



Rutland County Council

Catmose Oakham Rutland LE15 6HP

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Minutes of a meeting of the **LICENSING ACT COMMITTEE**, held in the Council Chamber, Catmose, Oakham, at 7.00pm on Tuesday 3 June 2008

PRESENT: Cpt V Dighé (in the Chair)
Mr J T Dale
Mr L J Duckham
Mr P J W Golden
Mr B W Roper
Wg Cdr R D Toy

Officers Present: Mr S Haigh Public Protection Manager
Miss T D Stokes Senior Democratic Services Officer

Apologies: Mrs E J Rodger

73 MINUTES

RESOLVED

That the minutes of the meeting of the Licensing Act Committee held on 20 November 2007 be confirmed and signed by the Chairman.

74 DECLARATIONS OF INTEREST

There were no declarations of interest in respect of the items on the agenda for this meeting.

75 PETITIONS, DEPUTATIONS AND QUESTIONS

No petitions, deputations or questions had been received.

76 QUESTIONS WITH NOTICE FROM MEMBERS

No questions with notice from Members in accordance with the provisions of Procedure Rule No 219 had been received.

77 NOTICES OF MOTION FROM MEMBERS

No Notices of Motion from Members in accordance with the provisions of Procedure Rule No 220 had been submitted.

78 CONSIDERATION OF THE AUTHORISATION OF HYPNOTISM AS ENTERTAINMENT

The Chairman indicated that Report No 102/2008 would be considered by the Development Control and Licensing Committee on 24 June 2008 and thereafter by Council on 14 July 2008 as permitting the use of hypnotism as a means of entertainment was not within the Licensing Act Committee's remit.

79 LICENSING ACT 2003, GAMBLING ACT 2005, ACTIVITY FOR PERIOD 2007/08, REVIEW OF THE LICENSING ACT 2003 BY THE DEPARTMENT OF CULTURE, MEDIA AND SPORT

Report No 103/2008 from the Director of Community Services which outlined the activity undertaken by the Council's Licensing team for 2007/08, was received. The report also considered the main findings of the Department of Culture, Media and Sport's (DCMS) review of the Licensing Act 2003 and implications for the Council.

During consideration, reference was made to Appendices 1 and 2, Report No 103/2008, which detailed the number of licensing applications received between 1 April 2007 and 31 March 2008 and the summary of findings following the DCMS review of the Licensing Act 2003. The following points were noted:-

- i) The majority of activity undertaken by the Licensing team during the past year related to the issuing of 284 temporary events notices along with various other licenses. Three new Gambling premises had also been licensed under the Gambling Act 2005. The team had also provided advice and assistance to applicants, the public and Police on issues relating to the Licensing Act 2003.
- ii) The initial fears which were anticipated after the introduction of the Licensing Act 2003 had not materialised although a few local issues had arisen across the County.
- iii) Overall, the transfer of alcohol licensing to local authorities appeared to have been a success with good partnership working between the local authority, the Police and other responsible authorities and licensees.
- iv) It was noted that the considerable powers granted by the Act to tackle problems were not being effectively used in some areas. The emphasis needed to be on enforcement to tackle irresponsible behaviour.
- v) Clarification was sought regarding the Government's agreed action in respect of the offence of "persistently selling alcohol to a person under 18" from three strikes to two strikes in three months.
- vi) Overall, there were no significant issues relating to licensed premises, however, further work was required regarding, for example, sales of alcohol to under age persons.

- vii) It was noted that few complaints had arisen from granting temporary events notices although more noise complaints had been received following the introduction of smoke free legislation.

In conclusion, it was noted that impact of the 2003 Act would continue to be monitored with a review being conducted later this year regarding some of the minor powers in the Act, for example enabling village halls to be responsible for the sale of alcohol as opposed to appointing designated premises supervisors.

Members agreed that the progress reports regarding licensing activities should continue to be circulated on a monthly basis.

RESOLVED

- 1) That the activity undertaken by the licensing team in relation to the Licensing Act 2003 and the Gambling Act 2005 for the period 2007/08 be noted.
- 2) That the main findings of the DCMS review of the Licensing Act 2003 published in March 2008 be noted, and the fact that the issues raised in the review have not been reflected in the Council's implementation and ongoing administration of the Licensing Act 2003.

80 ANY OTHER URGENT BUSINESS

No items of urgent business had been previously notified to the person presiding.

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The Chairman declared the meeting closed at 7.21pm.

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