

Licensing Chairs report to full Council 16th April 2014

The Licensing committee met on the 10th April 2014

The Committee were briefed on the Governments Alcohol Strategy to ban below cost selling to tackle the availability of below cost alcohol. Subject to Parliamentary approval the ban was due to come into force on the 6th April 2014 as an additional mandatory condition on a premise licence and club premise certificate.

At the end of January 2014 the Government introduced to Parliament the Deregulation Bill which included six amendments to the Licensing Act 2003.

The six areas include the following:

Changes to the number of Temporary Event Notices permitted per year
an increase from 12 to 15.

Abolishment of Personal Licences.

The Government has withdrawn this item for further discussions with partners regarding their suggestions to further develop and tighten the existing system.

Liqueur confectionary sales now permitted to under 16s.

Late night refreshment exemptions.

Reporting of loss or theft of a licence.

It is no longer a requirement to report to the police the loss or theft of a licence before copies can be issued.

Exhibition of films in community premises.

It is no longer considered regulated entertainment if the following conditions are satisfied:

Prior written consent for the entertainment to take place at the community premises has to be obtained.

The entertainment is not provided with a view to profit.

The entertainment takes place in the presence of an audience of no more than 500 persons.

The entertainment takes place between 8am and 11pm on the same day.

Where recommendations have been made by either the relevant licensing authority or the film classification body, the admission of children is subject to such restrictions as are necessary to comply with the recommendation.

If both bodies make recommendations then those of relevant licensing authority are to be complied with.

The Local Government Association has issued a report “Open for Business: Rewiring Licensing” calling for a consistent, simple, system which can address the public’s and businesses concerns. It argues that business and council’s have to deal with an outdated and complex licensing system.

Every three years the council has to review its Sex Establishment Policy, it was last reviewed in February 2011.

The committee agreed to send out for consultation the council’s existing policy.

After the consultation period the committee will review the results, draw up a draft policy and present it to the next available full council meeting with recommendations for adoption.

The committee were briefed on consultation document received from the Home Office on fees under the Licensing Act 2003.

As part of the Governments proposals to rebalance the Licensing Act, they recognise that some licensing authorities face significant deficits in carrying out their licensing functions. The current fees were set nationally in 2005 and are based on the national non-domestic rateable value and have been unchanged since.

The chair and vice chair met with two licensing officers to discuss the councils response to the consultation, it was agreed that the current use of non-domestic rateable value bands as a criteria for variable fee amounts should be abandoned but felt that if the fees were set nationally councils would be less likely to be challenged.

Trevor Hambleton
Chair of Licensing