

**NOTES
OF THE MEETING OF THE
ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE
WEDNESDAY 15 MAY 2013**

Held at 7.00 pm in the Council Chamber, Civic Centre, Pavilion Road,
West Bridgford

PRESENT:

Councillors J E Fearon (Chairman), R A Adair, B Buschman, T Combellack,
G Davidson, G R Mallender, E A Plant, H Tipton and T Vennett-Smith

OFFICERS PRESENT:

B Adams	Environment and Licensing Manager
D Banks	Executive Manager - Neighbourhoods
D Collings	Senior Licensing Officer
A Goodman	Member Support Officer
R Thomson	Licensing Officer

APOLOGIES FOR ABSENCE:

Councillors R L Butler, G S Moore, S J Robinson, P Smith, J A Stockwood and
B Tansley

5. Declarations of Interest

There were none declared.

6. Notes of the Previous Meeting

The notes of the meeting held on Thursday 25 October 2012 were accepted
as a true record.

Trading Standards Training – The Senior Licensing Officer explained that still
no new date had been set, due to the increased workload of Trading
Standards officers as a result of the horse meat contamination incident.
Licensing training had been arranged for 21 June 2013, which was open to all
Members and further training was planned for next year.

Live Music Act – The Environment and Licensing Manager informed Members
that the Council had received no reports of any incidences of noise nuisance
as a result of the introduction of the Live Music Act last October. However, as
the true impact may not be understood until after the warmer summer months,
officers agreed to report back to the Committee after a period of 12 months
had passed.

Action	The Environment and Licensing Manager to continue to monitor and report back to the Committee any incidences of noise nuisance as a result of the introduction of the Live Music Act
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7. Statement of Licensing Policy 2014

The Senior Licensing Officer reminded Members that the current legislation required the Council to review its Statement of Licensing Policy every three years and the current review must be completed by 7 January 2014. The Nottinghamshire Authorities Licensing Group (NALG) had conducted a review of the current policies that were force throughout the County and the proposed draft statement was based on the review undertaken.

Since the Council took over responsibility for liquor licensing from the Magistrates Courts in 2005, the Council's Statement of Licensing Policy had been reviewed every three years. However, as a result of changes in legislation the review period has been extended to five years, unless other policy revisions were required. Therefore once the current review of the policy had been completed and published, it would remain valid until January 2019.

During the last year there had been a number of changes to legislation and these had been reflected in the revised policy. These included replacing "interested parties" with "any other persons or business", amending 'necessary' to 'appropriate' in decision making, and alterations to the section on Temporary Events Notices. In addition, the suspension of premises licences for non payment of the annual fee has been added to the document, along with a section relating to Early Morning Restriction Orders. Officers had also reworded a number of sections in line with the best practice framework issued by the Local Government Association.

The next step in the process was a twelve week period of consultation running from Monday 24 June 2013 until Monday 16 September 2013. The final amended policy would then be referred back to the Alcohol and Entertainments Licensing Committee, prior to being referred to Council in December 2013 for approval.

The Senior Licensing Officer gave an update to Members in respect of licensing matters and changes to legislation, since the last meeting of the Committee. He reported that a few councils in the Country, including Blackpool and Norwich, were considering Early Morning Restriction Orders (EMRO's) to restrict opening hours between midnight and 6 am. As a result of a hearing, plans to restrict opening after 2 am in Hartlepool had been abandoned, however this would be reviewed in twelve months. Although it was very unlikely that EMRO's would be introduced in Rushcliffe, they could have an effect on some districts in the County, as customers may disperse to other areas with longer opening hours.

In relation to the Late Night Levy, Members were informed that there was no real appetite on either a local or national level. There had been no specific requests in Nottinghamshire and estimates indicated that very few premises in Rushcliffe would opt to open after midnight if a levy was introduced.

