

**At a meeting of the LICENSING COMMITTEE held in the CIVIC CENTRE on MONDAY, 31<sup>ST</sup> JANUARY, 2011 at 2.00 p.m.**

**Present:-**

Councillor Old in the Chair

Councillors Emerson, Errington, Francis, P. Gibson, MacKnight, Maddison, D. Richardson, J. Scott, D. Smith, J. Walton and A. Wilson.

**Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Bell, Maddison and D. Wilson.

**Declarations of Interest**

There were no declarations of interest.

**Minutes of the last Meeting of the Committee held on 5<sup>th</sup> January, 2011**

1. RESOLVED that the minutes of the last meeting of the Committee held on 5<sup>th</sup> January, 2011 be confirmed and signed as a correct record.

**Relaxation of Licensing Hours for the Royal Wedding**

The Executive Director of City Services submitted a report (copy circulated) on proposals to relax licensing hours to mark the wedding of Prince William and Catherine Middleton on Saturday, 30<sup>th</sup> April and Sunday 1<sup>st</sup> May, 2011.

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager presented the report advising Members that the Home Office proposed that those premises not already licensed under the Licensing Act to 1.00 a.m. would be able, should the licence holders so choose, to remain open for the sale of alcohol for consumption on the premises and the provision of regulated entertainment until 1.00 a.m. on Saturday, 30<sup>th</sup> April and on Sunday, 1<sup>st</sup> May.

The purpose of the Home Office in this proposed exercise was to mark this occasion of 'exceptional significance' and to avoid the costs, and administrative burdens, of a large number of licensees being obliged to give Temporary Event Notices in order for celebrations to continue to a reasonable hour.

Mr. Terrett advised that the City currently had 363 licensed premises, including social clubs, which under normal circumstances would close before 1.00 a.m.

Councillor Hall expressed concern that some premises may cause problems for their neighbours by being open for that length of time. He also believed that it would not be widely welcomed by the trade many of whom would feel obliged to open despite having to incur extra costs for probably no, or very little return.

2. RESOLVED that the contents of the report be received and noted.

### **Police Reform and Social Responsibility Bill**

The Executive Director of City Services submitted a report (copy circulated) which informed Members of the implications of the Police Reform and Social Responsibility Bill with regard to the functions of the Council in licensing the sale of alcohol.

(For copy report – see original minutes).

Councillor J. Scott and G. Hall welcomed the report but both believed that the payment of 70% of funds generated from any late night levy to the local policing body was excessive. With regard to the levy, Councillor Francis asked if there was any indication as to the range or thresholds involved. Mr. Terrett replied that it was not prescribed in the legislation but might possibly be related to rateable values. Councillor Smith suggested that perhaps it should be based on turnover.

With regard to the need to advertise any proposed early morning restriction orders, Councillor A. Wilson asked that if the burden of cost fell on the Local Authority, from which budget would the cost be borne. Mr. Terrett advised that this would have to be contained within the licensing budget.

There being no further questions, the Chairman closed the meeting having thanked Members and Officers for their attendance.

(Signed) S. OLD,  
Chairman.

# **REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES**

## **LICENSING COMMITTEE – 27 JUNE 2011**

### **LICENSING ACT 2003 – ANNUAL REPORT 2010/11**

#### **1.0 PURPOSE OF REPORT**

- 1.1 To advise Members of the regulatory activity undertaken by the Council in 2010/2011 with regard to the Licensing Act 2003.

#### **2.0 DESCRIPTION OF DECISION**

- 2.1 Members are requested to note the contents of the report.

#### **3.0 INTRODUCTION/BACKGROUND**

- 3.1 Under the Licensing Act 2003, Sunderland City Council has responsibility for licensing alcohol, regulated entertainment and late night refreshment within its area. This encompasses the determination, grant, administration and enforcement of premises licences, club premises certificates, personal licences and temporary event notices.

