

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

THE COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN

FRIDAY, 29TH JANUARY 2010 (10.30AM)

Present:

Councillors: J Baker (Chairman), P V Hayward (Vice-Chairman), G W Ballinger, J Greener, M B Kelly, T L Onslow, J Phillips, M Price, and D R Sheppard.

Observers: There were no members present as observers.

LIC.69 Apologies for Absence

Apologies for absence were received from Councillors: A J Buckley, H J Martin, and F M Oborski.

LIC.70 Appointment of Substitutes

Councillor G W Ballinger was appointed as a substitute for Councillor F M Oborski. Councillor J Phillips was appointed as a substitute for Councillor A J Buckley.

LIC.71 Declaration of Interests

No declarations of interest were made.

LIC.72 Minutes

Decision: The minutes of the meeting held on 27th November 2009 be confirmed as a correct record and signed by the Chairman.

LIC.73 Increase in Fees and Charges for Licensing the Council's Regulatory Service Function for 2010/2011

The Committee considered a report from the Director of Planning and Regulatory Services that asked the Committee to recommend to Council proposed increases in fees and charges in respect of the Council's Regulatory Function for 2010/2011.

The Principal Licensing Officer informed the Committee that the proposed increase in fees and charges was 2.5%, and that appendix one to the report detailed the current individual charges, and the proposed increases.

Recommended to Council:

That the proposals for fees and charges within the Council's Licensing, Food and Health and Safety and Pollution Control Function for 2010/2011, as detailed in the report to the Licensing and Environmental Committee, be included in the 2010/2011 budget strategy.

LIC.74 Delegation to Licensing Officers to deal with Decisions on Minor Variations under the Licensing Act 2003.

The Committee considered a report from the Director of Planning and Regulatory Services that asked the Committee to recommend to Council delegations regarding minor variations to Premises Licences and Club Premises Certificates.

The Principal Licensing Officer advised the Committee of supplementary guidance which had recently been issued to Licensing Authorities by the Government. Members were advised that this guidance recommended the delegation to officers of several minor administration procedures relating to processing variations in licences. The guidance recommended delegation in these instances due to the tight time periods which needed to be adhered to when responding to such requests for variations.

Members were informed that these delegations would need to be agreed by full Council and entered into the Scheme of Delegations to Officers.

A Member commented that where particularly contentious issues were subject to a delegated decision, that they should be brought before the Committee.

Recommended to Council:

That all decisions in the administration process should be delegated to Licensing Officers in respect of:

- **Change of name and address of someone named in the Premises Licence – Section 33 of the Licensing Act 2003.**
- **Application to change the Designated Premises Supervisor – Section 37 of the Licensing Act 2003.**
- **Application in relation to licence for community premises that authorises the sale of alcohol to display the mandatory conditions concerning the supervision of alcohol sales by a Personal Licence Holder and the need for a Designated Premises Supervisor – Sections 25A and 41D of the Licensing Act 2003.**
- **Application for Minor Variation of Premises Licence; to add a licensable activity e.g. the addition of live or recorded music – Sections 41A to 41C of the Licensing Act 2003.**

LIC.75 Annual Report on Licences Issued under the Licensing Act 2003

The Committee considered a report from the Director of Planning and Regulatory Services which detailed licences issued under the Licensing Act 2003 for the municipal year 2009/2010, as required by the Statement of Licensing Policy for the District.

The Principal Licensing Officer informed the Committee that the Licensing Act 2003 required officers to submit an annual report detailing the licensing activity carried out within the year. Furthermore, the report sought approval for the Statement of Licensing Policy to remain unchanged for the next municipal year.

Members were advised that the Council had adopted a policy whereby licensees who were causing concern would first be subject to an early intervention visit from

Agenda Item No. 4

the Police, and if this did not resolve the concerns it could followed by a formal interview, and then if necessary, a review.

The Committee was informed that during the municipal year 2009/2010 663 Personal Licences had been issued, along with 341 Premises Licences, and that 36 licences had ceased to trade/lapsed.

Members were advised that 48 complaints about licences had been received, and that the majority of these related to noise. In response to a question from a Member, the Principal Licensing Officer advised that this figure related to several instances of multiple complaints which related specifically to an individual licence, and that in the light of this, it was not considered to be a high figure.

A Member queried whether plans to move to a shared regulatory service as part of the Worcestershire Enhanced Two Tier programme (WETT) would have implications in respect of leaving the Statement of Licensing Policy unchanged. In response, the Environmental Health and Licensing Manager advised that each District Council in Worcestershire was required to have a Statement of Licensing Policy, and that this meant that the Statement of Licensing Policy would not need to be changed in light of the possible move to WETT.

Recommended to Council:

That the Statement of Licensing Policy should remain unchanged for the next 12 months.

LIC.76 Exempt Information

Decision: Under Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of "Exempt Information" as defined in paragraph 1 of Part I of Schedule 12A of the Act.

LIC.77 Summary of Minutes

The following proceedings were considered after the press and public had been excluded from the meeting. A summary of the minutes relating to these items has been made as "Exempt Information" would be disclosed if the minutes were published in full.

LIC.78 Minutes

The exempt minutes of the meeting held on the 27th November 2009 were confirmed as a correct record and were signed by the Chairman.

The meeting ended at 10:45am.