

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON 25 JULY 2006

Councillors: Andrew Rowles (*Chairman*) (P), Peter Argyle (AP), Billy Drummond (P), John Farrin (*Vice-Chairman*) (P), Geoff Findlay (P), Manohar Gopal (AP), Sally Hannon (AP), Roger Hunneman (P), Owen Jeffery (P), Tony Linden (AP), Mrs Irene Neill (P), Alexander Payton (AP), Quentin Webb (P)

PART I

24. APOLOGIES.

Apologies for the inability to attend the meeting were received on behalf of Councillors Peter Argyle, Manohar Gopal, Sally Hannon and Tony Linden.

25. MINUTES.

The Minutes of the meetings held on 31 January 2006 was approved as true and correct records and signed by the Chairman. (It was noted that there was a correction to be made for spelling mistake at the bottom of page 1 of the minutes).

26. DECLARATIONS OF INTEREST.

None.

27. LICENSING ACT 2003.

Brian Leahy presented performance details on the progress achieved by the Council in implementing the Licensing Act 2003. Despite most applications being submitted in the final weeks of the grandfather period, all outstanding licences had been issued and all current variations and amendments were being dealt with in the prescribed period. See Table 1 for details.

Table 1

7th February 2005 to date

visits to premises	416
premises licences issued	509
variations to premises licences	26
personal licences issued	652
TEN's approved	406
TEN's voided	19

Brian Leahy also provided an estimate of workloads expected during 2006/07. See Table 2 for details.

Table 2

Projections for 2006/7

Visits to premises	1000
Premises licence applications	25
Variations	30
Personal licence applications	50
TEN's	1500

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Although it was still early in the current cycle it was thought that there were sufficient resources available to meet the projected workload. However, it may well be necessary to adjust the resources to meet the administrative workload associated with processing a large number TEN's.

Following a short discussion by Members on the report, Councillor Geoff Findlay provided details of a DCMS study that had just been reported covering 10 large licensing authorities. All authorities had experienced the same heavy backloading of applications close to the final 6 August 2005 deadline. However, the Act was thought to have engendered:

- Better engagement of residents in the licensing process
- Good use of mediation to avoid hearings where possible
- Helped to turn round premises with a history of disorder
- Improve partnership working between licensing authorities, responsible authorities, local trade and residents.

On July 5 the Minister announced that the Government would seek to remove the requirement for village halls and other community venues to have a designated premises supervisor. A clarification that a Personal Licence holder does not have to supervise directly each sale of alcohol.

There would be a Consultative Document issued in the autumn that was considering the review of Guidance and options. Changes to the Act itself were not expected.

Members agreed there was no immediate need to review the Council's Licensing Policy.

28. DISABLED AWARENESS TRAINING FOR HACKNEY CARRIAGE DRIVERS.

At the Licensing Committee meeting on 31st January 2006, Members considered a report on disability awareness training and asked officers to further research such training.

Brian Leahy reported that officers had approached the Newbury Day Centre and discussed training with the Operational Manager. Training was available in the form of "Equality and Diversity Training" which contained not only disability awareness but expanded upon those issues and had in fact replaced disability awareness training within social care services. The course was of one-day duration and cost £60 per delegate.

An approach had also been made to an independent trainer. This person offered two types of training:

- The first was disability awareness training that dealt purely with education and etiquette where disabled persons were being transported. The training was generic but offered no advice on the physical aspects of loading or assisting disabled persons. This course costs approximately £20 per person and lasts for a half day.
- The second training option offered practical and etiquette training and was carried out in partnership with Pre Med Health Care. This training costs in the region of £30 per person per full days training, with a maximum attendance of 20 persons.

Members entered into a lively debate and raised a number discussion points summarised as follows:

- There was full support for introducing disabled awareness training for all taxi drivers

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- It was agreed a phased implementation was appropriate and the scheme should start with new drivers
- The scheme would need to be self financing with training costs being met by drivers
- A training attendance certificate should be issued on completion of training and that an attendance certificate would become eventually (date to be agreed) a condition of issuing a taxi driver's licence.

29 GAMBLING ACT 2005

The Gambling Act 2005 repeals the Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusements Act 1976 and creates a new system of licensing and regulation for commercial gambling in this country. Amongst other changes, it gives to local authorities new and extended responsibilities for licensing premises for gambling. In some cases such as gambling arcades, these build on existing responsibilities. but in other major areas, including betting, casino gaming and bingo, they transfer to local authorities responsibilities which previously lay with licensing justices.

The new Act comes fully into force in September 2007. In preparation, each licensing authority is required to develop, consult on and publish a statement of its licensing policy.

Like the Licensing Act 2003, the Gambling act has licensing objectives that are:

- Preventing Gambling from being a source of crime and disorder, being associated with crime and disorder, or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

West Berkshire's policy development timetable was as follows:

- Working Group to produce full draft policy for the Licensing Committee at the meeting on 14 September 2006 to discuss and approve
- To be followed by 11-12 week consultation period with stakeholders and interest groups
- Working Group to produce the final policy document based on consultation feedback for early December 2006
- Final policy document to be approved by the Licensing Committee and full Council by 14 December 2006 and the publishing of the policy statement by 3rd January 2007.

The act will become operational as follows:

- 31st January 07 – start of transitional period: advance applications for premise licences and permits.
- 28th April 07 – Last date for applications under former legislation.
- 28th April 07 – Deadline for continuation rights – advance applications for premise licences and permits to be submitted by this date.
- 31st August 07 – Deadline for grandfather rights – advance applications for premise licences and permits to be submitted by this date.
- 1st September 07 – Act goes live, old licences fall away, continuation rights activated, provided 28th April application deadline met.

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It was expected that Members would be required to give a view on contentious applications but the volume of such applications was expected to be low.

Next meeting of the Licensing Committee was set for Thursday 14 September in the Council Chamber with an earlier start time of 6.00 p.m. The Committee meeting would be followed by a Member development session in Committee Room 1 to provide training on licensing considerations relating to outdoor events and noise control.

(The meeting commenced at 6.30 p.m. and closed at 7.55 p.m.)

CHAIRMAN

Date of Signature: