

## Licensing Committee

Tuesday, 4th August, 2009

**PRESENT:** Councillor R D Feldman in the Chair

Councillors S Armitage, M Dobson,  
T Grayshon, G Hyde, V Morgan, B Selby,  
A Castle and G Wilkinson

**IN ATTENDANCE** – Ms H Blake, Festival Republic Ltd

### 11 Election of the Chair

The Clerk reported that Councillor Wilson had tendered his apologies due to ill health and sought a nominee from the Committee to Chair the meeting.

Councillor R D Feldman was duly nominated as Chair by Councillor Wilkinson and seconded by Councillor Armitage.

**RESOLVED** – Councillor Feldman took the Chair for the meeting with the support of the Committee

### 12 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Councillor A Castle – Item 10 The Leeds Festival Event Management Plan – declared a personal interest as a resident of Thorner, as village benefited from the Community Fund established by the event organisers (minute 19 refers)

### 13 Apologies for Absence

Apologies were received from Councillors Dunn; Hanley; Townsley and Wilson

### 14 Minutes

**RESOLVED** – That the minutes of the meeting held 2<sup>nd</sup> June 2009 be agreed as a correct record

### 15 Police Presentation on City Centre Crime and Licensing Issues

This item was adjourned from the meeting as representatives of West Yorkshire Police were unable to attend due to urgent work commitments

**RESOLVED** – That the report and presentation be brought back to an appropriate Committee meeting.

### 16 Consultation Process for Gambling Act 2005 Statement of Licensing Policy

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the progress of the review of the Gambling Act 2005 Statement of Licensing Policy for the Authority, as required by the Gambling Act 2005.

The report set out the consultation process required prior the adoption of the revised Policy to cover 2010-2013 by full Council in December 2009. A first draft of the Policy had previously been sent out for consultation with Responsible Authorities and Legal Services. Comments had been received from West Yorkshire Police and LCC Social Care respectively and amendments had been made accordingly.

A copy of the Interim Consultation report which included the amendments was included at Appendix 1 of the report. Public consultation commenced on 3 August 2009 for a period of 9 weeks and a copy of the Public Consultation Draft which had been despatched to all libraries, council offices and was available on the LCC website, was included at Appendix 2. The Public Consultation Draft contained a "Change Document" which summarised the proposed changes from the 2007-2010 Policy.

It was noted that all Members of Council had been invited to participate in the public consultation.

**RESOLVED** – That the contents of the report and the timescales for public consultation be noted.

#### **17 Large Casino Licence Project**

The Assistant Chief Executive (Corporate Governance) submitted a report on the current position with regards to the Large Casino Premises Licence for Leeds. The report also detailed the next steps in the licensing process and the delegated responsibilities for the Licensing Committee within that process.

Members noted the preparations for the forthcoming competition process and proposals to establish an Advisory Panel to offer independent advice and scrutiny on the scoring methodology and quality of competing bids for the Licence.

It was reported that an independent consultant had been approached to provide training to Members prior to receipt of any applications. It was noted the consultant had undertaken a survey of the current gambling trade in Leeds and had concluded that 4-5 operators may submit applications, particularly if a city centre site near to the existing entertainment centre could be sourced. Members commented on the anticipated prolonged application process having regard to the fact that applicants may object to other applications and appeals may be lodged against subsequent decisions. Officers anticipated the Casino Licence may be granted in 2011/2012 and reported their intention to produce progress reports throughout the process.

**RESOLVED** – To note the contents of the report and the intention to present quarterly progress reports to the Committee

**18 Proposed Procedure to be adopted where Parties agree Conditions to be applied to Premises Licences and Club Premises Certificates**

Further to minute 9 of the meeting held 2 June 2009 when Members received a report on the outcome of recent High Court case (the "Sommerfield case"), the Committee received a further report setting out proposals which would allow a hearing to be dispensed with if all parties agreed in certain cases. The report also suggested amendments to the existing arrangements for reaching agreements between parties and the applicants.

It was noted the revised process would allow the parties to reach agreement, dispense with the need to attend a hearing and therefore allow a Sub Committee to deal with the application administratively. Such applications could be scheduled to be dealt with at the start or end of a Sub Committee meeting.

Members were reminded that full consideration of the measures proposed and agreed between the parties would be required prior to their acceptance and grant of any application. Officers clarified that if Members were unsure as to the appropriateness or necessity of any agreed measures, or have any queries whether the matters could be covered by other legislation, determination of the application could be adjourned to another specified hearing date and the parties be invited to attend.

Members were reassured that this new process would not have a negative impact on the right of members of the public to make representations and attend hearings as the majority of applications which were likely to be dealt with in this way would be those which had attracted representations only from the responsible authorities.

