



Lewes District Council
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Licensing Committee

Minutes of a meeting of the **Licensing Committee** held in **Warren Room, Lewes House, 32 High Street, Lewes** on **26 June 2007** at **14:00** .

Present:

Councillors K D Mayers (Chair), C J Butler, J F Daly, B W Groves, L M Hallett, P A Howson, R Robertson and I J White

Officers Attendingfalse1229true1231

Mark Wiltshire, Environmental Health Manager

Tim Albright, Principal Environmental Health Officer

Lisa Harvey-Vince, Acting Principal Environmental Health Officer

Garry Clark, Licensing Officer

David Feintuck, Committee Officer

	Minutes	Action
1	Minutes The Minutes of the meeting held on 26 October 2006 were approved as a correct record and signed by the Chair.	

2 Apologies for Absence/Declaration of Substitute Councillors

Apologies had been received from Councillors P L Bennett, D H Mitchell and R Sinclair. Councillor Butler declared she was substituting for Councillor Bennett.

3 Declaration of Interest

Councillor Howson declared that he had a personal, non-prejudicial interest in the agenda items as he was a licensee at Peacehaven Meridian Centre.

4 Urgent Item - Smoke-free Legislation Enforcement

In view of the commencement on 1 July 2007 of Smoke-free legislation enforcement, The Chair agreed in accordance with section 100B(4)(b) of the Local Government Act 1972, that the oral report of the Environmental Health Manager on this matter be included for discussion at the meeting as a matter of urgency.

5 Local Alcohol and Entertainment Licensing - Update

The Committee received the oral presentation of the Principal Environmental Health Officer. The Officer detailed the Statement of Licensing Policy Review and Smoke-free legislation enforcement, both of which were discussed as agenda items later in the meeting, and outlined current issues.

Resolved

5.1 That the update be noted.

6 Smoke-free legislation Enforcement

The Committee considered the oral report of the Environmental Health Manager who noted that:

- enforcement was a delegated non-executive function of the Licensing Committee
- the Council's environmental health service was the statutory enforcement agency for implementation
- from its commencement on 1 July 2007 the ban would have an impact on the licensed trade and on applications to vary licences with regard to access to outside areas
- the scope of enforcement was not restricted to licensed

premises and therefore a large number of other premises were included for enforcement by the local authority for the first time

- premises visits had taken place as appropriate

while the commercial team preferred an 'educative' approach, as advocated by the Government, fixed penalties could be issued as appropriate for non-compliance and the Head of Environment and Health or Environmental Health Manager, in consultation with the District Solicitor, could prosecute if necessary.

Resolved

6.1 That the report be noted.

7 Review of Lewes District Council Statement of Licensing Policy

The Committee considered Report No 119/07 which invited the Committee to consider and approve the draft Statement of Licensing Policy for public consultation. The Committee noted that under the terms of the Licensing Act 2003 the meeting was inquorate for this item as all Committee members were not in attendance. The resolution, therefore, would be of those councillors present.

The Environmental Health Manager pointed out that the Statement of Licensing Policy adopted by the Council in January 2005 must be reviewed and then re-adopted before January 2008. The timetable was detailed in paragraph 4.1.1 of the Report. No negative feedback had been received and there were no drivers for change other than the revised Government Guidance. The drafted amendments had taken the Guidance into account in balancing the policy towards residents' rights without a presumption of longer licensing hours.

The Licensing Officer took councillors through the detailed proposed amendments to the Statement.

Resolved

7.1 That the draft Statement of Licensing Policy (Appendix 2 to the Report) be agreed and made available for public consultation;

7.2 That the method and timescale for consultation as set out in paragraph 4.1.1 of the Report be agreed; and

7.3 That any comments arising from the consultation be considered by the Committee within the timescale.

8 Councillors' Training Requirements

The Committee considered Report No 120/07 which invited the Committee to identify any training needs for the coming year. Training for councillors serving on Sub-Committees to hear licensing applications and reviews had been completed by seven of the ten Committee members.

Resolved

That suitable courses for councillors who had not yet been trained to serve on Licensing Sub-Committees be investigated.

9 Date of Next Meeting

Resolved

9.1The next meeting of the Committee would take place at 2:00pm on Tuesday 9 October 2007 in the Warren Room, Lewes House.

The meeting ended at **16:30** .

K D Mayersfalse1230true1232 Chair