

NORTHUMBERLAND COUNTY COUNCIL

LICENSING COMMITTEE

At a meeting of the **Licensing Committee** held in Committee Room 2 on Wednesday 04 January 2017 at 1.35 pm

PRESENT

Councillor K Parry
(Chairman, in the Chair)

COUNCILLORS

R Gibson
I E Hunter
K Nisbet

B Pidcock
M E Richards
A G Sambrook

OFFICERS IN ATTENDANCE

H Bowers
T Hardy
N Masson

Democratic Services Officer
Licensing Manager
Principal Solicitor

10. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors I Hutchinson, V Jones, M Purvis, G Sanderson and A Sharp.

11. MINUTES

RESOLVED that the minutes of the meeting of the Licensing Committee held on Wednesday 4 January, 2017 as circulated, be confirmed as a true record and signed by the Chairman.

12. REPORTS OF THE CHIEF FIRE OFFICER

12.1 Review of Licensing Act 2003

The Committee were informed of the report published from the House of Lords Select Committee on a Review of the Licensing Act 2003. (Report attached as Appendix A).

The House of Lords Select Committee on the Licensing Act 2003, was set up on 25 May 2016 and a report was published on 4 April 2017 which made a number of recommendations to the Government.

Keys issues of the Select Committee included suggestions that the responsibilities of the Licensing Act 2003 should have been incorporated with the planning regime when it had first been implemented.

The report recommended a trial merger of Licensing Committees with Planning Committees and Appeals to be considered by Planning Inspectors however, NCC had not been approached for the trial.

A summary of findings and recommendations were listed on pages 2 and 3 of the report, which included:-

- No new licensing objectives, but statutory requirement for disabled access and facilities statement should form part of the application
- There should be close coordination between licensing and planning systems but to be aware that planning and licensing were two separate regimes.
- 'Agent of Change' principal should be adopted in licensing and planning to protect residents and businesses from consequences of new development
- Planning Inspectors should hear Licensing Appeals - this would probably not affect this Authority but would be a major change to the system
- Mandatory licensing training for councillors - the Authority already carried this out
- If minimum unit pricing was introduced in Scotland, it should also be introduced in England and Wales
- Restrictions on multi-pack pricing
- Ban on 'buy one get one free' offers
- S182 Guidance should place onus of Licensing Committee chair to enforce standards of conduct for sub-committee members and exclude them from sitting where appropriate
- TENS made simultaneously for adjacent plots of land in order to enable a larger event should result in objection by police/EHOs - Guidance to make this clear
- Proposals to introduce Community Ancillary Notices (CANs) should be abandoned

Members would be kept informed of any developments in relation to the licensing/planning regime.

RESOLVED that Members note the content of the report and the findings of the House of Lords Select Committee with the task of conducting post-legislative scrutiny of the Act.

12.2. Immigration Act 2016

Members were informed of the new provisions within the Immigration Act 2016 which affect the processing of Licensing Act applications. (Reported attached as Appendix B).

New measures had been introduced by the Immigration Act 2016 to prevent illegal working in the alcohol and late night refreshment sector.

The new measures included taxi drivers providing entitlement to work, licenses issued on or after 6 April 2017 would lapse if the holder's lawful leave or permission to work ended; the Home Office's Secretary of State would become Responsible Authority; Immigration officers would have the powers to enter premises; Applicants for Personal and Premises licences would be required to provide proof of entitlement to work in the UK with their applications.

RESOLVED that the information be noted.

12.3. Update on Festival on the Wall

Members were updated on the application for Festival on the Wall.

RESOLVED that the information be noted.

CHAIRMAN

DATE