

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

LICENSING COMMITTEE

24th NOVEMBER 2005 AT 6.30 P.M.

PRESENT: Mr. N.B.L. DAVIS - CHAIRMAN

Mr. P.R. Batty, Mr. J.C. Bown, Mrs. D. Finney, Mrs. S. Francks, Mr. K.A.J. Hunnybun, Mr. C.G. Joyce, Mr. M.R. Lay and Mr. J.E. Stanley.

In accordance with Council Procedure Rule 4.4 Mr. J.F. Collins also attended the meeting.

Officers in attendance: Mr. Mark Brymer, Mrs. L. Horton, Mrs. P.I. Pitt and Mr. T.M. Prowse.

Prior to commencement of the meeting the Chairman paid tribute to all of those involved in ensuring the smooth transition of the licensing function from the Magistrates to the Council and thanked everyone for their invaluable help and advice.

291 APOLOGIES

Apologies for absence were submitted on behalf of Messrs. B.H. Edwards, M.A. Hall, D.W. Thorpe and R. Ward.

292 MINUTES (LC3)

On the motion of Mr. Stanley, seconded by Mr. Lay it was

RESOLVED - the minutes of the meeting held on 2nd August 2005 be confirmed and signed by the Chairman.

293 DECLARATIONS OF INTEREST

No interests were declared at this stage.

294 IMPLEMENTATION OF LICENSING REFORMS (LC4)

The Senior Licensing Officer provided Members with an update on the above and submitted revised statistical information. These reforms provided a mechanism whereby, with the transfer of licensing powers to new licensing authorities, residents were now consulted and the Council accountable for its decisions.

At the suggestion of the Chairman it was agreed that in the event of major changes to Acts not repealed, details of these be circulated to members of the Committee.

The Cabinet portfolio holder responsible for licensing issues then paid tribute to the endeavours of the licensing team and panel members in ensuring that the Authority was on target to issue all licenses by today.

On the motion of Mrs. Finney, seconded by Mr. Hunnybun it was

RESOLVED – the report of the Head of Health and Environment be noted.

295 LICENSING ACT 2003 ENFORCEMENT PROTOCOL (LC5)

The Senior Licensing Officer reported on the Framework for the joint Enforcement Protocol signed up to by local authorities and responsible authorities throughout Leicestershire and indicated that this document was not subject to public consultation. After careful consideration of this protocol it was suggested that section 148(1)(2) be amended to read 'sale/supply of confectionery containing alcohol to under 16's.'

Concerns were raised as to premises operating without a new licence and it was agreed that any Member becoming aware of such instances refer these direct to the Senior Licensing Officer.

It was moved by Mr. Lay, seconded by Mr. Hunnybun and

RESOLVED – taking into account the issues now raised by Members the report of the Head of Health and Environment be approved.

296 TRANSFER OF GAMING FUNCTIONS FROM LICENSING JUSTICES (LC6)

The Senior Licensing Officer informed Members of the changes being made to the licensing regime for gaming and gaming machines in public houses and other alcohol-licensed premises, consequent upon the provisions of the Licensing Act 2003. It was stressed that enforcement powers would remain with the Police. Additionally, any establishments containing gaming machines needed a permit. Advice had not been yet been received from the Department for Culture, Media and Sport with regard to gambling on the internet.

On the motion of Mr. Lay, seconded by Mr. Hunnybun it was

RESOLVED – the report of the Head of Health and Environment be approved.

297 GAMBLING ACT 2005 (LC7)

Members were informed that the above legislation would transfer responsibility for licensing and authorising gaming and gambling to the licensing authority. A Member enquired as to the position with regard to works syndicates engaged in lotteries and sweepstakes and in response to another Member's question the Senior Licensing Officer indicated that casino, poker events and horse racing events all needed a licence under this Act.

It was moved by Mr. Lay, seconded by Mr. Stanley and

RESOLVED – the report of the Head of Health and Environment be noted and the Senior Licensing Officer respond direct to the Member concerned regarding works syndicates engaged in lotteries and sweepstakes.

(The meeting closed at 7.12 p.m.)