

Runnymede Borough Council

LICENSING COMMITTEE

Thursday 25 November 2004 at 7.30 p.m.

in the Council Chamber

at the Civic Offices, Addlestone



Members of the Committee

Councillors A.J. Davis (Chairman), Mrs P.I. Broadhead (Vice-Chairman), Mrs F.M. Angell, Mrs F.J. Barden, P.A. Greenwood, A.M. Moore, Mrs J. Norman, D.W. Parr, B.J. Relph and Mrs M. Roberts.

In accordance with Standing Order 29.2 any non-member of the Committee who is considering attending the meeting should first request the permission of the Chairman.

## AGENDA

Notes:

- i) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- ii) The relevant "background papers" are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Miss C. Pinnock, Department of Administration and Leisure, Committee Section, Civic Offices, Station Road, Addlestone (Tel. Direct Line: 01932 425627). (Email: clare.pinnock@runnymede.gov.uk)**.
- iii) Agendas and Minutes are available on a subscription basis. For details, please ring Mr. B.A. Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on [www.runnymede.gov.uk](http://www.runnymede.gov.uk).
- iv) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

## **LIST OF MATTERS FOR CONSIDERATION**

### **PART I**

#### **Matters in respect of which reports have been made available for public inspection**

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### **PART II**

#### **Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection.**

- a) Exempt Information  
(No reports to be considered under this heading).
  
- b) Confidential Information  
(No reports to be considered under this heading)

1. MINUTES

To confirm and sign, as a correct record, the Minutes of the meeting of the Committee held on 26 October 2004, as attached at Appendix 'A'.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Committee Administrator at the start of the meeting. A supply of the form will also be available from the Committee Administrator at meetings.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the report in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is personal and prejudicial.

4. LICENSING ACT 2003 – DRAFT LICENSING POLICY (DTS)

(Ref: Minutes of Leisure and Environment Committee, September 2003, page 677, para. 339, and Licensing Committee, November 2003, page 1074, para. 535)

1. Purpose of Report

1.1 **The purpose of this report is to seek approval of the draft Licensing Policy made under the Licensing Act 2003.**

2. Background Information

2.1 The Licensing Act 2003 received Royal Assent on 10 July 2003.

2.2 The Act requires the Council to produce a Licensing Policy after consultation with all interested parties.

2.3 A draft framework for the licensing policy was approved by the Leisure and Environment Committee at its meeting on 18 September 2003, and this was amended following the publication of formal guidance issued by the Secretary of State for Culture, Media and Sport.

2.4 Members will recall that the draft Licensing Policy was first presented to this Committee in November 2003, prior to the consultation period which has now finished.

3. Report

3.1 Some aspects of the draft Policy, for example, the four licensing objectives, are enshrined in the Licensing Act 2003, and are set out below:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Nuisance
- Protection of Children from Harm

3.2 The policy states how applications for Personal and Premises Licences will be dealt with and indicates the Council's view on Licensing matters. The Council must consider applications for licences in the context of the Licensing Act 2003, the Licensing Policy and national guidance.

3.3 The draft Licensing Policy went out for consultation on 29 July 2004 and was distributed widely to local licensees, the public, statutory agencies and others. Approximately 250 individuals and interested parties were involved in the consultation exercise, and 32 responses were received which are summarised at Appendix 'B'. A selection of the more detailed responses are attached at Appendix 'C', and numbered 1 to 8 for ease of reference.

- 3.4 The responses have been examined in detail by the Senior Licensing Officer, and where appropriate, the draft policy has been amended to include the views and suggestions which have been made.
- 3.5 Attached at Appendix 'D' is the draft Licensing Policy. The amendments made since the document was issued for consultation are in emboldened text.
- 3.6 The Committee is asked to note that owners of open spaces, will be encouraged to take out premises licences for them. Relevant owners of such spaces would include this Council's Leisure Services Department.
- 3.7 The aforementioned proposal has been welcomed by the European Entertainment Corporation, which operates the Chinese and Moscow State Circuses. However, the Royal Society for the Prevention of Cruelty to Animals is strongly opposed to this approach.
- 3.5 Once the Licensing Policy has been endorsed by this Committee it will be submitted for approval to Council on 16 December 2004.
4. Legal Implications
- 4.1 The Licensing Policy must be published by 7 January 2005. Failure to have a Licensing Policy in place by that date would result in the Council being unable to consider any applications for licences under the Licensing Act 2003.

**OFFICERS' RECOMMENDATION that -**

**the draft Licensing Policy, as attached at Appendix 'D' be approved.**

**(TO RECOMMEND)**

Background papers

None stated.

5. LICENSING-SUB COMMITTEE - MINUTES (DAL)

The Minutes of the meeting of the Licensing Sub-Committee held on 26 October 2004 are attached at Appendix 'E'.

**(FOR INFORMATION)**

Background Papers

None.

6. EXCLUSION OF PRESS AND PUBLIC

If Members are minded to consider any of the foregoing items in private, it is the

**OFFICERS' RECOMMENDATION that -**

**where appropriate the press and public be excluded from the meeting during discussion of the report under Section 100A(4) of the Local Government Act 1972 on the grounds that the report in question would be likely to involve disclosure of exempt information of the description specified in the appropriate paragraphs of Part 1 of Schedule 12A of the Act.**

**(TO RESOLVE)**

## **PART II**

### **Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection.**

a) Exempt Information

(No reports to be considered under this heading)

b) Confidential Information

(No reports to be considered under this heading)