

DECISIONS OF THE LICENSING COMMITTEE

5 January 2006

Committee:

- * Councillor Brian Coleman (Chairman)
- * Councillor Eva Greenspan (Vice-Chairman)

Councillors:

- | | |
|------------------|------------------|
| * Steven Blomer | * Wendy Prentice |
| *Maureen Braun | *Joan Scannell |
| *Terry Burton | *Agnes Slocombe |
| Olwen Evans | * Ansuya Sodha |
| * Claire Farrier | *Soon-Hoe Teh |
| * Susette Palmer | * Jim Tierney |

* denotes Member present

1. **MINUTES:**
RESOLVED – That the Decisions of the meeting held on 14 September, 2005 be approved as a correct record.
2. **ABSENCE OF MEMBERS:**
Apologies for absence were received from Councillor Olwen Evans who was unwell.
3. **DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS:**
None were declared.
4. **LICENSING ACT 2003 AND GAMBLING ACT 2005 (Report and Supplemental Report of the Interim Head of Environmental Services – Agenda item 4):**
The Interim Head of Environmental Services further advised the Committee that, in connection with
 - (i) the enforcement programme, it was proposed that Licensing Officers would carry out an inspection regime of categories of premises, to meet meet the licensing objectives relating to enforcement (ie, public houses, night clubs, restaurants, Night – takeaway premises, Off – licences, sports grounds, theatres/cinemas, membership clubs, temporary events, gambling premises) . However, it was emphasised that this work would be in addition to inspections in response to complaints about individual premises
 - (ii) the implementation of the Gambling Act, 2005, the process had only now just commenced. The Chairman also advised the Committee of a lengthy consultation document he had

received relating to a number of technical issues, rather than the principles, to which comments had to be with the made to the Gambling Commission by 17 March 2006.

The Chairman also reported the contents of an email he had received from the police indicating their support of the use of video evidence at licensing hearings.

The Committee, having made recommendations to Council relating to a Complaints – led enforcement regime in respect of the Licensing Act 2003, as set out in their Report of 5 January, 2006,

RESOLVED –

(1) That:

- (a) Members note the progress made with the implementation of the Licensing Act 2003 and the briefing on the Gambling Act 2005;**
- (b) the Interim Head of Environmental Services be instructed to agree a response to the Gambling Commission’s Consultation document, with the Chairman, for consultation with Members of the Committee, and return to the Gambling Commission by 17 March, 2006.**

(2) That no further action be taken, at present, regarding saturation zones.

That, Officer Licensing Forums be established, as outlined in paragraph 8.13 of the Interim Head of Environmental Services’ report and the Interim Head be instructed to take the appropriate action in consultation as necessary with the Borough Solicitor, Democratic Services Manager, other Heads of Service and statutory bodies.

(3) That :

- (a) the Committee note the action being taken to deal with any applications during the period up to and immediately after the local elections;**
- (b) the Borough Solicitor be instructed to clarify the ability of Members to determine applications for Temporary Events Notices during period up to and immediately after the local elections.**

(4) That:

- (a) the use of video evidence be approved;**
- (b) the principles of the practices operated by Westminster for the showing of video evidence at hearings, as set out in paragraph 8.3 of the Interim Head of Environmental Services’ report be approved for operation in Barnet, subject:**
 - (i) to the evidence being presented in DVD format;**
 - (ii) to the video evidence forming part of the relevant party’s five minutes opening remarks, that not prejudicing the Sub – Committee’s ability to review all or part of the evidence during the discussion stage of the hearing;**

(ii) the Heads of Service concerned be instructed to take the appropriate action to introduce the ability for parties to use video evidence as quickly as possible, and the Democratic Services Manager be instructed to amend the Council's procedures accordingly.

The meeting finished at 7.28 pm