#### **4.0 CURRENT POSITION**

##### **Premises Licences**

- 4.1 There are currently 864 premises licences in force in Sunderland. Of these, 294 premises are licensed for the sale of alcohol for consumption both on and off the premises and a further 88 premises are licensed for the sale of alcohol for consumption on the premises only. There are currently 274 premises licensed for the sale of alcohol for consumption off the premises. A further 208 premises are licensed for activities which do not include the sale of alcohol.
- 4.2 In 2010/11 the Licensing Section processed 42 applications for the grant of a new premises licence. Two of these applications were rejected by officers for failing to advertise the application correctly in accordance with the requirements of the Act. The section also processed 23 applications for a variation to a premises licence. Twenty four of these applications were granted after the applicant agreed to conditions being added to their licence following the receipt of representations from responsible authorities and mediation with officers from the Licensing Section.
- 4.3 The Licensing Section also processed 39 applications for minor variations to premises licences.
- 4.4 The Section referred 16 applications for consideration by the Council's Licensing Sub-Committee after officers were unable to mediate an agreement between the applicant and the objectors. Additionally, three applications for reviews of premises licences were referred to Licensing Sub-Committees.

- 4.5 As well as processing applications officers from the Licensing Section regularly met with applicants prior to applications being submitted. At these meetings officers gave advice on how to complete the relevant application forms and made suggestions as to which conditions the applicant should include in their operating schedule in order to satisfy the requirements of the responsible authorities.

### **Club Premises Certificates**

- 4.6 There are currently 81 premises in the City which hold a club premises certificate. Of these 25 are licensed for the supply of alcohol to members for consumption on the premises and a further 56 are licensed for the supply of alcohol to members for consumption both on and off the premises. No applications regarding club premises certificates were made in 2010/11.

### **Personal Licences**

- 4.7 There are currently 2031 holders of personal licences issued by the Council. In 2010/11 the Licensing Section received 159 applications for a personal licence. Of these 156 were granted and a further six applications did not proceed because either they were identified as invalid by the Licensing Section or the applicant withdrew their application after discussions with officers.

### **Temporary Event Notices**

- 4.8 During 2010/11 the Licensing Section received 286 temporary event notices. Of these, 17 notices did not proceed because either they were identified as invalid by the Licensing Section or the applicant withdrew the notice after discussions with officers. During the year Northumbria Police objected to one notice. This resulted in a referral to a Licensing Sub-Committee who then issued a counter notice which prohibited the event.

### **Responsible Authority Group**

- 4.9 Throughout the year the Licensing Section arranged meetings of the Council's Licensing Act Responsible Authority Group. The group met on a fortnightly basis and its membership consists of representatives from all of the responsible authorities. The remit of the group is to look at applications which are currently under consideration, consider temporary event notices received, discuss enforcement issues and exchange information between officers of the group.

### **Inspections**

- 4.10 In 2010/11 officers from the Licensing Section carried out 261 inspections of licensed premises either proactively to ensure that operators are complying with their licence conditions or subsequent to complaints received about the premises.
- 4.11 An example of how officers dealt with complaints involves a residents' association of a block of flats complaining about a public house in their vicinity. Their concerns related principally to the use of an outside drinking area; particularly when drinkers

spilled over onto a grassed area outside of the premises. Officers visited the chairman of the residents' association to ascertain the exact details of their concerns. Following this visit, officers approached the representative of the licensee and advised him of the residents' concerns. At this meeting it was agreed that, in order to improve the situation, the licensee would erect a temporary barrier to prevent drinkers from spilling onto the grassed area. Additionally, the licensee agreed to employ door supervisors when the outside area was in use in order to encourage order and prevent drinkers from taking open bottles or glasses off the premises.

### **Underage Sales**

- 4.12 In 2010/11 officers from the Trading Standards Section sent child volunteers to attempt test purchases of alcohol at 43 licensed premises. As a result of these visits a number of fixed penalty notices were issued and prosecution reports are currently under consideration in relation to nine instances of selling alcohol to persons under eighteen.

### **Best Bar None**

- 4.13 The second edition of Sunderland's Best Bar None competition was presented in 2010/11. The scheme is recognised by the Home Office as a method of improving standards in public houses and clubs. Officers from the Licensing Section have been trained as Best Bar None assessors and conducted assessments of the premises that entered the competition. The results of these assessments were placed before the judging panel who then decided the winners of the competition. In 2009 the competition was launched in Sunderland City Centre and thirteen premises entered the competition. In 2010 this number increased to nineteen as the scheme was expanded to cover the whole Council area.

