



# Licensing Committee

2nd November 2009

## MINUTES

**Present:**

Councillor Michael Braley (Chair), Councillor Kath Banks (Vice-Chair) and Councillors A Clayton, J Cookson, J Field, A Fry, W Hartnett, N Hicks, D Hunt and J Pearce

**Officers:**

S Garratt and G Revans

**Committee Officers:**

Denise Sunman

**5. APOLOGIES**

Apologies for absence were received on behalf of Councillors D Smith and D Thomas.

**6. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**7. MINUTES**

**RESOLVED that**

**the minutes of the meeting of the Committee held on 28th September 2009 be confirmed as a correct record and signed by the Chair.**

**8. LICENSING - SERVICE STANDARDS**

Members considered a report which sought endorsement of the Licensing Service's written Service Standards.

Officers reported that although there were no statutory requirements for the Council to publish Licensing Service Standards it had been recognised as good practice to provide written standards that indicate the level of service that customers can expect from the Service.

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Chair

**RESOLVED that**

**the Licensing Service Customer Standards, as amended and detailed below, be approved and published.**

## **Licensing Service Customer Standards**

### **The Licensing Service**

The Licensing Section operates in connection with the Council's role as the Licensing Authority for the Licensing and Gambling Acts and the Local Authority for the regulation of all other licensable activities. We work in partnership with the Police, Trading Standards, Businesses, Residents and other partner organisations.

Through advice and enforcement we seek to ensure high standards of operation from the premises and the services we licence.

It is the Licensing Service's intention that all licence applications will be dealt with promptly. However, many delays are caused by applicants who fail to submit all required documents.

Each licence or registration is considered in accordance with statute law, case law, any appropriate Council policy, the requirements of the Enforcement Policy and any applicable code of practice, guidance or condition.

In addition to the consultation, administration and licence production processes most applications require an inspection of the proposed premises or vehicle by officers of the Council.

The Licensing Service will when dealing with the investigation of complaints or possible breaches of licence conditions take enforcement action in line with our enforcement policy to ensure fairness and consistency.

### **Complaints and Compliments**

If we do things well please tell us; but if you have a complaint please speak to the member of staff who has been dealing with you. They may be able to sort it out straight away. Alternatively, ask to speak to the manager. Complaints give us the chance to put things right and improve how we do things in the future. If you are still not satisfied we can give you our leaflet "How to make a complaint or compliment" which fully explains the formal complaints

procedure. We are determined to provide quality, customer focussed services.

<b>Licensing Service Customer Standards</b>	<b>How will they be measured?</b>	<b>Measuring Frequency</b>
We will investigate and resolve complaints made in relation to premises or services we licence within 2 months.	Excel Enforcement Spreadsheet	Quarterly
We will consult in accordance with Statutory requirements on all licensing matters.	Post book	Monitored yearly
Application packages for all licences will be issued within 5 working days of receipt of request	Post book	Monitored quarterly
All Premises Licences will be issued within 5 working days of public notices being completed if all papers are submitted and are complete and no representations are received.	Post book	Monitored quarterly
All licensed vehicles will have safety tests carried out within 28 days of the appointed date.	Caps Uniform	Monitored Monthly
All medical examinations and CRB applications for drivers will be <del>renewed</del> <b>applied for</b> within 28 days of the expiry the original documentation and in any case prior to the renewal of a licence.	Caps Uniform	Monitored Monthly
<b>Inspections:</b>  <b>Licensing Act 2003 - Premises Licenses – Alcohol, Entertainment and Late Night Refreshment.</b>	Caps Uniform and Officers Excel Spreadsheet.	Quarterly

<p>A representative sample of premises and all premises which have been the source of complaints or other problems will be inspected prior to the issue of a licence. All premises will be subject to a “during performance” inspection by the Enforcement Officer usually in company with the Police.</p>		
<p><b>Gambling Act 2005 – Premise Licence – Betting, Bingo and Amusement Arcades.</b></p> <p>All premises will be inspected prior to the issue of a licence.</p>		
<p><b>Taxis - Hackney Carriage Vehicles and Drivers, Private Hire Operators, Vehicles and Drivers.</b></p> <p>All applicants will be interviewed and all vehicles inspected prior to the issue of a licence.</p> <p>Licensing will work in partnership with VOSA and the West Mercia Police to ensure all licensed vehicles are kept in a roadworthy condition and fit for purpose.</p>		

**9. SECURITY INDUSTRY AUTHORITY (S.I.A.) DOOR SUPERVISORS**

Members considered a report that sought endorsement of an application by the Council to the Security Industry Authority (S.I.A) for written authorisation, which would enable Licensing Officers to carry out entry and inspection powers in accordance with Section 19 of the Private Security Industry Act (2001).

Officers reported that such powers would prevent and detect offences in relation to door supervisors employed on Licensed Premises within the Borough on behalf of the S.I.A. and aid the Council's Licensing Officers in the enforcement and management of community safety and the night time economy in partnership with the Police. All enforcement visits to Premises Licensed under the Licensing Act (2003) would comply with the SIA Enforcement Policy Code of Practice.

**RECOMMENDED that**

**an application to the Security Industry Authority (S.I.A.) for written authority be approved to enable Licensing Officers to carry out powers authorised by the Private Security Industry Act (2001).**

**10. GAMBLING ACT - REVISED STATEMENT OF GAMBLING PRINCIPLES**

The Committee considered a report that requested the Council's adoption of the revised Statement of Licensing Principles in accordance with Section 349 of the Gambling Act 2005.

Officers reported that the revised Statement of Licensing Principles had been produced in consultation with neighbouring Local Authorities in Worcestershire, Hereford and Worcester Fire Authority and MS Entertainments Ltd (Shipleys) Ltd.

Members were informed that, once adopted, the revised Statement of Licensing Principles would form the basis on which decisions would be made under the Gambling Act (2005) by the Licensing Committee, its Sub-Committees or Officers. Any subsequent changes to the review would require full consultation with a wide range of statutory bodies. By order of the Secretary of State, Licensing Authorities must publish the revised Statement of Licensing Principles by 14th January 2010.

**RECOMMENDED that**

**the revised Statement of Licensing Principles under the Gambling Act (2005), as detailed in Appendix 1 of the report, be adopted and added to the Council's Policy Framework.**

**11. WORK PROGRAMME**

Members considered the Committee's Work Programme 2009/11. Officers reported that informal invitations had been extended to West Mercia Police and Worcestershire County Council's Trading Standards to give updates to future meetings. Officers would amend the Work Programme once dates had been identified.

**RESOLVED that**

**the report be noted.**

The Meeting commenced at 7.02 pm.  
and closed at 7.50 pm.

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Chair