

Runnymede Borough CouncilLICENSING COMMITTEE26 January 2006 at 7.30 p.m.

Members of the
Committee present: Councillors A.J. Davis (Chairman), Mrs P.I. Broadhead (Vice-Chairman),
Mrs F.M. Angell, Mrs E. Gill, P.A. Greenwood, Mrs C. Y. Jones, C. Knight,
Mrs J. Norman, D.W. Parr, B.J. Relph, Mrs M. Roberts and J.R. Whiteley.

Members of the
Committee absent: Councillors Ms R.E. Haylor, Mrs Y.P. Lay and R. Pate.

508. MINUTES

The Minutes of the meeting of the Committee held on 23 June 2005 were confirmed and signed as a correct record.

509. REVENUE ESTIMATES 2006/07

The Committee received and considered the draft Revenue Estimates 2006/07 for the Licensing functions which were covered by the Licensing Act 2003.

Members were provided with additional information to show indicative comparisons with the other Surrey districts pertaining to budgeted spend per head.

Members were advised that variations in the budget between this and last year's figures were mainly due to estimates having been made before the new Licensing regime was introduced. As the new arrangements had been in place for 9 months, Officers were now able to present more realistic budgetary information, particularly in regard to time spent on the service by various staff. Other changes included higher than anticipated costs of printing and advertising, and an income betterment of £14,000.

The Committee was advised that a reduction in income for 2006/07 was caused by existing licence holders who had paid an initially high application fee in the first year moving to a lower annual fee.

Officers confirmed that the estimated number of Temporary Event Notices was considerably higher for 2006/07 than for 2005/06 because they had only been in effect for the latter months of 2005/06.

The Committee noted that all the fees and charges were set by statute and could therefore not be varied.

RESOLVED that –

the draft Revenue Estimates for 2006/07 as amended be approved and Corporate Management Committee be requested to make provision accordingly.

510. SERVICE PLAN 2005/06

The Committee noted the Licensing Service Plan 2005/06. Officers confirmed that this was a modest 'holding' document, taken from those functions which used to appear in the Leisure and Environment Service Plan, and a fully revised and expanded plan for 2006/07 would be submitted for approval to the June meeting, after consultation with Members.

For example, Members were keen to see the four Licensing objectives stated in the plan together with information relating to enforcement, and the effect which increased hours had locally on anti-social behaviour; such an analysis would help Members review the Licensing Policy at the appropriate time.

The Committee noted that requests to review a premises' licence could be made in a number of ways; the most direct route was through the Council's Senior Licensing Officer, although information sharing through the Police and Community Liaison groups was also useful.

The role of Safer Runnymede was discussed; it was noted that out of hours complaints were usually channelled through them and that anti-social behaviour was monitored by them. Statistics arising from such an exercise could also indicate the need for a Review. It was agreed that Members be supplied with a briefing note to clarify the procedures for Reviews.

511. LICENSING ACT 2003 – UPDATE AND PROPOSED ENFORCEMENT PROTOCOL

The Committee noted general progress with the implementation of the Licensing Act and considered the adoption of a Surrey wide enforcement protocol for Responsible Authorities and a protocol for Officers.

As at 9 January 2006, 245 applications for Premises Licences and 296 applications for Personal Licences had been received. All had been dealt with in a timely fashion and Officers were relatively pleased that of a possible 245 only 93 had been applications for variations; and of these a modest amount of hearings had been necessary.

Applications for late night refreshment houses were now being processed; but Members were pleased to note that, so far, only one had required a hearing.

Members were informed that the Government was undertaking a two stage review of the guidance which accompanied the Licensing Act 2003. Supplementary guidance would be released in Spring 2006 and it was anticipated that following consultation a fully revised version would be put before Parliament in December 2006. Officers confirmed that further reports would be submitted when appropriate.

In respect of the Surrey-wide Policy; Members considered that it was a sound document but it required some work to iron out inconsistencies in job titles and other references made to types of licence and correct some minor typographical errors. Officers agreed to bring these to the attention of the Group at the next opportunity.

Members were advised that the Council's own Enforcement Policy which was part of the Licensing Policy would be reviewed at the June meeting of the Committee. Issues raised were the inspection protocol and the joint working arrangements with the Police and Fire authorities.

It was agreed to approve the consolidated and clarified enforcement procedures for the Council's various authorised Officers and responsible authorities represented by Officers in Technical Services.

RESOLVED that –

the proposed enforcement protocol made under the Licensing Act 2003, and associated procedures, subject to minor editorial changes, be approved and adopted with immediate effect.

512. GAMBLING ACT 2005 - UPDATE

Members noted that the Gambling Act 2005 had received Royal Assent on 7 April 2005 and that it would probably be brought fully into effect from September 2007. It contained a new regulatory system for all gambling in Great Britain excluding the National Lottery and spread betting and established the Gambling Commission, formerly the Gaming Board for Great Britain.

The Gambling Commission had issued comprehensive draft guidance which explained the new licensing regime, which in many ways overlapped with the provisions of the Licensing Act 2003; for example the introduction of Premises Licences and a system for temporary events.

Although Officers were unable to predict the precise resource implications at this stage, they were likely to be significant given the additional powers, responsibilities and functions that local authorities would have as set out below, to:-

- licence premises for gambling activities;
- consider notices given for the temporary use of premises for gambling;
- grant permits for gaming and gaming machines in clubs and miners' welfare institutes;
- regulate gaming and gaming machines in alcohol licensed premises;

- grant permits to family entertainment centres for the use of certain lower stake gaming machines;
- grant permits to prize gaming;
- consider occasional use notices for betting at tracks; and
- register small societies' lotteries.

Members were pleased to note that authorities rated 'excellent' under CPA would have some scope to set their own fees and charges within prescribed bands that would enable recovery of costs.

Officers confirmed that they would be working with the Surrey Licensing Forum to produce a county wide approach for the introduction of the Gambling Act.

Members noted that the first applications under the Gambling Act were likely to arrive from January 2007. In preparation, a draft policy on the Statement of Gambling Licensing Principles would be submitted to the September meeting of the Committee, approved by full Council in December 2006 and subject to extensive consultation with Members and other interested parties.

513. LICENSING SUB-COMMITTEE – DECISION NOTICES

RESOLVED that –

the Decision Notices issued following the 24 meetings of the Sub-Committee held between July and October 2005 as attached at Appendix 'A' be received and adopted.

Chairman

(The meeting ended at 8.20 p.m.)