



Portsmouth
CITY COUNCIL

NOTICE OF MEETING

LICENSING POLICY COMMITTEE

FRIDAY 2 OCTOBER 2009 AT 9.30AM

EXECUTIVE MEETING ROOM, 3RD FLOOR, THE GUILDHALL

Licensing Committee members:

Councillors Les Stevens (chair), David Fuller (vice-chair), Margaret Adair, Sarah Dinenege, Jason Fazackarley, Margaret Foster, Jacqui Hancock, Lee Mason, Linda Symes, April Windebank, Andy Fraser, Hugh Mason, Luke Stubbs, Malcolm Hey, Jim Patey

Standing deputies:

Councillors Mike Blake, Frank Jonas, Leo Madden, Eleanor Scott, Lynne Stagg

Telephone enquiries to Lucy Wingham, 023 9283 4662/ Karen Martin, 023 9283 4052

Email: lucy.wingham@portsmouthcc.gov.uk or karen.martin@portsmouthcc.gov.uk

(NB This Agenda should be retained for future reference with the Minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request needs to be made in writing to the relevant officer by 12 noon of the working day before the meeting, and must include the purpose of the deputation (eg. for or against the recommendations). Email requests are accepted. Contact: Lucy Wingham or Karen Martin as listed above.

AGENDA

1. **Declaration of Members' Interests**
2. **Minutes of the Licensing Committee meeting held on 5 November 2008**

The minutes of the Licensing Committee meeting held on 5 November 2008 are attached.

RECOMMENDED that the minutes of the Licensing Committee meeting held on 5 November 2008 be agreed and signed by the chair as a correct record.

3. **Minutes of the Licensing Sub Committee meetings held on 17 October, 24 October, 4 November, 12 November, 21 November, 26 November, 3 December and 9 December 2008, 14 January 2009, 16 January, 28 January, 7 April, 15 April, 29 April, 20 May, 22 May, 1 June, 3 June, 9 June, 16 June, 17 June, 1 July, 13 July, 15 July, 3 August, 4 August, 5 August and 19 August 2009.**

The minutes of the Licensing Sub Committee meetings held on 17 October, 24 October, 4 November, 12 November, 21 November, 26 November, 3 December and 9 December 2008, 14 January 2009, 16 January, 28 January, 7 April, 15 April, 29 April, 20 May, 22 May, 1 June, 3 June, 9 June, 16 June, 17 June, 1 July, 13 July, 15 July, 3 August, 4 August, 5 August and 19 August 2009 are attached.

Recommended that the minutes of the Licensing Sub Committee meetings held on 17 October, 24 October, 4 November, 12 November, 21 November, 26 November, 3 December and 9 December 2008, 14 January 2009, 16 January, 28 January, 7 April, 15 April, 29 April, 20 May, 22 May, 1 June, 3 June, 9 June, 16 June, 17 June, 1 July, 13 July, 15 July, 3 August, 4 August, 5 August and 19 August 2009 be agreed and signed by the relevant chair of the meeting.

4. **Licensing Act 2003 – Statutory amendments to the Licensing Act 2003 to introduce a simplified “minor variations” process for premises licences and club premises certificates.**

Purpose: The purpose of this report is to:

- a) Appraise members on the recent statutory amendments to the Licensing Act 2003 (“the Act”) so as to permit small variations to premises licences or club premises certificates that will not impact adversely on the licensing objectives; and

- b) Recommend that the existing scheme of delegations under the Act is extended so that the responsibility for the consideration and determination of minor variation applications is delegated to officers.

RECOMMENDED

- a) **That the contents of the report be noted.**
- b) **That the committee delegates all functions relating to the new minor variations procedures as set down in the Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates) Order 2009 – SL 1772/2009 to the City Solicitor with the authority to further delegate to other officers as he sees fit.**

A report by the Licensing Manager is attached.

5. Licensing Act 2003 – Statutory amendments relating to the supervision of alcohol sales in community premises.

Purpose: The purpose of this report is to appraise Members on the recent statutory amendments to the Licensing Act 2003 (“the Act”) by virtue of The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls &c.) Order 2009.

This Order enables community premises to apply for the removal of the mandatory conditions on the premises licence which require that a designated premises supervisor has to be nominated on the licence and that all alcohol sales must be authorised by a personal licence holder.

Instead they will be replaced with an alternative mandatory condition which gives responsibility for authorising sales of alcohol to the premises licence holder, which in respect of community premises, will be the committee or board of individuals responsible for the management of the premises.

RECOMMENDED

- (a) **That the contents of the report are noted; and**
- (b) **That the current scheme of delegations be amended as follows:**
 - (i) **that the Licensing Sub-Committee be granted delegated authority to consider all applications under the provisions of the Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls &c.) Order 2009 where representations have been received; and**
 - (ii) **that the appropriate Chief Officer be granted delegated authority to approve such applications under the provisions of the Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls &c.) Order 2009 where no representations have been received.**

A report by the Licensing Manager is attached.

6. Budget Monitoring Report To June 2009

Purpose: To inform the Committee of the forecast revenue expenditure against the cash limited budget for the Licensing Committee.

RECOMMENDED that the position regarding the revenue forecast for 2009/10 set out in the report be noted.

A report by the Strategic Director and Section 151 Officer is attached.

7. Licensing Committee – Training for Members

As members are aware, it is essential that each and every Councillor sitting on the Licensing Committee receives suitable training on the role and responsibilities of the Licensing Authority and how this relates to determining licensing policy and considering individual applications. Leading on from the recent Home Office Training on enforcement of the Licensing Act 2003 in July 09, which was attended by several Licensing Committee members, an additional day of training for members is proposed. It is also proposed to invite Police representatives for one of the training sessions in order to discuss crime and disorder issues. A date has yet to be agreed but it is hoped that it will be held within the next few weeks.

It would be very helpful to the Licensing Manager if Members could advise on their unavailability of dates at the meeting so that a date can be arranged whereby all of the committee will be able to attend.

Members must attend these training days in order to undertake such a role on the Committee. Existing members must also attend annual refresher training.

Licensing Committee members should also make a note in their diaries that a provisional date has also been booked for **Thursday 20 May 2010** for ongoing licensing training for both new and existing committee members.