

City of Bradford Metropolitan District Council

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Minutes of a meeting of the Licensing Committee on Friday 5 June 2009 at City Hall, Bradford

Commenced 1000

Concluded 1025

PRESENT – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Hill	Ferriby	Chadwick
McCabe	Flowers	
M Ahmed	Pullen	
L'Amie		
McPhee		

Councillor Hill in the Chair

1. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

2. MINUTES

Resolved -

- (1) That the minutes of the Committee meeting held on 30 March 2009 be signed as a correct record (previously circulated).
- (2) That the minutes of the Licensing Panels held on the following dates be signed as correct records (previously circulated):

Bradford Licensing Panel

17 February 2009

17 March 2009

30 March 2009

20 April 2009

3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

4. **APPOINTMENT OF SUB COMMITTEES**

Previous Reference: Council Minute 63 (2004/05)

At the meeting of Council on 19 October 2004 the membership and terms of reference for the Licensing Committee were approved. The Licensing Committee is formally required to appoint its sub committees as set out in the terms of reference for the 2009/10 Municipal Year.

Resolved –

- (1) **That the following panels (sub-committees) be appointed, with the functions as indicated in the terms of reference approved by Council on 19 October 2004:**
 - (i) **Bradford Licensing Panel**
 - (ii) **Keighley and Shipley Licensing Panel**
- (2) **That the Licensing Panels shall comprise three members.**
- (3) **That the Bradford Licensing Panel shall include the Chair of the Licensing Committee (or Deputy Chair when the Chair is unavailable) who shall chair the Panel and two other members of the Licensing Committee drawn on a rota basis.**
- (4) **That the Keighley and Shipley Licensing Panel shall include the Deputy Chair of the Licensing Committee (or Chair when the Deputy Chair is unavailable) who shall chair the Panel and two other members of the Licensing Committee drawn on a rota basis.**
- (5) **That the quorum of the Bradford Licensing Panel and the Keighley and Shipley Licensing Panel shall be three members.**

ACTION: *Assistant Director Corporate Services (City Solicitor)*

5. **SELLING ALCOHOL RESPONSIBLY: A HOME OFFICE DOCUMENT**

The Assistant Director, Corporate Services (City Solicitor) presented Selling Alcohol Responsibly: A Home Office Consultation document (**Document “A”**).

Members were requested to provide comments they wished to make on the document to the Assistant Director, Corporate Services (City Solicitor) prior to the preparation of a draft response.

A debate about the provision of free tap water in the summary of mandatory conditions ensued with Members expressing opposing views. One Member believed that the provision should be discretionary to prevent people entering licensed premises and not purchasing drinks, however, the consensus of opinion was against that view and the majority of Members believed the provision of free tap water was essential. It was believed that people visited licensed premises to enjoy the ambience and the majority of customers would purchase a drink. The provision of free tap water could discourage

excessive alcohol consumption and dehydration had been a contributory factor in fatalities caused by the use of drugs.

The provision for the Licensing Authority to apply discretionary conditions on two or more premises was questioned. Members were advised that a Licensing Authority could initiate a review and impose conditions to all premises in one area of the city if that was felt necessary.

The most appropriate body to request a review was discussed. Some Members were concerned that a call for review by the Licensing Authority could be construed as them acting as both 'judge and jury'. The local knowledge of responsible authorities was discussed and it was acknowledged that, in the absence of the Council having specific officers to inspect licensed premises, they would be the people most likely to have 'their ear to the ground'.

It was believed that without an impartial review hearing it was difficult to gain the true facts and with opposing parties presenting differing views it could be difficult to know who to believe. It was acknowledged, however, that analysis of the review procedure was required to ensure that reviews were being requested by residents who had concerns about licensed premises and to ascertain if there was any anecdotal evidence to suggest people were afraid to request reviews and required the Licensing Authorities help in such matters. It was agreed that the situation should be investigated and this was something which the Chair agreed to discuss at the Licensing Forum.

The Council's Senior Policy Officer (Substance Misuse) addressed the meeting in response to Members discussions about proposals to prevent people under 25 being able to purchase alcohol discounted for bulk sales. She advised that nationally there was not an age limit which applied to the bulk purchase. The law on this issue was currently unclear. It was decided that applying an over 25s age limit would be unfair.

It was agreed that, as there was still sufficient time for Members to provide comments to the Council's Legal Advisor, the corrections suggested at the meeting would be included in the Council's response to the document and that any further suggestions to be provided to the Council's Legal Adviser before the response date of 5 August 2009. The draft response to the consultation document would be discussed with the Chair prior to its submission.

Resolved –

That the Assistant Director, Corporate Services (City Solicitor), be requested to prepare a draft response to the Home Office Consultation document "*Selling Alcohol Responsibly*", paying due regard to the comments of Members and in consultation with the Chair, prior to submission of the final document.

ACTION: Assistant Director Corporate Services (City Solicitor)

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Committee.

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THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER