

From: Ehealth ldc
To: Clark, Garry
Date: 22 July 2010
Subject: Fwd: Statement of Licensing Policy - Consultation document

Garry for you... thanks Gina

>>> Andy Bryce 22/07/2010 08:31 >>>

Please note my comments for your consultation document as referred to above.

Point 1.

The policy says:

"6.4.7 WASTE

Complaints relating to the accumulation and storage of waste will be dealt with under the provisions of the Environmental Protection Act 1990 and the Refuse Disposal (Amenity) Act 1978."

There are a variety of different pieces of legislation that may be used to deal with complaints about waste and different aspects of it, e.g., The Environment Act 1990, the Clean Neighbourhoods and Environment Act 2005 (accepted these mainly modify the Environmental Protection Act for waste), The Control of Pollution (Amendment) Act 1989, The Prevention of Damage by Pests Act, the Food Safety Act 2006 and a variety of other pieces of legislation including Public Health and Planning Acts. We have (or are close to having) a Council enforcement policy. It strikes me that the wording in this document is unnecessary and potentially restricting the Council's ability to act in any other ways than listed here on licensed premises. Not only that it may directly contradict the enforcement policy. May I please suggest that the paragraph is either taken out or simply put "appropriate legislation".

Point 2.

Data Protection, Information and National Fraud Initiative.

You have not included any information about data and its uses. Under Personal Licences (Licensing Act 2003) Sue Pattenden has been doing some very helpful work to help comply with National Fraud initiative work and the Code of Data Matching Practice issued by the Audit Commission;

<http://www.audit-commission.gov.uk/nfi/pages/codeofdatamatchingpractice.aspx> (<http://www.audit-commission.gov.uk/nfi/pages/codeofdatamatchingpractice.aspx>) your covering letter has had the NFI paragraph included & this is being sent out with every personal licence issued.

The National Fraud Initiative requires us to have 'Fair Processing Notices' to let people know that we will be using their data and sending it to e.g., the Audit Commission. See <http://www.audit-commission.gov.uk/nfi/instructions/fairprocessingnotice/pages/default.aspx>

Sue has also typed up a new application form (exactly copying the DCMS statutory form) and included the NFI paragraph right at the top of the form. This is so that if Sue Lindsey sends out an electronic version via email or in the post at least this form has the paragraph inserted.

The only thing she had yet to do (which she was in the process of doing last I spoke with her, as Garry Clark was back from leave & had been able to supply her with the text content) was updating our website page to include information relating to Personal Licence Applications & Iain Griffin was going to insert a 'flag' on the website which will come up with the NFI paragraph).

May I suggest that you include this within your policy document.

The suggested wording in the Code of Data Matching Practice is:

Level 1 - Summary Text - Example for Application Forms (for example, for benefits, housing tenancies, employment, market traders and taxi drivers)

"This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see www.lewes.gov.uk/council/13533.asp or contact Jackie Gavigan on 01273 484145 or jackie.gavigan@lewes.gov.uk"

Kind Regards

Sue Lindsey - Re: Licensing Act 2003 - Statement of Licensing Policy

From: "Userrequest"
To: "Sue Lindsey"
Date: 19/07/2010 12:54
Subject: Re: Licensing Act 2003 - Statement of Licensing Policy

Ms Lindsey

I appreciate why this consultation option was sent to us however as we act in only a national capacity we feel we are not appropriate consultees on what is local licensing policy and refer you to local pubwatches within your area whose details should be know to both council and police licensing officers.

M Eidmans QPM MSc FCMI
 National Pubwatch

----- Original Message -----

From: Sue Lindsey
To: mail@abb.uk.com ; acs@acs.org.uk ; info@almr.org.uk ; philipslinn@aol.com ; enquiries@asa.org.uk ; info@atcm.org ; web@beerandpubs.com ; info@bllaw.co.uk ; Carla Butler ; Chris Bishop ; joe.oriordan@btinternet.com ; Tony Nicholson ; gary.ancell@btp.pnn.police.uk ; info@buses.co.uk ; camra@camra.org.uk ; info@dougsimmonds.co.uk ; Carolyn Lambert ; Philip Howson ; fiona.johnson@eastsussex.gov.uk ; lan Eiloart ; info@equity.org.uk ; joel.hufford@esdwpct.nhs.uk ; enquiries@esfrs.org ; admin@fiva.co.uk ; Chris Bowers ; mickdeveney@greeneking.co.uk ; gdenne@harveys.org.uk ; info@lewes-tc.gov.uk ; Ann DeVecchi ; B Allen ; Barry Groves ; Bob Sinclair ; carina.hinckley@lewes.gov.uk ; Cyril Sugarman ; David Gray ; David Mitchell ; David Rogers ; Edward Collict ; Eileen Russell ; Ian White ; James MacCleary ; James Page ; Jim Daly ; Jim Sheppard ; Jon Freeman ; Kevin Mayers ; Leader Link ; Lynda Hallett ; Lindsay Frost ; Melanie Cutress ; "Michael Chartier <Michael.Chartier@lew.livemail.co.uk
Sent: Monday, July 19, 2010 11:00 AM
Subject: Licensing Act 2003 - Statement of Licensing Policy

The Licensing Act 2003 requires that Lewes District Council publicise a Statement of Licensing Policy every three years. The current Licensing Policy was approved and came into effect on 7th January 2008.

