARM REDUCTION INITIATIVES

Committee received a joint presentation from the Community Development Officer and the Licensing Enforcement Officer informing Members of a number of initiatives aimed at reducing alcohol harm in Ribble Valley. All of these initiatives were supported by and in some cases funded by the Ribble Valley Community Safety Partnership. The initiatives included:

- pub watch;
- diversionary tactics for young people;
- alcohol awareness initiatives;
- other initiatives/campaigns where funding permitted.

Members then asked a number of questions of both officers and welcomed the work currently being done by pub watch and the Community Safety Partnership on both diversionary tactics and awareness raising.

RESOLVED: That the report be noted.

872 CHANGES PROPOSED BY THE CRIME AND SECURITY BILL AND ARISING FROM THE POLICING AND CRIME ACT

The Legal Services Manager informed Committee of proposed changes contained within the Crime and Security Bill relating to the power to impose blanket bans on sale of alcohol after 3am and to inform Committee of changes which had been made via the Policing and Crime Act 2009 Section 33 which affected the role of Councillors as interested parties.

In relation to blanket bans the Legal Services Manager explained that the procedure would require local authorities to advertise the proposed Order and consult those affected. There would then be a requirement to hold a hearing if representations were received. At this stage there were very few premises in this Authority's area which had licences which ran between 3am and 6am and, where problems existed in relation to those premises they were, in general, well managed by the operators.

In relation to interested parties she explained that the Licensing Act 2003 had been amended to expand the definition of an interested party to include Councillors as long as they were Members of the Licensing Authority. That change had helped to address the dissatisfaction that Members had felt with the way that legislation was originally put into operation. Finally she commented that if Members had any queries about making representations on a particular

application they should address these in first instance to the Council's Administration and Licensing (Alcohol and Entertainment) Officer or the Legal Services Manager.

RESOLVED: That Committee note the proposed changes contained in the Crime and Security Bill and the changes made to the Licensing Act in consequence of the Policing and Crime Act.

The meeting closed at 7.36pm

If you have any queries on these minutes please contact Diane Rice (414418).

(160310)