

Minutes of a meeting of the **COMMITTEE OF THE LICENSING AUTHORITY** held in the Meeting Room 1, Council Offices, Priory Road, Spalding, on Wednesday, 1 February 2023 at 6.30 pm.

PRESENT

J Tyrrell (Chairman)
P A Redgate (Vice-Chairman)

A C Beal
M D Booth
A Casson

G T D Rudkin
G P Scalese
A R Woolf

C N Worth

In Attendance: The Head of Public Protection and Licensing Officer, the Assistant Licensing Officer and the Democratic Services Assistant.

Apologies for absence were received from or on behalf of Councillors F Biggadike, H J W Bingham and J L King

5. **MINUTES**

Consideration was given to the minutes of the meeting held on 29 June 2022.

AGREED:

That the minutes of the meeting be signed as a correct record.

6. **DECLARATION OF INTERESTS**

There were none.

7. **COMMITTEE OF THE LICENSING AUTHORITY UPDATE**

The Licensing Officer presented an outline of changes to the S182 guidance that had been updated on 20 December 2022:

- Terms of right to work and entitlement
 - EEA Citizens were now required to provide right to work evidence via an eVisa code, generated by the Government's online immigration checking service for the right to work in the UK.
- Lessened burden on persons operating an alcohol delivery service
 - Wording changed to 'May consider contacting their Licensing Authority' in relation to operating a service within an operating schedule.
- Closure Notices
 - Detailed information was now provided in the guidance around Closure Notices.
- Clarification around Home Office Immigration Enforcement and Clubs.
 - Home Office Immigration Enforcement was not the responsible authority in relation to club premises certificates.

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AUTHORITY - 1 February 2023**

- Updates to TENs statutory limits
 - 2022-2023 – TENs limits are increased from 15 to 20.
 - The maximum duration of a TEN remained at 168 hours or 7 days.
 - Maximum number of events authorised for an individual premises was increased from 21 days to 26 days.
- Clarification that there was no right of appeal for late TENs following objection by the police or EHOs.
- Clarification that full variations should not be used to “vary substantially the premises to which the licence relates”
- Operating schedules should be converted to conditions which must be appropriate and proportionate for the promotion of the licensing objectives.
- Inclusion of ‘Agent of Change’ principle
 - An applicant for planning permission should be required to provide suitable mitigation before a development had been completed.
- Removal of Annex A documents that demonstrated entitlement to work in the UK.
- Licensing authorities must have regard to the s182 guidance, and it was binding on all licensing authorities to that extent.
 - Authorities must have good reason to depart from the s182 guidance.

Members raised the following points:

- What was the cut off date for TEN applications?
 - Officers confirmed that the cut off date for a TEN was 10 working days or 5 working days for a late TEN.
- Were there many TEN applications coming in?
 - Officers confirmed that there were lots of applications coming in for different events.
- Felt that planning and licensing applications should be linked.
 - Officers responded to say that Planning and Licensing were separate processes and were considered under different legal regimes. Planning applications would be determined first, Licensing afterwards.

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

There were none.

(The meeting ended at 7.18 pm)

(End of minutes)