

LICENSING COMMITTEE

9th January 2013

Present: Councillors: Christian Mitchell (Chairman), Jim Sanson (Vice Chairman), Peter Burgess, George Cockman, Helena Croft, Brian Donnelly, David Jenkins, Gordon Lindsay, Chris Mason, Sue Rogers, David Skipp

Apologies: Councillors: David Coldwell, Christine Costin, Leonard Crosbie, Josh Murphy

LI/10 **MINUTES**

The minutes of the meeting held on 31st May 2012 were approved as a correct record and signed by the Chairman.

LI/11 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

LI/12 **MINUTES OF THE MEETINGS OF THE SUB-COMMITTEE**

The minutes of the meetings of the Licensing Sub-Committee on 15th July 2012 and 23rd November 2012 were received.

LI/13 **ANNOUNCEMENTS**

There were no announcements.

LI/14 **PUBLIC HEALTH & LICENSING – LICENCE FEES FOR 2013/2014**

The Head of Planning & Environmental Services reported on the proposed fees for various licences issued by the Public Health & Licensing Department. The fees, if approved by the Committee, would take effect on 1st April 2013.

The individual licence fees were calculated to recover the cost of issuing the licence and enforcing the requirements of the legislation. There were other licenses issued by the Public Health & Licensing Department, the fees for which were set by statute and could not be changed.

The fees were calculated taking into account officer time, transport and any external costs that the Council incurred. The Council had determined that where possible fees and charges should go up by a minimum of 2.5% for the financial year commencing 1st April 2013.

The Cabinet Member for Communication, Special Projects and Horsham Town considered that the proposed fee for Tattooing was too low at £98. It was noted by the Committee that Tattooing establishments were included in the same category as Acupuncture, Ear Piercing and Electrolysis, and monitored and controlled by the Council through Health & Safety risk assessment procedures.

LI/14 Public Health & Licensing – Licence Fees For 2013/2014 (cont.)

The Committee noted that there were no national requirements for sun tanning centres or scrap metal merchants to be licensed.

RESOLVED

That the fees for licences issued during 2013/14 be agreed, as submitted, to take effect from 1st April 2013.

LI/15 **REVIEW OF LICENSING POLICY (GAMBLING ACT 2005)**

The Head of Public Health & Licensing reminded Members that the Gambling Act 2005 required Licensing Authorities to publish, at least every three years, a statement of their licensing policy. The policy, which had been approved by the Council, as the Licensing Authority, had to be the subject of public consultation and comments received had to be taken into account before formal adoption of the policy.

This Council's existing Gambling Licensing Policy had been approved by Council in November 2009 (Minute No. CO/52 (04/11/09) refers). This policy had been the subject of public consultation and Members noted that no objections had been received.

The Head of Planning & Environmental Services reported that there were therefore no recommended changes to the existing Gambling Licensing Policy in the draft Gambling Licensing Policy submitted to the meeting, other than the removal of references to a transitional period.

If adopted by the Council, the Gambling Licensing Policy would be published and provided to all relevant persons and it would be posted on the Council's website.

RECOMMENDED TO THE COUNCIL

- (i) That the draft Gambling Licensing Policy be adopted as submitted as this Council's Gambling Licensing Policy to take effect immediately following adoption by Council.
- (ii) That, once adopted, copies of the policy be made available both in hard copy and electronically to both the gambling licensed trade and all persons affected by it.

LI/15 Review of Licensing Policy (Gambling Act 2005) (Cont.)

REASONS

- (i) To ensure compliance with legislative requirements.
- (ii) To ensure openness and transparency in the Council's decision making.

LI/16 EARLY MORNING RESTRICTION ORDERS

The Head of Planning & Environmental Services reported that, following on from the adoption by Parliament of the Police Reform and Social Responsibility Act 2011, regulations allowing the implementation of Early Morning Restriction Orders (EMROs) came into force on 31st October 2012.

EMROs were designed to address recurring problems caused by alcohol related anti-social behaviour, which was not directly attributable to specific premises, by enabling a licensing authority to prohibit the sale of alcohol between the hours of 12am and 6am in the whole or part of its area.

The Committee considered whether or not it was desirable to introduce EMROs across the district or part of the district as part of this Council's Licensing Policy.

The Committee noted that if the proposal were accepted all licensed premises in the region would need to be consulted before EMROs could be adopted. It was also noted that the Council's Saturation Zone policy was effective in managing the potential problem of anti-social behaviour which was not directly attributable to a specific premises.

The Committee considered that it was not desirable to introduce EMROs across all or part of the Horsham District.

RESOLVED

That Early Morning Restriction Orders should not be adopted by Horsham District Council at this time.

REASONS

- (i) To ensure compliance with legislative requirements.
- (ii) To ensure openness and transparency in the Council's decision making.

LI/17 **THE LATE NIGHT LEVY**

The Head of Planning & Environmental Services reported that, following on from the adoption by Parliament of the Police Reform and Social Responsibility Act 2011, regulations allowing the implementation of the Late Night Levy (the levy) came into force on 31st October 2012.

The levy was designed to enable licensing authorities to charge a levy to all premises licensed to sell alcohol between midnight and 6am as a means of raising contributions towards the cost of policing the late-night economy.

The Head of Planning & Environmental Services reported that, whilst Sussex Police advised that they had a neutral opinion of the proposed levy, the Police & Crime Commissioner had still to confirm their opinion.

The Committee considered whether or not it was desirable to introduce the levy across the Horsham District.

RESOLVED

That the Late Night Levy should not be adopted by Horsham District Council at this time.

REASONS

- (i) To ensure compliance with legislative requirements.
- (ii) To ensure openness and transparency in the Council's decision making.

The meeting ended at 5.54pm having commenced at 5.30pm

CHAIRMAN