

LICENSING COMMITTEE**4.30 p.m. - 5.45 p.m.****18 March 2010**

Present: Councillors Driver (Chair), Dylan (Vice-Chair), Banham, Blower, Divers (from Item 3) George, Hooke, Jago, Lay, Little (A), Llewellyn (from Item 3) and Stephenson

Apologies: Councillor Cannell

1. MINUTES

RESOLVED to agree the accuracy of the minutes of the meetings held on 17 September 2009 and 17 December 2009.

2. FITNESS TESTING OF HACKNEY CARRIAGE/ PRIVATE HIRE VEHICLES AND HACKNEY CARRIAGE/ PRIVATE HIRE DRIVER ASSESSMENTS

The Senior Licensing Officer presented the report and answered questions on the procurement process. A Driving Standards Agency (DSA) booklet was circulated detailing the procedural matters and content of the assessment.

In response to a question, the Senior Licensing Officer said when the service was operated by CityCare, any complaints made to the Licensing Department were mainly in respect of the availability of test dates and the costs, which were in excess of all of the new tender charges.

RESOLVED to:-

- (1) note the position and changes;
- (2) ask the Head of Procurement and Service Improvement to give consideration to the provision of consistent pricing across the test centres should the tender be awarded to multiple contractors;
- (3) ask the Senior Licensing Officer to advise the Committee of the name/s of the successful contractor/s when the new tender award is made to commence 1 July 2010.

3. REGULATION OF LAP DANCING CLUBS (POLICING AND CRIME ACT 2009)

The Senior Licensing Officer presented the report and circulated an email from the Home Office that had been received by the Chief Executive's Office detailing the responsibilities of Local Authorities when the legislation came into force from 6 April 2010.

There were three premises in Norwich that immediately fell within the new 'sexual entertainment venue' definition who would be required to apply for a Sex Establishment Licence. He explained the Licensing objectives, what member's responsibilities would be and the considerations they would need to take into account to control the provision of sexual entertainment establishments within the city.

In response to a question, the Senior Licensing Officer explained that Premises Licence applications were statutorily required to be advertised at the premises and in a local newspaper and in addition, members had agreed a policy of notifying local residents and businesses of applications received.

RESOLVED to:-

- (1) adopt the provisions introduced by section 27 of the Policing and Crime Act 2009 which provide for the regulation of lap dancing clubs following their commencement on 6 April 2010;
- (2) endorse the policy of local resident/business notifications used for Premises Licence applications for Sex Establishment Licence applications in addition to the statutory advertising requirements.

4. LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS) ORDER 2010

The Senior Licensing Officer presented the report and answered member's questions.

The Senior Licensing Officer explained how the aim would be to try to eradicate irresponsible alcohol promotions in premises in the City. He said the Police were very active in the City and that the Norwich Licensing Forum were aware of the changes in the legislation.

Councillor Little expressed concern that the responsibility to control irresponsible behaviour was designated to the Licence holder. The Senior Licensing Officer referred to Point 6.1 in the report and said that although the Licence holder was to take all reasonable steps to ensure their staff did not carry out, arrange or participate in irresponsible promotions in the premises, the Council or Police could still intervene if this was not being adhered to.

The Senior Licensing Officer said if it was evident a group of people or individuals were taking part in drinking games or were seen to be heavily intoxicated, then the Licensee and their employees would be expected to refuse to serve any alcohol. It

would be a matter for the individual Licensee to comply with the new conditions and for the Licensing Authority to provide guidance if they required it.

Discussion ensued in regards to drinking games that took place and the various drinking promotions advertised in premises. The Senior Licensing Officer explained how the new licensing conditions would regulate these and said further guidance and information would be provided by the Home Office on these matters.

RESOLVED, with the majority of members voting in favour and Councillor Little against, to note the current position regarding the proposed introduction of further mandatory licensing conditions relating to the sale by retail or supply of alcohol in premises licences and club premises certificates.

5. DATES OF FUTURE MEETINGS

A member requested that Premises Licence Application hearings be held at a later time in the day as they had not been able to sit on any recent Committees due to the time of the meetings. The Senior Licensing Officer and Committee Officer explained how the hearings needed to be set within a short timeframe working around member and Committee room availability and which members were able to sit on the Committee due to premises location and personal interest implications. The number of meetings that members were asked to sit on was kept as even as possible although it was difficult to do this on a rota system due to member availability.

RESOLVED to:-

- (1) note that if possible, future meetings of the Licensing-Sub Committee be arranged either early in the day or late afternoons to evenings;
- (2) ask the Committee Officer to circulate the member attendance information for Licensing Sub hearings so far for the current Civic Year;
- (3) ask the Senior Licensing Officer to arrange Licensing-Sub training in the new Civic Year for those members who require it;
- (4) agree the following dates of future meetings subject to final confirmation at Annual Council on 18 May 2010:-
 - Thursday 10 June 2010 at 4.30pm
 - Thursday 9 September 2010 at 4.30pm
 - Thursday 9 December 2010 at 4.30pm
 - Thursday 10 March 2011 at 4.30pm

CHAIR