

Minutes of a meeting of the **COMMITTEE OF THE LICENSING AUTHORITY** held in the Meeting Room 1, Council Offices, Priory Road, Spalding, on Tuesday, 22 April 2014 at 6.35 pm.

PRESENT

M G Chandler (Chairman)
F Biggadike (Vice-Chairman)

A Casson
P E Coupland
G K Dark

D J Wilkinson
R J H Creese
R M Rudkin

R Perkins

In attendance: The Licensing Manager, Nr D Naghen (Maples Solicitors) and the Member Services Support Officer

Apologies for absence were received from Councillor C J Lawton

7. DECLARATION OF INTERESTS

There were none.

8. MINUTES

The minutes of the meeting held on 19 November 2013 were signed by the Chairman as a correct record.

9. A CONSULTATION ON FEES UNDER THE LICENSING ACT 2003

Consideration was given to the report of the Assistant Director of Commissioning on the Consultation on fees under The Licensing Act 2003.

The Government was committed to cutting red tape within the licensing regime for responsible businesses. They had recently reduced regulation on live music and had also brought forward additional proposals for further deregulation of entertainment and removal of burdens on late night refreshment providers as well as reduction of the burden on the personal licence holder.

As part of the Government's proposal to rebalance the Act, they recognised that some Licensing Authorities faced significant deficits in carrying out the licensing function, as the fee levels had remained unchanged since the implementation of the Act in 2005.

The Government introduced provisions within the Police and Social Responsibility Act 2011 to enable local fees to be based on cost recovery, a cap on fees had however been introduced. A consultation on the proposed cap on fees ran between February 2014 and 10 April 2014. The Licensing Team had sent a response to the consultation to the Home Office supplying answers to the 29 questions included, a

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copy of which, had been appended to the report. The Licensing Manager advised members that a response to the consultation was anticipated by the end of 2014.

DECISION:

That the formal response sent to the Home Office providing answers to the questions posed within the consultation be noted.

**10. THE INTRODUCTION OF A CODE OF PRACTICE FOR OFF LICENCES IN
SOUTH HOLLAND**

Consideration was given to the report of the Assistant Director of Commissioning on the introduction of a Code of Practice for Off Licences within South Holland.

The proposed introduction of a Code of Practice for off licences arose as a result of discussions into the introduction of a Cumulative Impact area within Spalding, which for varying reasons did not proceed.

The Safer Spalding Project was a partnership between South Holland District Council – Licensing and Community Safety, Lincolnshire Police Community, Lincolnshire County Council Licensing Team, Lincolnshire Trading Standards and the Spalding Branch of the Lincolnshire Chamber of Commerce. The group was formulated to assist with issues around street drinking and underage sales, initially within Spalding Town Centre.

The proposed initial plan was to introduce a document as a voluntary code of good practice for all off licences within the current DPPO (Designated Public Place Order), which covers Spalding Town Centre. It was hoped that should the voluntary code prove a valuable tool to support the licensing objectives it may be expanded to cover all off licences within South Holland District.

A number of aspects within the proposed code were currently being used effectively in other authorities and should it be accepted within the DPPO it would be a valuable guide should any off licence fall foul of the principles. Relevant parts of the code may be added as conditions to offending premises' licence as a minor variation or following a review of a premises licence.

The Chairman advised members of the committee that should the Code of Practice be approved by the Committee of the Licensing Authority, Lincolnshire Trading Standards would publish it for distribution to all licensed premises within the DPPO. Once launched it was hoped that it would be well publicised within local papers, radio and speaking to individual retailers.

Members agreed that the document was very comprehensive and hoped would prove valuable to retailers, and give confirmation to those responsible retailers that they were adhering to good practice.

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Concerns were raised by members on signage to shop frontages and off licences within Town Centres and requested that suggestions be made to individual premises with regard to the design and style. It was noted some members of the committee that this issue had been raised at Spalding Town Forum and the Policy Development Panel, advice was that there was little within Planning Policy that meant anything could be enforced.

DECISION:

That the Committee of the Licensing Authority give full approval of the Code of Practice for Off Licensed Retailers.

11. **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.**

There were none.

(The meeting ended at 7.34 pm)

(End of minutes)