



## LICENSING AND ENFORCEMENT COMMITTEE

**MEETING** : Tuesday, 15th September 2015

**PRESENT** : Cllrs. Randle (Chair), Patel (Vice-Chair), Tracey, Lugg, C. Witts, Brown, Pullen, H. Norman and Pearsall

**Officers in Attendance**

Gill Ragon, Head of Public Protection

Fiona Samuda, Solicitor, One Legal

Lisa Jones, Food Safety and Licensing Service Manager

Darren Mountford, Senior Licensing and Markets Officer

Tony Wisdom, Democratic Services Officer

**APOLOGIES** : Cllrs. McLellan, Hanman, Llewellyn and Hansdot

**9. DECLARATIONS OF INTEREST**

No declarations were made on this occasion.

**10. MINUTES**

The minutes of the meeting held on 16 June 2015 were confirmed and signed by the Chair as a correct record.

**11. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**12. PETITIONS AND DEPUTATIONS**

There were no petitions or deputations.

**13. REVISED STATEMENT OF PRINCIPLES - GAMBLING ACT 2005**

The Senior Licensing and Markets Officer presented his report which detailed the outcome of the recent consultation undertaken with stakeholders in respect of 2016 – 2019 Gambling Act 2005 Statement of Principles and sought approval by the Committee to recommend adoption by the Council.

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He advised that the document had been subject to consultation for a period of ten weeks ending on 25 August 2015.

All consultees were invited to make a written comment and the consultation had also been advertised on the Council's website with provision for a response to be made.

He outlined the four responses that had been received and which were detailed at paragraphs 3.13 to 3.19 of his report.

He drew Members' attention to the suggestion by Richard Burge, Gloucester City Safe Manager that membership of City Safe should be made mandatory for betting shops and adult entertainment venues in the City.

The Senior Licensing and Markets Officer explained that specific mandatory and default conditions to be attached to Premises Licences were detailed in regulations issued by the Secretary of State, therefore the City Council was not able to include signing up to Gloucester City Safe as a condition.

He advised that the Statement of Principles included a recommendation that all holders of Premises Licences in the City sign up to Gloucester City Safe.

The Chair advised that she had had a long conversation with Mr Burge and following some issues in bookmakers' premises, it was suggested that a letter be written jointly by the Council and City Safe highlighting the benefits of Membership.

Councillor Witts asked if City Safe was a national organisation and the Food Safety and Licensing Service Manager advised that it had been formed by merging Pub Watch and Shop Watch. A similar scheme had been working with success in Brighton and had been adopted by some London boroughs.

She advised that Stroud had recently joined the Gloucester City Safe Scheme and people barred from licensed premises in the town would also be barred from City premises and vice versa.

**RESOLVED TO RECOMMEND to Council that the Statement of Principles 2016 -2019 – Gambling Act 2005 as set out in Appendix 1 be adopted and that the Head of Public Protection be authorised to publish and advertise it.**

**14. REVISED LICENSING POLICY STATEMENT - LICENSING ACT 2003**

The Senior Licensing and Markets Officer presented the report which invited the Committee to approve the draft revised Licensing Policy Statement for public consultation.

He explained that the Licensing Act 2003 required the Council to produce, consult upon and publish a Policy Statement that sets out the policies which the Licensing Authority would apply in exercising its functions under the Act.

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The maximum review period for a licensing policy statement had been extended from three years to five and the existing Statement had taken effect on 7 January 2011.

He noted that the revision contained an element of tidying up of the original wording, deletion of those parts which were outdated and incorporating new legislation and guidance. Notable additions were detailed at paragraphs 3.7 to 3.14 of the report.

The Vice Chair questioned the inclusion in the introduction of the sentence “The following wards are also noted as areas of deprivation: Westgate and Barton & Tredworth, with the Westgate Ward a focus for regeneration.”

Members agreed that the sentence be removed.

**RESOLVED that the draft Licensing Act 2003 Statement of Licensing Policy for the period 2016 -0 2021 be approved, subject to the deletion of the sentence beginning “the following wards...” in the introduction, for the purpose of public consultation over a period of ten weeks.**

**15. MEMBERS' UPDATE FOR LICENSING AND ENFORCEMENT COMMITTEE**

The Food Safety and Licensing Service Manager presented her report which provided details of key licensing activities carried out in the last quarter (April to June 2015) including applications and service requests received, details of enforcement work undertaken, details of progress against the work plan and changes in relevant legislation.

She drew Members’ attention to The Deregulation Act 2015 which amended The Local Government (Miscellaneous Provisions) Act 1976 to alter the length of time for which a licence must be issued together with the method of operation of the holders of a Private Hire Driver’s Licence.

She noted the four court cases pending and advised that the Licensing Team had attended a pre-hearing for an appeal against the Council’s decision to revoke a Private Hire Driver’s Licence.

In answer to a question, the Solicitor explained that the pre-hearing was a direction hearing on how the case would proceed.

The Food Safety and Licensing Service Manager noted that a further appeal against a Council decision to revoke a Hackney Carriage Driver’s Licence was scheduled for 9 November.

She noted that Cheltenham Borough Council were prosecuting a case of an unlicensed driver and a case of plying for hire during Cheltenham Race Week after Gloucester City Council Officers had witnessed offences and supplied evidence for the Borough Council to pursue prosecutions.

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She referred to the success of the Best Bar None initiative and Councillor Tracey congratulated Officers involved in organising this welcome innovation which she hoped would be extended beyond the City Centre.

The Food Safety and Licensing Service Manager stated that the scheme had initially been aimed at City centre bars and had been organised by Pat Dabbs of the community safety section and Tony Moseley of the licensing team together with the other agencies.

Answering a question from Councillor Tracey, the Senior Licensing and Markets Officer advised that Eastgate Street would be closed during the evening of Wednesday 16 September for Freshers' Week. This had been requested through the Licensed Victuallers' Association by the universities and had received a good response from the local licensed trade.

He noted that the success of the evening would be very much dependent on the weather although he hoped Councillors would be out and about and he intended speaking to students to assess how well the arrangement worked.

Councillor Brown asked if the retractable bollards were in place and the Head of Public Protection advised that following maintenance they were all in working order.

**RESOLVED that the report be noted.**

**16. DATE OF NEXT MEETING**

Tuesday, 8 December 2015 at 6.30 pm.

**Time of commencement: 6.30 pm hours**

**Time of conclusion: 7.10 pm hours**

**Chair**