Appended to the report was a flow chart outlining the process.

**RESOLVED** - That approval be given for the process for dispensing with hearings where all parties have reached agreement, as outlined in Appendix A of the report. The Committee requested a review of the implications of the new process for the hearing schedules in 6 months

**19 The Leeds Festival 2009 - Event Management Plan for the 2009 Event**

The Assistant Chief Executive (Corporate Governance) submitted a report providing an update on the receipt of information in respect of the Event Management Plan (EMP) for the Leeds Festival 2009 scheduled to be held in the grounds of Bramham Park over August Bank Holiday weekend.

Appended to the report was a schedule providing a summary changes (Appendix 1) from the 2008 EMP. Appendix 2 contained a checklist of information awaiting submission.

Ms H Blake attended the meeting on behalf of Festival Republic Limited, the event promoters – and during discussions with the Committee provided the following information:

- the final EMP would be drafted this weekend for submission during the early part of next week which would confirm the details of all the project managers
- the Traffic Management Plan, previously presented to Members in April was now in place and would not be altered prior to the event
- an application had been lodged to vary the Designated Premises Supervisor for the event. The new DPS had considerable experience with Festival Republic Ltd
- telephone numbers for complaint hotlines for the public and local residents to contact during the event had been established
- 20,000 early attendees were expected on site on the Wednesday of the event weekend.
- Publicity for the proposed road closures and approved traffic routes had already commenced. Individual letters had been sent to each household on the electoral register for Thorner, Scholes, Barwick-in-Elmet and Bramham, and to properties on the A64 and along the proposed One-Way system. Information had also been included in local parish magazines. Prior to the event 2 press releases for radio and newspaper use would be sent and a second set of letters would be despatched to effected householders containing the public hotline numbers. Extensive signage along the approved traffic routes would also be erected prior to the event.

In response to Members concerns about complaints from local residents made directly to them during the event and their need to contact relevant officers, Ms Blake offered to supply her personal contact number to Committee Members along with the numbers of the 4 direct on-site office telephones.

Members also queried whether there were any measures in place to tackle fraudulent on-line sales of tickets which had been reported last year. Re-sale of tickets was not illegal but it was noted that on-line ticket touts were an issue for the police and Trading Standards to address. If the event promoter became aware of such sites they would report them, but there was little the company could do in terms of prevention except warn prospective festival goers not to purchase tickets from websites other than the Festival Republic Ltd website.

The Committee noted the comment that constituents of the Harewood ward were happy with the arrangements for the event so far and the quick response from Ms Blake to any issues which had been raised with her. Members also noted that a dedicated company to control vehicle movements within the event site had been contracted this year having regard to the impact of bad weather on the condition of the access routes and drop-off points within the site last year.

Officers outlined the steps available for the Committee to take in respect of the approval of the Event Management Plan.

**RESOLVED** – That the Event Management Plan as submitted be approved and

- a) That the Assistant Chief Executive (Corporate Governance) be authorised to approve any minor amendments to the Event Management Plan prior to the start of the event
- b) To note that direct contact numbers for Ms Blake for the duration of the Leeds Festival will be made available to Committee Members in due course

## 20 **Any Other Business**

### Best Bar None

- Members attention was drawn to the Best Bar None campaign, sponsored by LCC Safer Leeds; 96.3 Radio Aire; Yorkshire Radio and MRS Communications and supported by the licensing trade.
- Concern was expressed that some licensed premises within Leeds which had gained accreditation from the scheme had previously undergone a Review of their Premise Licence by a Sub Committee.
- Members were keen to understand the nomination and accreditation process and whether there was a process to remove accreditation. **RESOLVED** – That a report on the nomination and accreditation process for the Best Bar None scheme be presented to the next appropriate Committee meeting

### Member Training

- Officers reported on proposals to run training a session for the Licensing Committee Members. It was noted arrangements could be made for Tuesday 8 September 2009 as the Licensing and Regulatory Panel originally scheduled for that day had been cancelled
- Training was likely to cover issues relating to Reviews
- Members requested that guidance be provided on Section 190 of the 2003 Act pertaining to “alcohol point of sale” having regard to the recent number of applications which would allow off-licence proprietors to provide an alcohol delivery service

**RESOLVED** – To note the proposals to hold a Member training session on Tuesday 8<sup>th</sup> September 2009

## 21 **Date and Time of Next Meeting**

### **RESOLVED** –

- a) To note the date and time of the next meeting as Tuesday 6<sup>th</sup> October 2009 at 10.00 am
- b) To note the proposals for a training session for Licensing Committee Members on Tuesday 8<sup>th</sup> September 2009