

LICENSING COMMITTEE

**Venue: Town Hall, Moorgate
Street, Rotherham**

Date: Wednesday, 20 February 2008

Time: 12.30 p.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested, in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Gambling Act 2005 - Temporary Use Notice - Fees (report attached) (Pages 1 - 2)
4. Licensing Act 2003 - Issues Raised by the Rother Valley West Area Assembly (report and correspondence attached) (Pages 3 - 5)

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
--

1.	Meeting:	Licensing Committee
2.	Date:	20th February 2008
3.	Title:	Fee payable for the issue of a Temporary Use Notice
4.	Directorate:	Neighbourhoods and Adult Services

5. Summary

The authority is required to set the fee that it will charge for the issue of a Temporary Use Notice under the Gambling Act 2005.

6. Recommendations

- **That the fee for the issue of a Temporary Use Notice under the Gambling Act 2005 be set at £375.00.**

7. Proposals and Details

Part 9 of the Gambling Act 2005 permits local authorities to issue temporary use notices. These allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice would include hotels, conference centres and sporting venues.

The maximum fee that a licensing authority can charge for the issue of a Temporary Use Notice is £500.00. It is proposed that the fee charged by Rotherham MBC for the issue of a Temporary Use Notice be set at £375.00, this is the equivalent to 75% of the maximum allowed and is in line with the other fees charged by the authority under the Gambling Act 2005.

This fee would be reviewed annually along with all other fees charged by the Authority.

8. Finance

The authority may be required to repay a proportion of any fee which is considered to be excessive (see section 9 below). There are no other financial implications associated with this proposal.

9. Risks and Uncertainties

Fees that are charged by licensing authorities are subject to audit and review by the Local Government Ombudsman and National Audit Office. Authorities could be asked to justify the fees that are charged. Those that are unable to do this satisfactorily could be reprimanded, and required to pay back a proportion of any fees that were considered excessive.

Maximum fees chargeable under the Gambling Act 2005 are set by statute. The fee that is proposed for the issue of a Temporary Use Notice is less than the prescribed limit, and can be justified should the need arise.

10. Policy and Performance Agenda Implications

None.

11. Background Papers and Consultation

None.

Contact Name : Alan Pogorzelec, Licensing Manager, 4524,
alan.pogorzelec@rotherham.gov.uk

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
--

1.	Meeting:	Licensing Committee
2.	Date:	20th February 2008
3.	Title:	Correspondence received from Rother Valley West Area Assembly
4.	Directorate:	Neighbourhoods and Adult Services

5. Summary

This report provides details of correspondence received from the Rother Valley West Area Assembly regarding two suggestions that the Licensing Committee should consider.

6. Recommendations

- **That the committee review the correspondence and if necessary resolve to discuss the implications of the proposals with relevant parties.**

7. Proposals and Details

Two letters have been received from Councillor John Swift (Chairman of the Rother Valley West Area Assembly).

Both letters are attached to this report as appendix A.

8. Finance

None.

9. Risks and Uncertainties

None.

10. Policy and Performance Agenda Implications

None.

11. Background Papers and Consultation

None.

Contact Name : Alan Pogorzelec, Licensing Manager, 4524,
alan.pogorzelec@rotherham.gov.uk

Neighbourhoods and Adult Services

Area Assembly Office, Rother Valley West,
Thurcroft Welfare Community Hall
Katherine Road, Thurcroft, Rotherham S66 9HF
Telephone: (01709) 702897



My Reference:
KT/AP

Your Reference:

Contact:
Andrea Peers.

Cllr. I. Barron,
80 Wickersley Road,
Rotherham.
S60 3PP

13th November, 2007.

Dear Councillor Barron,

Rother Valley West Area Assembly Co-ordinating Group and the Neighbourhood Action Group are increasingly dealing with alcohol related issues, particularly relating to anti-social behaviour and young people. As part of the strategy to deal with this, a multi-agency Task and Finish Group has been set up to look in depth at the issue with the aim of developing a local strategy around alcohol and young people.

A tool which is being employed in the area to combat the sale of alcohol to young people is Test Purchasing. A number of operations in recent months have been carried out in the area with a significant number of premises failing. I understand that should premises fail 3 times within a 13 month period a Licensing Review takes place.

The purpose of this letter is to ask the Licensing Board to consider automatically revoking a licence to premises that have failed 3 times in 13 months. RVW Co-ordinating group and NAG feel this would provide a significant deterrent to premises and provide reassurance to agencies that are deploying considerable resources into combating the problem.

The Licensing Boards' consideration of this matter would be very much appreciated.

Yours sincerely,

Councillor John Swift,
Chair, Rother Valley West Area Assembly.



2002-2003
Fostering Business Growth
2003-2004
Removing Barriers to Work
2005-2006
Supporting New Businesses



2005-2006
Asset Management
2006-2007
*Valuing People
Delivery of Quality Services
Through Procurement*



INVESTOR IN PEOPLE

Neighbourhoods and Adult Services

Area Assembly Office, Rother Valley West,
Thurcroft Welfare Community Hall
Katherine Road, Thurcroft, Rotherham S66 9HF
Telephone: (01709) 702897

**Neighbourhoods &
Adult Services**

Cllr. I. Barron,
80 Wickersley Road,
Rotherham.
S60 3PP

28th January, 2008.

Dear Councillor Barron,

Rother Valley West Area Assembly Co-ordinating Group and the Neighbourhood Action Group are increasingly dealing with alcohol related issues, particularly relating to anti-social behaviour and young people. As part of the strategy to deal with this, a multi-agency Task and Finish Group has been set up to look in depth at the issue with the aim of developing a local strategy around alcohol and young people.

It is understood that a Code of Practice for Licensed premises is currently being developed and that a measure that could be included is that alcohol could be marked so that it can be traced back to the premises from which it was sold. This would be an extremely useful tool for both the NAG and the SNT in identifying where young people obtain alcohol from and to target irresponsible retailers.

The purpose of this letter is to ask the Licensing Board to consider progressing the bottle marking initiative as quickly as possible. RVW Co-ordinating group and NAG feel this would provide a significant deterrent to premises and provide reassurance to agencies that are deploying considerable resources into combating the problem.

The Licensing Boards' consideration of this matter would be very much appreciated.

Yours sincerely,

Councillor John Swift,
Chair, Rother Valley West Area Assembly.

