
MEETING	GAMBLING & LICENSING ACTS COMMITTEE
DATE	3 SEPTEMBER 2010
PRESENT	COUNCILLORS MERRETT (CHAIR), ALEXANDER, AYRE, HORTON, HYMAN, LOOKER, MOORE, ORRELL, B WATSON AND WISEMAN (VICE-CHAIR)
APOLOGIES	COUNCILLORS REID, RUNCIMAN AND TAYLOR

6. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

No interests were declared at this stage, but Cllr Looker declared a personal interest during the debate on agenda item 4 (Licensing Act 2003 Update), when Temporary Event Notices (TENs) came under discussion, having at one time applied for a TEN.

7. MINUTES

RESOLVED: That the minutes of the Gambling & Licensing Acts Committee held on 18 June 2010 be approved and signed by the Chair as a correct record.

8. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

9. LICENSING ACT 2003 - UPDATE

Members considered a report which provided an update on the current local position regarding the impact of the Licensing Act 2003, up to 31 March 2010.

There were currently 866 premise licences and 59 club premise certificates in force within the authority area. During 2009/10, 26 new premise licence grant applications and 42 variation applications had been received, 15 of which had been determined by licensing sub-committee hearings. In addition, 192 new personal licences had been granted and 379 temporary event notices received. The authority area had 21 designated public places orders (alcohol exclusion zones); in 2009/10 a new zone had been introduced in the Clarence Gardens area. A breakdown of premise types and licenses was provided in Annexes 1 and 2 to the report and comments

of Trading Standards, the Environmental Protection Unit and North Yorkshire Police were summarised in paragraphs 9 to 12.

Officers highlighted at the meeting the fact that the national trend for pub and bar closures was not apparent in York, and that the increasing number of new licences being granted for hotels, restaurants and café bars indicated a gradual move towards 'café culture'.

Members thanked Officers for their work on the report and

RESOLVED: That the contents of the report be noted and that Officers be requested to provide an annual update on the Licensing Act 2003, which should include comments on trends in the granting and surrendering of licences.

REASON: To keep Members informed of the effects of their Licensing Policy.

Action Required

1. Make arrangements to bring a yearly update on the Licensing Act to the Committee LC

10. LICENSING ACT 2003 - REBALANCING THE LICENSING ACT.

Members considered a report which advised them of a recent Home Office consultation paper entitled *Rebalancing the Licensing Act* and sought approval for a proposed response to the consultation.

The Government was proposing measures to re-balance the Licensing Act 2003, to empower individuals, families and local communities to shape and determine local licensing. The consultation paper was attached as Annex 1 to the report. Suggested responses to the 29 consultation questions were provided at Annex 2. Members were invited to approve or amend the consultation response prior to its submission to the Home Office by the deadline of 8 September 2010.

Having discussed the response in detail, Members agreed that:

- The response be preceded by a comment on the undesirability of allowing such a short period of consultation on these important proposals
- Amendments be made to the suggested responses to questions 1, 3, 4, 6, 7, 8, 9, 11, 15, 17, 20b), 22, 23, 24 and 27
- The response include overall comments indicating that the Council generally welcomed the measures proposed and highlighting the importance of tackling the issue of 'pre-loading' and under-priced alcoholic drink sold by supermarkets and encouraging sensible drinking in a regulated environment.

RESOLVED: (i) That authority be delegated to the Chair, Vice-Chair and Officers to make the amendments agreed by Members and to approve the final wording of the response.*

(ii) That the response, as amended be submitted to the Home Office.

REASON: In order to provide an appropriate response to the consultation, reflecting Members' views on the proposals.

**Note: The final response, as approved by the Chair and Vice-Chair, is attached as an annex to these minutes.*

Action Required

Agree final wording of response with Chair and Vice Chair LC
and submit to the Home Office

D Merrett, Chair

[The meeting started at 2.00 pm and finished at 3.35 pm].