

Minutes of a meeting of the **COMMITTEE OF THE LICENSING AUTHORITY** held in the Meeting Room 1, Council Offices, Priory Road, Spalding, on Tuesday, 19 April 2016 at 6.35 pm.

PRESENT

A Harrison (Chairman)

F Biggadike
T A Carter
A Casson
M G Chandler

G K Dark
C J Lawton
J Tyrrell
M D Booth

H Drury
M J Pullen
E J Sneath

In Attendance: Shelley French (Democratic Services Support Officer) and Donna Hall (Licensing and Business Support Manager).

Apologies for absence were received from or on behalf of Councillors R Clark, J L King and A M Newton.

18. DECLARATION OF INTERESTS

There were none.

19. MINUTES

The minutes of the meeting held on 10 February 2016, were agreed as a correct record.

20. LICENSING AUTHORITY UPDATE

The Licensing and Business Support Manager provided the Committee with an update on the work undertaken, by the Licensing Team, in relation to the Licensing Authority and the functions that sat beneath it.

A document was circulated to members that provided details of the work undertaken by the team during the period 1 January 2016 – 31 March 2016 (Quarter 4): (detailed below)

Licence Type	Activity	Number in Q4
Licensing Act 2003		
Premises Licence	Annual Fee	26
	Applications	1
	New Applications	1
	Minor Variations	2
	Variation Applications	10
	Vary DPS	3
	Transfer/Vary DPS	2
	Transfer Applications	8
	Replacement licence	19
	Suspension	15

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	Applications Suspension lifted	
Club Premises Certificate	Annual Fee Applications Suspension Applications Suspension Lifted	4 3 1
Personal Alcohol Licence	New Applications Change name/address Lost/Stolen	11 10 3
TEN – With Alcohol	TEN Applications	30
TEN – No Alcohol	TEN Applications	2
Late TEN – With Alcohol	TEN Applications	4
Gambling Act 2005		
Betting Premises Licence	Annual Fee Applications	1
Licensed Premises Gaming Machine Permit	Annual Fee Application	1
Club Machine Permit	Annual Fee Application	1
Small Society Lotteries	Annual Fee Applications Change of Promoter New Applications Returns Received	16 5 3 13

Inspection Intervention	or	Number in Q4
Licensing Act 2003 premises		26 (of which 16 compliant) (of which 25 without notice)
Panel Hearings		Outcome
Jan - Objection to a TEN (Loaded)		Counter notice issued
Jan – Objection to a TEN (Loaded)		Conditions attached
Jan – Variation of a premises licence (Loaded)		Adjourned
Jan – transfer premises licence and vary DPS (Winsover Off licence)		Granted
Jan – review of premises licence (Nasza Biedronka)		Revocation

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Feb – Review of premises licence (Gosberton Market)	Revocation
Feb – review of premises licence (Winsover Off Licence)	Revocation
Feb – Review of premises licence (Baltic)	Revocation
Appeals	Lodged
	Scheduled Date
Nasza Biedronka	13 June 2016 Full hearing
Baltic	11 May 2016 Directions hearing
Winsover Off-Licence	11 May 2016 Directions hearing
Other Work	
New Gambling Act Statement of Principles	
New Licensing Act Statement of Principles	
Member Training – General and Panel Hearings	
Complaints and advice	

The document showed the volume of work the Team undertaken, which included a large number of Temporary Event Notices that needed to be processed and ensuring annual fees were paid. Inspections that officers had recently been done showed that several premises were not {complaint} [compliant] – amended by Committee of the Licensing Authority on 14/07/16 with their licences, however, none of the breaches were significant and officers worked with premises licence holders and designated premises supervisors to ensure compliance. To help with the volume of inspections that were needed, an officer from the Environmental Health Team had been trained to assist, further ways of increasing inspections were being investigated.

The Committee noted that the Licensing Team achieved a large volume of work during Quarter 4, especially as it was a small Team within the Authority.

