

Minutes of a meeting of the **COMMITTEE OF THE LICENSING AUTHORITY** held in the Meeting Room 1, Council Offices, Priory Road, Spalding, on Tuesday, 28 October 2014 at 6.35 pm.

PRESENT

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

A Casson
P E Coupland

C J Lawton
D J Wilkinson

R M Rudkin
R Perkins

In Attendance: The Public Protection Manager and the Democratic Services Support Officer

Apologies for absence were received from Councillors G K Dark and A Harrison

2. DECLARATION OF INTERESTS

There were none.

3. MINUTES

The minutes of the meetings held on 22 April 2014 and 14 May 2014 were agreed as a correct record.

4. AMENDMENTS TO THE LICENSING ACT 2003

Consideration was given to the report of the Assistant Director Community on amendments to the Licensing Act 2003 and the proposed changes made by the Deregulation Bill.

The Deregulation Bill was with the House of Lords for consideration having completed all stages of readings and committees in the House of Commons. A commencement date was not yet known.

The Public Protection Manager was in attendance and provided an update to members:

- *Clause 52 introduces CANs (Community & Ancillary Sellers Notices) which are 36 month permissions for alcohol sales only, for consumption on the premises only provided the sales are ancillary to a community event or business. This would only be for up to 300 people between 7am and 11pm and a fee will be payable. Regulations would be made to provide more detail on these proposals.*

Action By

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- *Clause 53 of the Deregulation Bill proposes an increase on the annual limit of Temporary Event Notices (TENs) per premises from 12 to 15.*
- *Clause 54 of the Bill abolishes the requirement to renew personal licences issued under the Licensing Act 2003. Currently personal licences are issued for a period of 10 years with the first South Holland licences due for renewal in March 2015. However there have been hints that the regulations for this abolishment would not be available until April 2015.*
- *Clause 55 proposes to allow the sale of liqueur confectionary to under 16's which is currently an offence.*
- *Clause 56 proposes introducing a local discretion to exempt areas or types of business from requiring a licence for late night refreshment (the provision of hot food or drink between the hours of 11pm and 5am). Regulations will provide more details.*
- *Clause 57 removes the requirement to report lost or stolen licences to the police.*
- *Clause 58 proposes to remove community film shows from within the current definition of regulated entertainment. This would mean that not for profit film shows to fewer than 500 people between the hours of 8am and 11pm would not require a licence. Regulations will again provide more details on this.*

Members asked for a clearer definition of CAN's (Community & Ancillary Sellers Notices), the Public Protection Manager explained that a CAN was a licence that could last up to 36 months unlike a TEN (Temporary Event Notice) which had to be applied for each time an event was to take place. The idea was to assist small organisations such as charities or community groups that wanted to sell a small amount of alcohol at events but did not require a full premises licence. Members were concerned that a 'responsible person' did not have to be present when any event under a CAN was taking place, but did appreciate the benefits it would bring to small groups.

AGREED:

That the report be noted.

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5. LICENSING ACT 2003 - NEW MANDATORY CONDITIONS

Members gave consideration to the report of the Assistant Director Community on the Licensing Act 2003 – new mandatory conditions.

The Public Protection Manager was in attendance to advise members on a draft amendment order, the Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 which had been published and would bring into effect amendments to the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010. The 2010 order introduced a number of mandatory licence conditions applicable to premises licences and club certificates that banned certain drinks games and promotions, required premises to make free tap water available to customers, made age verification policies mandatory and introduced the requirement to make alcohol available in smaller measures.

The new mandatory conditions were scheduled to come into force on 1 October 2014, appended to the report was a summary of the changes.

The new mandatory conditions were in addition to the original conditions still in force from the Licensing Act 2003 and the mandatory condition relating to "permitted price" (the level of alcohol duty plus VAT below which alcohol cannot be sold or supplied), which came into force on 28 May 2014.

Members referred to the summary appended to the report and the Public Protection Manager highlighted the proposed amendments and advised that some of the amendments made certain conditions more definitive.

The Committee agreed that the requirement for licence holders to sell smaller measures of alcohol to customer was positive step forward.

AGREED:

That the report be noted.

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

The Chairman requested that the committee give consideration to the timing of meetings of the Licensing Committee and Committee of the Licensing Authority.

Members discussed suitable options for the change of meeting times, but agreed, as meeting dates were set in advance for the forthcoming municipal year they remain at the current times, but allowing for changes to be made should they be necessary.

AGREED:

That meetings of the Licensing Committee and Committee of the Licensing Authority remain at 6.30p.m. and 6.35p.m. (or immediately following the conclusion of the Licensing Committee whichever is the later) respectively and should circumstances arise that require a change to the time be accommodated on a case by case basis, given reasonable notice had been received.

(The meeting ended at 7.46 pm)

(End of minutes)