

# M M I N U T E S

meeting: **LICENSING COMMITTEE**

date: **1 FEBRUARY 2012**

**PRESENT:-**

Councillors Dass (Chair), Angus, Banger, Clarke, Claymore, Davis, Hall, Inston, Pask, N A Patten, Judith Rowley, John Rowley, Shah and Wilson.

**APOLOGY FOR ABSENCE:-**

An apology for absence was submitted on behalf of Councillor Mrs Patten

**OFFICERS IN ATTENDANCE:-**

L Banbury	-	Democratic Support Officer, Delivery
R Edge	-	Section Leader (Licensing), Education and Enterprise
S Hardwick	-	Senior Solicitor, Delivery
D O'Brien	-	Principal Officer (Environmental Services), Education and Enterprise
C Parr	-	Licensing Manager, Education and Enterprise

**ALSO IN ATTENDANCE:-**

Inspector P Affron	-	West Midlands Police
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**Declarations of Interest**

189 No interests were declared.

**Minutes**

190 Resolved:-

(a) That the minutes of the meeting held on 11 January 2012 be approved as a correct record, subject to the inclusion of apologies for absence on behalf of Councillors Angus and Wilson.

(b) That the minutes of the meetings of the Licensing Sub-Committee held on 5 and 18 January be approved as a correct record and adopted.

**Application to Vary a Premises Licence – La Salsa**

191 Pursuant to Minute 170 of the Sub-Committee held on 5 January 2012, it was noted that these Premises were not currently trading.

**Application for a Premises Licence – Singhfellow**

192 Pursuant to Minutes 188 of the Sub-Committee held on 18 January 2012 the Licensing Manager advised that, as a result of a number of objections received from the community, the Premises Licence Holder had agreed to change the name of the Premises to 'Sing-fellows'.

**Schedule of Outstanding Minutes (Appendix 14)**

The Democratic Support Officer submitted a report, which set out a schedule of outstanding minutes together with details of when it was expected that reports on individual items would be presented for consideration.

193 Resolved:-

That the report be received.

**Licensing Act 2003 – Review of Cumulative Impact Policy (Appendix 15)**

The Section Leader (Licensing) presented a report, which informed Members of the findings of the second annual review of the Cumulative Impact Policy.

Responding to Members' questions, Inspector Affron advised that this years figures included all crime and therefore skewed the statistics. The crime figures had decreased following the introduction of the Cumulative Impact Policy, although he acknowledged that changed policing methods including 'Operation Stay Safe' which involved increased foot patrols, had had a positive effect. The high crime figure on Tuesdays between November 2010 and November 2011 related was due to one specific day i.e. the public disorder in August. He also acknowledged the fact that the City Centre was not getting busy until late in the evening with people having drunk alcohol beforehand, some arriving already intoxicated.

Members concluded that the Cumulative Impact Policy should remain. They further requested future updates included crime figures for a wider area of the City.

194

Resolved:-

(a) That the report outlining the findings of the second annual review of the Cumulative Impact Policy, which was adopted on 4 November 2009, be received.

(b) That the crime statistics for the next annual review include all areas of the City, within the ring road, but outside the Cumulative Impact Zone.

**Police Reform and Social Responsibility Act 2011 (Appendix 16)**

The Licensing Manager presented a report, which apprised the Committee of the licensing reforms detailed in the Police Reform and Social Responsibility Act 2011, and the potential impact of these on the Council, partners and the City's night-time economy. He advised that the findings of the impact assessment and recommendations from the cross service officer working group, detailed in section 4 of the report, would be submitted to a Member Reference Group prior to consideration by the Licensing Committee on 4 April 2012.

The Licensing Manager responded to Members' questions as follows:-

- Representations and Objection Notices from the Police – details of the Guidance had not yet been received from the Secretary of State. However, there was no legislation requiring licensing authorities to accept all representations and notices from the Police and the decision as to whether a representation was relevant lay with Council Officers with the only avenue for appeal being judicial review.
- The Licensing Committee would decide whether or not to introduce a Late Night Levy following the consultation period.
- The Business Improvement District (BID) would be tailored to the needs of the City and it would be the responsibility of the Board members as to how the funding would be spent.

195

Resolved:-

That the licensing reforms detailed in the Police Reform and Social Responsibility Act 2011, the proposed approach to implementing these changes and the ongoing consultation on regulations be noted

**Review of Fees and Charges for General Licensing and Miscellaneous Matters for 2012/13 (Appendix 17)**

The Licensing Manager presented a report which outlined for Consideration, proposed fees and charges for 2012/13 in relation to certain licences and licensed activities regulated by the Licensing Committee.

196

Resolved:-

(a) That the proposed fees and charges for General Licensing, as set out in Appendix A to the report, be approved with effect from 1 April 2012.

(b) That the proposed fees and charges in relation to the Gambling Act 2005, as set out in Appendix B to the report, be approved with effect from 1 April 2012.

(c) That the fees and charges relating to Environmental Information Requests, as set out in Appendix C to the report, be approved for implementation with effect from 1 April 2012.

(d) That the fees and charges set by the Secretary of State in relation to the Licensing Act 2003 and Gambling Act 2005 be noted.

**Review of Fees and Charges for Street Trading Consents for 2012/13 Appendix 18)**

The Licensing Manager presented a report, which sought approval of proposed street trading fees and charges for implementation with effect from 1 April 2012 and advised Members of the control, and regulation of street trading activities undertaken in the City.

197

Resolved:-

(a) That the proposed fees and charges for Annual Street Trading Consents 2012/13 for implementation with effect from 1 April 2012, as detailed in paragraph 4.4 of the report, be approved.

(b) That the proposed fees for traders operating on land accessible to public without payment (Private Land) for implementation with effect from 1 April 2012, as detailed in paragraphs 4.6 to 4.14 of the report, be approved.

(c) That the proposed fees and charges for Occasional/Temporary Street Trading Consents for implementation with effect from 1 April 2012, as detailed in paragraph 4.15 of the report, be approved.

(d) That, as a result of the review of Prosperity, the Assistant Director (Regeneration) be given delegated authority to create and revoke street trading consents, and delete and relocate street trading pitches.

**Fees and Charges for Hackney Carriage and Private Hire Licences for 2012/13 (Appendix 19)**

The Licensing Manager presented a report, which outlined the proposed fees and charges relating to hackney carriages, private hire vehicles, drivers and private hire vehicle operators for 2012/13.

198

Resolved:-

That the report be received.

**Molineux Stadium Safety Advisory Group Minutes (Appendix 20)**

The Principal Officer (Environmental Services) presented the minutes of meetings of the Molineux Stadium Safety Advisory Group held on 4 October and 13 December 2011.

During the ensuing discussion, a Member drew attention to a problem whereby away supporters were being allowed in part of the Billy Wright stand. The Officer undertook to speak with the Member outside the meeting in order to take details and to pursue the matter,

With regard to the incident at the Tap and Stile, referred to in paragraph 7 of the 4 October minutes, Inspector Affron advised he had implemented a three month action plan for the Premises, following the incident, which was shortly due to expire.

199

Resolved:-

That the minutes of the meetings of the Molineux Stadium Safety Advisory Group (MSSAG) held on 4 October and 13 December 2011 be noted and endorsed.