Members requested that future reports include; details of the number of licenced premises within South Holland, and what complaints had been received regarding licenced premises.

21. FEEDBACK FROM CUMULATIVE IMPACT MEETING

The Portfolio Holder for Strategy, Governance and Public Protection and member of the Committee of the Licensing Authority, Councillor M Chandler provided information regarding a meeting which had taken place regarding a Cumulative Impact Policy for Spalding. A briefing note regarding the meeting was attached at agenda item 5, for information.

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Councillor Chandler advised that the position of Lincolnshire Police was likely to be less supportive of a Cumulative Impact Policy as it had been in the past, due to a likely reduction in reported incidents. The Licensing and Business Support Manager was undertaking some work on this area and it was hoped that there would be report available in October 2016.

The Licensing Act 2003 was now over 10 years old and it was in the opinion of Councillor Chandler that it was important for the Government to review the Act as it stood, it was felt that it did not fit today's requirements.

It was noted that the Policy Development Panel had wanted to form a Task Group to look at a way forward for a policy on limiting the number of off-licences within South Holland. Councillor Chandler advised that he was attending that meeting to advise the Panel of the current law surrounding the issue of licences and any policy that the authority wished to make.

22. PUBLIC SPACE PROTECTION ORDER

The Licensing and Business Support Manager was in attendance to update members on the ongoing work surrounding Public Space Protection Order (PSPO) for Spalding.

The Committee were reminded that Spalding currently had a Designated Public Place Order (DPPO) in place. This was due to expire in October 2017 and work had commenced to look at replacing the DPPO with a PSPO.

The PSPO would deal with public nuisance (falling under specific criteria) and problem areas that cause disruption to those who reside, work or use an area.

Under the Legislation it meant that not only Police officers could issue fixed penalty notices for members of the public found creating nuisance within the PSPO criteria, but authorised local authority officers were also able to.

Members were advised that a consultation was underway, which was due to finish on 20 May 2016, the Communities Manager was leading on this consultation. Those ward members whose wards were affected by the proposed area should have been contacted.

A plan of the proposed area was circulated to members, after some consideration it was agreed that the proposed area was needed to be extended. The Chairman agreed to meet with those members who wished to feed into the consultation on the proposed area for the PSPO and feed back to the Communities Team.

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AGREED:

That the Chairman meet with those members who wished to feed into the consultation, and the proposed area for the PSPO, and this be fed back to the Communities Team.

23. PROFESSIONAL LICENSING PRACTITIONERS QUALIFICATION

The Chairman, Councillor Angela Harrison and Donna Hall, Licensing and Business Support Manager, had recently undertaken the Professional Licensing Practitioners Qualification at the Institute of Licensing, which they had both passed.

The Chairman highlighted the areas which formed part of their work; Licensing Act 2003, Gambling Act 2005, Taxis, Sex Establishments and Scrap Metal Dealers Act 2013. Sessions were led by industry experts, who provided a wealth of knowledge.

It was noted that one of the outcomes from the training was that they were confident in the practices and procedures at South Holland.

The Committee congratulated both the Chairman and Donna Hall on their success.

24. PANEL OF THE COMMITTEE OF THE LICENSING AUTHORITY TRAINING

The Chairman advised that the feedback from the training held for the Committee on 19 April 2016, had been collated and the results were very positive.

Those members who attended the training felt that it had been an extremely informative and worthwhile day, especially the mock panel, which gave members a taste of how a panel worked. Members were particularly impressed with Daven Naghen (Maples Solicitors, Spalding), who facilitated the training, they felt his knowledge and approach was exceptional.

The Committee agreed that it would be useful to have a second day, which would cover the taxi licensing aspect, again with a mock panel, as the one already held was in relation to a premises under the Licensing Act 2003.

25. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.

There were none.

(The meeting ended at 8.10 pm)

(End of minutes)