In accordance with the Statutory Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003, the Council has to consult upon and prepare a Statement of Licensing Policy for a further 3 year period which will be in force with effect from 7th January 2011.

We have not received any local challenges to our existing Policy Statement or any adverse comment from the licensing trade, legal profession, other stake holders and the general public. Taking this into consideration, along with our experience over the past 3 years, we have decided that there will be no material changes to the Policy other than minor and consequential amendments relating to the pool of conditions and addresses of responsible authorities.

The Licensing Policy is attached or can be viewed in full on our Council website www.lewes.gov.uk. Comments on the Policy must be submitted in writing either by letter to the Licensing Team, Lewes District Council, Southover House, Southover Road, Lewes, East Sussex BN7 1AB, or by e.mail to ehealth@lewes.gov.uk by 8th October 2010.

Sue Lindsey
 Assistant Licensing Officer
 Lewes District Council
 Southover House, Southover Road
 Lewes, East Sussex BN7 1AB
 (01273) 484334
 07800 689286

Sue Lindsey - RE: Licensing Act 2003 - Statement of Licensing Policy

From:
To: ""Sue Lindsey""
Date: 27/07/2010 12:25
Subject: RE: Licensing Act 2003 - Statement of Licensing Policy

Hi Sue

Been away but thanks for info, I agree your policy seems to work well best left.

Regards

Doug Simmonds MBII tp.

Doug Simmonds Ltd
 Licensing Consultants
 01273 597 125
 07889 37 99 64

From: Sue Lindsey [mailto:Sue.Lindsey@lewes.gov.uk]

Sent: 19 July 2010 11:01

To: mail@abb.uk.com; acs@acs.org.uk; info@almr.org.uk; philipslinr@aol.com; enquiries@asa.org.uk; info@atcm.org; web@beerandpubs.com; info@bllaw.co.uk; Carla Butler; Chris Bishop; joe.oriordan@btinternet.com; Tony Nicholson; gary.ancell@btp.pnn.police.uk; info@buses.co.uk; camra@camra.org.uk; info@dougsimmonds.co.uk; Carolyn Lambert; Philip Howson; fiona.johnson@eastsussex.gov.uk; Ian Eiloart; info@equity.org.uk; joel.hufford@esdwpct.nhs.uk; enquiries@esfrs.org; admin@fiva.co.uk; Chris Bowers; mickdeveney@greeneking.co.uk; gdenne@harveys.org.uk; info@lewes-tc.gov.uk; Ann DeVecchi; B Allen; Barry Groves; Bob Sinclair; carina.hinckley@lewes.gov.uk; Cyril Sugarman; David Gray; David Mitchell; David Rogers; Edward Collict; Eileen Russell; Ian White; James MacCleary; James Page; Jim Daly; Jim Sheppard; Jon Freeman; Kevin Mayers; Leader Link; Lynda Hallett; Lindsay Frost; Melanie Cutress; Michael Chartier

Subject: Licensing Act 2003 - Statement of Licensing Policy

The Licensing Act 2003 requires that Lewes District Council publicise a Statement of Licensing Policy every three years. The current Licensing Policy was approved and came into effect on 7th January 2008.

In accordance with the Statutory Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003, the Council has to consult upon and prepare a Statement of Licensing Policy for a further 3 year period which will be in force with effect from 7th January 2011.

We have not received any local challenges to our existing Policy Statement or any adverse comment from the licensing trade, legal profession, other stake holders and the general public. Taking this into consideration, along with our experience over the past 3 years, we have decided that there will be no material changes to the Policy other than minor and consequential amendments relating to the pool of conditions and addresses of responsible authorities.

The Licensing Policy is attached or can be viewed in full on our Council website www.lewes.gov.uk. Comments on the Policy must be submitted in writing either by letter to the Licensing Team, Lewes District Council, Southover House, Southover Road, Lewes, East Sussex BN7 1AB, or by e.mail to

Sue Lindsey - RE: Licensing Act 2003

From: Sue Lindsey
To: Rogers, Councillor David
Date: 27/07/2010 08:33
Subject: RE: Licensing Act 2003

Cllr Rogers

Thank you for your response - yes, we are aware that changes are a-foot, but as it stands legislation states that we **must** make a further consultation for a 3 year period. We do liaise with other Authorities at the East and West Sussex Licensing Liaison Group and this is the procedure all Authorities are following.