### **Pubwatch**

- 4.14 There are several pubwatch schemes currently in operation within the Council's area. These meetings normally occur on a monthly basis and are attended by officers from the Licensing Section. At these meetings officers advise licensees of any legislative changes and also provide advice with regard to best practice.

### **Event Safety Group**

- 4.15 The Council operates an event safety group which meets on a monthly basis to consider the safety of events to be held on Council-owned land. The Licensing Section is represented on this group in order to ensure that organisers are advised of any licensing issues in connection with their event.

## **5.0 REASONS FOR THE DECISION**

- 5.1 To advise Members of the current position within the Council's area with regard to the Licensing Act 2003.

## **6.0 ALTERNATIVE OPTIONS**

6.1 None.

## **7.0 RELEVANT CONSIDERATIONS**

7.1 None.

## **8.0 GLOSSARY**

8.1 None.

## **9.0 LIST OF APPENDICIES**

9.1 None.

## **10.0 BACKGROUND PAPERS**

10.1 None.

# **REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES**

## **LICENSING COMMITTEE – 27 JUNE 2011**

### **GAMBLING ACT 2005 – ANNUAL REPORT 2010/11**

#### **1.0 PURPOSE OF REPORT**

- 1.1 To advise Members of the regulatory activity undertaken by the Council in 2010/11 with regard to the Gambling Act 2005.

#### **2.0 DESCRIPTION OF DECISION**

- 2.1 Members are requested to note the contents of the report.

#### **3.0 INTRODUCTION/BACKGROUND**

- 3.1 Under the Gambling Act 2005, Sunderland City Council has responsibility for licensing premises which provide facilities for gambling within its area. This encompasses the determination, grant, administration and enforcement of premises licences, gaming permits, lottery registration, occasional use notices and temporary use notices.

#### **4.0 CURRENT POSITION**

##### **Premises Licences**

- 4.1 There are currently 83 premises licences in force in Sunderland. These premises licences can be further distinguished by the type of gambling provided at the premises as follows:

<b>Type of Gambling Premises</b>	<b>Number in Sunderland</b>
Adult Gaming Centres	18
Betting Shops	57
Bingo Premises	4
Casino	1
Family Entertainment Centres	2
Track Betting	1

- 4.2 In 2010/11 the Licensing Section processed two applications for the grant of a new premises licence in respect of betting shops. The section also processed one application for a variation to a Bingo premises licence.

##### **Gaming Permits**

- 4.3 Gaming Permits are required when premises provide a gambling facility but either the stakes and prizes are very low or gambling is not the main function of the premises. Permits can be further distinguished by the type of gambling provided at the premises as follows:

<b>Type of Permit</b>	<b>Number in Sunderland</b>
Family Entertainment Centre Gaming Machines	6
Prize Gaming	1
Club Machines	51
Alcohol licensed premises (two or less gaming machines)	182
Alcohol licensed premises (three or more gaming machines)	33

### **Lottery Registration**

- 4.4 There are currently 100 societies registered with the Council to run lotteries.

### **Responsible Authority Group**

- 4.5 Throughout the year the Licensing Section arranged meetings of the Council's Licensing Act Responsible Authority Group. The group met on a fortnightly basis and its membership consists of representatives from all of the responsible authorities. The remit of the group is to look at applications which are currently under consideration, consider temporary event notices received, discuss enforcement issues and exchange information between officers of the group.

### **Inspections**

- 4.6 In 2010/11 officers from the Licensing Section carried out 277 inspections of licensed gambling premises in order to ensure that operators are complying with their licence conditions.

## **5.0 REASONS FOR THE DECISION**

- 5.1 To advise Members of the current position within the Council's area with regard to the Gambling Act 2005.

## **6.0 ALTERNATIVE OPTIONS**

- 6.1 None.

## **7.0 RELEVANT CONSIDERATIONS**

- 7.1 None.

## **8.0 GLOSSARY**

- 8.1 None.

## **9.0 LIST OF APPENDICIES**

- 9.1 None.



## **10.0 BACKGROUND PAPERS**

10.1 None.