

Licensing Committee Minutes

Date: 14 November 2013

Time: 7.00–7.21pm

PRESENT: Councillor A E Hill (in the Chair)

Councillors I L McEnnis, D H G Barnes, W J Bendyshe-Brown, A R Green, M Hussain, Ms R Knight, Ms P L Lee, J L Richards OBE, D A C Shakespeare OBE and R Metcalfe.

7 APOLOGIES FOR ABSENCE

Apologies were received from Councillor A Slater.

8 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the meeting of the Licensing Committee held on 13 June 2013 be approved as a correct record and signed by the Chairman.

9 DECLARATIONS OF INTEREST

There were no declarations of interest.

10 OUTCOME OF CONSULTATION ON LICENSING ACT POLICY REVIEW

The Committee considered the report on the Outcome of Consultation on Licensing Act Policy Review. Legally a review was only required every five years and the last review had taken place only three years ago, however the current review took place to take account of changes to legislation. The Committee noted that over five hundred consultation letters were sent out as well as advertising; it was reported that just one reply had been received. Some minor changes were made to the policy subsequent to the consultation.

The Committee noted that there were two minor amendments to the Policy–

- Para 3.4: Members noted the addition of the sentence “Licensing Officers are able to advise on general matters relating to applications and licensing requirements generally although applicants will need to seek independent legal advice for detailed assistance in the completion of forms or where complicated legal issues arise”
- Para 9.6: Members noted an additional sentence “The Act now requires the suspension of a Premises Licence or Club Premises Certificate where an invoice has been issued for an annual fee and the payment has not been made within the required timescale. Suspension notices will be issued to the relevant premises in these cases and a further 21 days will be given prior to the suspension taking effect”.

In relation to 3.4, the Committee asked if a charge could be made for any advice given by a Licensing Officer. Some concern was expressed by the Licensing Team Leader that any advice given could give rise to a challenge to any subsequent decision before the, Magistrates Court on the basis that there was a conflict of interest. The Committee noted that the Licensing regime was required to be self-financing it could not make a profit. The Licensing Team Leader confirmed that the possibility of charging for pre-application advice was being explored and the one local authority who was charging for advice was being monitored closely to see if their decisions were challenged. The Licensing Team Leader confirmed that the fee structure was due to change in 2014.

In relation to 9.6, the Committee noted that budgets were in a better position and debt collections were now lower. The Licensing Team Leader stated that she had signed dozens of suspension notices but that only a handful of premises had been visited for those notices to be enforced.

RESOLVED: That the report be submitted to Council with the suggested additions.

11 SUPPLEMENTARY ITEMS

White Cider Update

The Licensing Team Leader updated the Committee on the results of an initiative for town centre premises to stop selling high strength white cider which had now been running for six months. Anecdotally, the results were looking positive: PCSO's had reported less street drinkers and that anti-social behaviour had reduced. The Committee noted that one well-known retailer, who had not signed up to the initiative had, however, been persuaded to stop selling high strength cider as a result of photographic evidence

The Licensing Team Leader stated that a full review would take place when the initiative had run for twelve months; she also explained that there was evidence of some displacement of drinkers, most especially on the Rye but that this was being addressed as it was generally known which premises were the root-cause of the problem.

The Licensing Team Leader explained that other local authorities had contacted Wycombe District Council for advice regarding the initiative in Wycombe.

The Committee noted that some premises were now beginning to sell high strength lagers and that this practice was being monitored. The issue of high strength lagers was raised before the initiative was first introduced, but was opposed by retailers of speciality beers which have a high alcoholic content.

Chairman

The following officers were in attendance at the meeting:

- Mrs L Hornby - Senior Democratic Services Officer
- Mrs C Steven - Licensing Team Leader