As soon as any changes come in, we will be amending our procedures/policy accordingly.

Please do contact me if you need any further information.

Regards

Sue Lindsey
Assistant Licensing Officer
Lewes District Council
Southover House, Southover Road
Lewes, East Sussex BN7 1AB
(01273) 484334
07800 689286

>>> "Councillor David Rogers" <cllr.david.rogers@eastsussex.gov.uk> 26/07/2010 15:50 >>>

Dear Sue,

Seems OK to me.

On the wider issue of the Statement of Licensing Policy (about which you wrote to, I think, all councillors a week or so ago), I understand that the legislation is about to change substantially both in respect of liquor licensing and in respect of live music.

It seems appropriate to me therefore that LDC should clearly have regard to what happens (or is likely to happen) to legislation over the next few months. In a practical sense that would perhaps involve proceeding with a short-term formal renewal, but being prepared to review again in 12 months time or less. I do not support a further three-year policy period.

Regards,
David Rogers.

From: Sue Lindsey [mailto:Sue.Lindsey@lewes.gov.uk]
Sent: 26 July 2010 15:17
To: Councillor David Rogers
Subject: RE: Licensing Act 2003

Cllr Rogers

Yes, the application is pretty much in line with all our other supermarkets. They have applied for 'off' sales Monday to Saturday 7am to 11pm, and Sunday 9am to 6pm.

Do let me know if you need any further information.

Regards

Sue Lindsey

Sue Lindsey - Re: Licensing Act 2003 - Statement of Licensing Policy

From: Phil Little
To: "Sue Lindsey"
Date: 19/07/2010 12:50
Subject: Re: Licensing Act 2003 - Statement of Licensing Policy

Hello Sue

Thank you for forwarding a copy of Lewes District Council's licensing policy.

bye for now

Phil Little
Live Music Forum

On 19 Jul 2010, at 11:00, Sue Lindsey wrote:

The Licensing Act 2003 requires that Lewes District Council publicise a Statement of Licensing Policy every three years. The current Licensing Policy was approved and came into effect on 7th January 2008.

In accordance with the Statutory Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003, the Council has to consult upon and prepare a Statement of Licensing Policy for a further 3 year period which will be in force with effect from 7th January 2011.

We have not received any local challenges to our existing Policy Statement or any adverse comment from the licensing trade, legal profession, other stake holders and the general public. Taking this into consideration, along with our experience over the past 3 years, we have decided that there will be no material changes to the Policy other than minor and consequential amendments relating to the pool of conditions and addresses of responsible authorities.

The Licensing Policy is attached or can be viewed in full on our Council website www.lewes.gov.uk. Comments on the Policy must be submitted in writing either by letter to the Licensing Team, Lewes District Council, Southover House, Southover Road, Lewes, East

Sussex BN7 1AB, or by e.mail to ehealth@lewes.gov.uk by 8th October 2010.

Sue Lindsey
Assistant Licensing Officer
Lewes District Council
Southover House, Southover Road
Lewes, East Sussex BN7 1AB
(01273) 484334
07800 689286

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

Sue Lindsey - Fwd: Renewal of Statement of Licensing Policy

From: Ehealth ldc
To: Albright, Tim; Bartlett, Tim; Clark, Garry; Lindsey, Sue
Date: 29/07/2010 10:42
Subject: Fwd: Renewal of Statement of Licensing Policy

Hi All,

Not sure who this is for? Could you have a look at the below and respond as necessary.

Many thanks and kind regards

Gina Plant
Senior Administration Assistant
Environmental Health
Lewes District Council
Direct Dial: 01273 484362
Fax: 01273 484451

>>> "itzi.klein@bluewin.ch" <itzi.klein@bluewin.ch> 29/07/2010 08:34 >>>

Dear Sir

Many thanks for the opportunity to comment on the renewal Lewes District Council's Licensing Policy. I do agree with its renewal without material changes. The only improvement I think should take place on the procedural side. The publication of applications for new or changed licensing in a newspaper of choice (Evening Argus, Sussex Express) means that it would be necessary to follow both newspapers. Lewes District Council should introduce a similar procedure as currently already practiced for planning applications and publish a weekly list of licensing applications on its internet site.

Many thanks in advance for considering this improvement.

Yours sincerely
F. T. Klein Fritz
Castlecourt
Castle Precints
Lewes
BN7 1YT