The Senior Licensing Officer reported that there had been a series of legislation changes to the provisions controlling Regulated Entertainment, which would be applied in three stages commencing in summer 2013. The start of Phase 1 would be implemented in June 2013 and would see the

deregulation of plays, indoor sports and dance up until 23:00hrs for audiences of up to 500 for plays and dance and 1,000 for indoor sports. Later in the year on-licensed premises would be allowed to play Recorded Music without the need for permission up to 23:00hrs for audiences of up to 200 people. Currently, live music was deregulated up to 23:00hrs for audiences of up to 200 and this would be increased to audiences of 500.

In response to questions, Members were informed that the changes would apply to the outside areas of most premises and that there would be no limit on the volume allowed until 23:00hrs. The Environment and Licensing Manager explained that if premises caused a statutory noise nuisance this would be dealt with by Environmental Health Officers under the Environmental Protection Act 1990.

Phase 2 would be introduced in 2014 and would deregulate all entertainment activities hosted by local authorities on their premises, including Parish Councils, between 08:00hrs and 23:00hrs, with no audience limits. Live and recorded music activities held on local authorities premises and community premises, including church and village halls, would also be deregulated between 08:00hrs and 23:00hrs for audiences up to 500.

Phase 3 would be introduced in 2014 and would partly deregulate films. In addition there would be changes made to boxing and wrestling, except Greco-Roman and freestyle wrestling, which would no longer be licensable, however cage fighting and mixed martial arts would become regulated. Travelling circuses, live and recorded music, plays, dance and indoor sports would be deregulated between 08:00hrs and 23:00hrs with no audience limit.

The Senior Licensing Officer outlined the proposals contained in the Government's Alcohol Strategy. These included a minimum pricing policy of 45p per unit of alcohol and a ban on Multi-Buy Promotions in the off trade. There would be a review of Mandatory Conditions and "Health" would be included as a Licensing Objective in Cumulative Impact Areas. The proposal also included plans to free up responsible business by introducing local discretion and exemptions for Late Night Refreshment. Under the Strategy, motorway service areas would be allowed to sell alcohol bringing them in line with premises situated on 'A' roads. Ancillary Sales Notices would be introduced so that the provision of alcohol as a minor addition to an existing business would be permitted. The requirement to advertise applications for licenses in newspapers would be removed, as well as the requirement to renew Personal Licences every ten years.

The introduction of locally set licensing fees that was originally planned for April 2013 had been rescheduled for October 2013 with an implementation date of April 2014. This would apply to all licenses including annual fees and Temporary Event Notices and would allow local authorities set their own fees to recoup the actual cost of providing the service.

The Senior Licensing Officer referred to a recent case Law update. He reported that in the case of Little France verses Ealing London Borough Council, the Sub Committee had curtailed hours at a review, but had given no reasons for their decision. He reminded Members that although an

unreasoned decision could be correct, there was a statutory requirement to give proper reasons.

The Senior Licensing Officer reminded Members that the annual training event for Members would be held on 21 June 2013 at the Hostess in Mansfield Woodhouse. The guest speaker Gary Grant QC, Barrister for the Metropolitan Police, would be speaking about the Late Night Levy, EMROs, Licensing fees and updates on case law.

Action Member Services to send a reminder to all Councillors in respect of the Licensing Training

It was AGREED that:

- a) the Statement of Licensing Policy be approved, and
- b) the consultation period commence on 24 June 2013 for a twelve week period.

The Chairman thanked Members of the Committee and officers for all their work over the last year.

The meeting closed at 8.00 pm.

Action Sheet
ALCOHOL & ENTERTAINMENT LICENSING COMMITTEE -
WEDNESDAY 15 MAY 2013

Minute Number	Actions	Officer Responsible
6 Minutes of the Previous Meeting	Continue to monitor and report back to the Committee any incidences of noise nuisance as a result of the introduction of the Live Music Act	The Neighbourhood Manager
7 Statement of Licensing Policy 2014	Send a reminder to all Councillors in respect of the Licensing Training	Member Services