

DRAFT MINUTES of the meeting of the ~~Extraordinary~~ Licensing Committee held on 12 October 2012 at 7.00pm.

Present: Councillors Mike Stone (Chair), Ben Maney (Vice-Chair), Lynn Carr, Charles Curtis, Wendy Curtis, Sue Gray, Steve Liddiard (from 7.13pm), Sue Little, John Purkiss, Robert Ray, Andrew Roast and Phil Smith

Apologies: Councillors Clare Baldwin, Rob Gledhill, Terry Hipsey,

In attendance: Lucy Magill - Head of Public Protection
Paul Adams – Principal Licensing Officer
David Lawson – Legal Services
Victoria Freeman – Senior Democratic Services Officer
Councillor Gaywood – Portfolio Holder for Public Protection

The Chair informed the Committee that he wished to change the order of the agenda, to allow for Items 8 and 9 to be taken before Item 6.

1 MINUTES

The minutes of the Licensing Committee held on the 13 October 2011 and the Extraordinary Licensing Committee Meeting held on the 3 January 2012, were approved as a correct record.

2 DECLARATION OF INTERESTS

There were no interests declared.

3 SAFETY ADVISORY GROUP

The Principal Licensing Officer introduced a report to the Committee which informed Members of the existence and work of the Safety Advisory Group.

RESOLVED:

That the Committee note the content of the report regarding the existence and work of the Safety Advisory Group.

4 LIVE MUSIC ACT 2012

The Principal Licensing Officer introduced a report to the Committee which advised Members of the changes to the Licensing Act 2003 brought about by the live Music Act 2012.

Concern was raised that the Act removes the need to licence entertainment facilities completely, regardless of time or audience capacity, however Members were advised that 'entertainment facilities' were tightly defined in legislation and that the removal of the need to licence these facilities should not lead to any issues.

During questioning, Members were advised that although a review could be called at any time, it could also be effectively dealt with by the out of hours noise team. Furthermore, the Police and the Environmental Health Team are able attend the premises on a particular night to deal with any issues that arise, however, most cases are drawn to the attention of the Licensing Department and are usually dealt with informally first.

The Deputy Head of Legal advised Members that in extreme cases of public nuisance, an emergency injunction could be issued on the day if this were to be deemed necessary.

RESOLVED:

That the Committee note the content of the report and the implications it has on premises licensing.

5 REVIEW OF THE STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005

The Principal Licensing Officer introduced a report to the Committee which requested Members to consider the draft reviewed Statement of Principles under the Gambling Act 2005 before referral to Council for adoption.

Members were informed that separate to the consultation, a letter had been received from the National Casino Industry Forum (NCIF) that sought an addition to the statement of principals that read 'we would welcome the ability to host a casino in our district'. Members were reminded that on 25 November 2009, Council had resolved not to issue any casino licences in the district effective from 14 January 2010.

It was suggested that if Members were minded to approve the draft review of the Gambling Act Statement of Principles and take into consideration the request from the NCIP, that recommendation (b) be amended to read:

'Approves the attached Draft review of the Gambling Act Statement of Principles with the inclusion of a paragraph into the policy, stating that the Council would consider hosting a casino in Thurrock, and recommends to Council that it be adopted and implemented as from 14 January 2013.'

Recommendation B, with the suggested amended wording was proposed by the Chair and agreed by Members.

RESOLVED:

That the Committee approves the attached draft review of the Gambling Act Statement of Principles with the inclusion of a paragraph into the policy, stating that the Council would consider hosting a casino in Thurrock, and recommends to Council that it be adopted and implemented as from 14 January 2013.

6 HACKNEY CARRIAGE FARES

The Principal Licensing Officer introduced a report to the Committee which requested Members consider representations received in relation to the proposed increase in the Hackney Carriage Fare.

During questioning, Members were informed that in November 2011, the comparative data based on the 2 mile rate for a private hire vehicle was as follows:

Thurrock - £5.30
Basildon - £5.60
Southend - £6.00.

The Chair invited representatives of the Trade Associations to address the Committee, however although present at the meeting, they declined the offer.

RESOLVED:

That the Committee approves the proposed table of fares as proposed in Appendix 2 to the report.

7 LATE NIGHT LEVY

The Principal Licensing Officer introduced a report to the Committee which introduced and considered the power to introduce a Late Night Levy brought about by the Police Reform and Social Responsibility Act 2011.

Members were advised that the police would receive at least 70% of the net levy revenue and the licensing authority could retain up to 30% of the revenue. Although the licensing authority would ring fence the income and would only use in the areas detailed within the report, there was currently no guidance on how the Police would spend the income or if it would be spend in the borough.

RESOLVED:

That the Committee:

- i) Note the changes to the Licensing Act 2003 brought about by the Police Reform and Social Responsibility Act 2011 in the form of the introduction of the power to implement a Late Night Levy to help off-set the cost of managing adverse impacts of the night time economy.**
- ii) Officers consult with the Responsible Authorities seeking their views on the impact of the late night economy in Thurrock and the potential of the Late Night Levy to address any issues identified.**
- iii) A further report be presented to the Licensing Committee should a credible case for a late night levy be made following consultation with the Responsible Authorities.**

The meeting finished at 8.03pm

Approved as a true and correct record

CHAIRMAN

DATE

**Any queries regarding these Minutes, please contact
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