



LICENSING COMMITTEE

4.30pm – 5.30pm

8 December 2011

Present: Councillors Driver (chair), Banham, Haynes, Henderson, Jeraj, Kendrick, Sands (M), Sands (S), Thomas and Wright

Apologies: Councillor George, Stammers and Stephenson

1. MINUTES

RESOLVED to agree the accuracy of the minutes of the meeting held on 15 September 2011.

**2. POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011:
AMENDMENTS TO LICENSING ACT 2003**

The licensing manager presented the report and outlined the proposed amendments to the Act. In response to members' questions, he said that the reduced evidence burden from 'necessary' to 'appropriate' would probably apply to all applications whether grants, variations or reviews. He confirmed that members would be able to attend committee on behalf of their constituents, but not as an individual. He explained that Norwich did not have any existing alcohol disorder zones however financial penalties currently applied to street drinking. He was not aware of any persistent under age sales within Norwich. This was a function of Norfolk County Council's trading standards service, which periodically used test purchasers to identify any premises partaking in under age sales.

Councillor Sands (M) asked for clarification around the requirement for the licensing authority to take on a dual role of assisting with the preparation of an application as well as to make representation on an application. The Licensing manager said that he would seek government guidance on how the authority should proceed. He informed members that an officer that had assisted with an application should not be involved in the decision of that application.

RESOLVED to note the amendments to the Licensing Act 2003 contained within part II of the Police Reform and Social Responsibility Act 2011.

**3. CONSULTATION: DEREGULATION OF SCHEDULE ONE OF THE
LICENSING ACT 2003**

The licensing manager presented the report and outlined fundamental changes proposed to the current licensing regime. The proposed changes were currently out to consultation and aimed to reduce costs; stimulate activities by community groups; and to simplify the complex treatment of different types of entertainment.

Whilst the council currently took a proactive and preventative approach, the proposed changes could result in the council dealing with retrospective enforcement for example, reacting to complaints and responding to noise nuisance.

In response to members' questions, he said that premises and events would still require a licence to sell alcohol but would not require a live music licence or notify the authorities unless the audience were of 5,000 people or more. Members were concerned about the scale of such events. The licensing manager said that the large open space areas within Norwich were generally owned by Norwich City Council so this would minimise the misuse of the proposed licensing amendments. For other premises, capacity would be highlighted on the fire risk assessment. Mercy nightclub had the largest capacity within Norwich, at 2,500. Under the proposed legislation, the premises would only need an alcohol licence. Councillor Sands (M) also raised concern regarding reduced control over raves and that they could move closer to the city. The licensing manager confirmed that notification would no longer be required for such events (under 5,000 people).

Members welcomed the amendments which would mean that community centres would no longer need to go through the licensing process.

If the requirement to obtain a performance licence were to be removed completely (for audiences under 5,000), the council would seek guidance on how to deal with premises which currently had a licence to control noise.

RESOLVED to approve the response to the consultation 'Regulated Entertainment: A consultation proposal to examine the deregulation of Schedule One of the Licensing Act 2003, as contained within Appendix A of the report.

4. DATE AND TIME OF FUTURE MEETINGS

RESOLVED to note the future meeting dates.

5. STANDING ITEM - REGULATORY SUB COMMITTEE MINUTES

RESOLVED to note the minutes of the regulatory sub committee meetings held on 19 September 2011 and 17 October 2011.

CHAIR