



Institute of Licensing (Wales Region)

Meeting 14 July 2008 MRC, Oxford Road, Llandrindod Wells Minutes

	<p><u>Attendance List:</u></p> <p>Simone Potter-Reed (Torfaen), Steve Bendell (Torfaen), Sarah Oliver (Pembrokeshire), Natalie Searle (Cardiff), Kirstie Boulton (Cardiff), Linda O’Gorman (Monmouthshire), Alwyn Thomas (Gwynedd), Clive Price (Gwynedd), Helen Picton (Torfaen), Huw Fairclough (Blaenau Gwent), John Evans (Dyfed Powys Police), Samantha Winn (Monmouthshire), Robert Edgecombe (Carmarthenshire), Louise Puddy (Blaenau Gwent), Michael Bennet (Blaenau Gwent), Chris Rann (Monmouthshire), Ian Williams (North Wales Police), Bethan Walker (City of Swansea), Emyr Jones (Carmarthenshire), Mark Edwards (Ceredigion), Nathan Miles (Ceredigion), David Lloyd-Roberts (Ceredigion), Dafydd Jones (Isle of Anglesey)</p>	
1	<p><u>Apologise</u></p> <p>Jane Shepard (WGLA), Mike Goldie (Torfaen), Claire Mcgrath (Torfaen), Nicola Davies (Dyfed Powys Police), Chris Morgan (Caerphilly), Paul Shone (Cardiff), Annette Dicks (Caerphilly), Keith Morgan (Gambling Commission), Derek Bebbington (Gambling Commission), Paul Edmunds (Gambling Commission), Paul Edwards (Gambling Commission), Nigel Owen (Gambling Commission), Nick Hilton (Heddlu Gwent Police), Alan Davies (Wrexham), Jim Sullivan (Neath Port Talbot), Aneurin Hughes (Vale of Glamorgan), Yvonne Lewis (Vale of Glamorgan), Jim Aitken (Heddlu Gwent Police)</p>	
2	<p><u>Minutes of Last Meeting</u></p> <p>Minutes agreed as accurate</p>	
3	<p><u>Matters Arising</u></p> <p>Update on the hospital car fatality, the driver has now been interviewed with regards to the private hire aspect, the case has now been past back to the CPS. Hopefully we can have an update at the next meeting.</p>	

	<p>The launch for Cabsafe is at the end of August. Torfaen and Monmouthshire are waiting to see if the Community Safety Partnership with fund them to run Cabsafe in their areas. SO has advised that if there are any queries with regards to the Cabsafe scheme to contact Carmarthenshire.</p> <p>Roger Silvers (Go Skills) – Swansea, Carmarthenshire and Pembroke met to discuss these qualifications on offer. Discussions with WAG are still ongoing. Hopefully Go skills can be rolled out as a pilot in the West Wales area, Ceredigion have got approval to run this scheme subject to funding.</p> <p>SO states that the business plan will be circulated with the minutes.</p> <p>Convictions and personal licence holders. A promise had been made to Carmarthenshire that the Court Clark would input information on to the court system if a personal licence holder went to court, as of yet nothing has changed.</p> <p>Blaenau Gwent state that one of their personal licence holder had appear before a court and had failed to notify them that they held a personal licence. The court was later notified but still no action was taken against the personal licence holder.</p> <p>SO raised the issue of taxi applications being received from immigrants, there are visa issues which need to be addressed. There are so many different visa's, student visa etc – very complex area. Local Authorities need to be made aware of the differences so as not to be granting licences to people who not granted work visas or who apply for a taxi badge just to be granted an extension of their visa but have no interest in working as a taxi driver. A recent meeting of Local Authorities in North Wales given by a Police Officer with knowledge of this subject stated that the employers could be fined up to £5000 for employing people with insufficient visas.</p> <p>UWIC course was due to be launched on the 30 June 2008. It was postponed until September 2008. SO says that there are three people on the course from Pembrokeshire, she says that they have found it very useful but they are still unsure about the amount of work they should be doing.</p> <p>A few problems have been highlighted with regards to repetitious questions within the portfolio.</p> <p>SO states that it is fantastic that this training course has been established in Wales, hopefully it will develop further.</p>	<p>Action</p>
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4	<p><u>Region Accounts</u></p> <p>Linda O’Gorman states that she is still waiting for money for the new memberships. She also adds that the old bank accounts still need to be closed, it’s easier to just use the new accounts. SO states that the financial details and dealing must be transparent.</p>	
5	<p><u>Speakers / Presentations</u></p> <p>1 Helen Picton, Under Age Alcohol Sales Enforcement, presentation attached to minutes.</p> <p>Questions following presentation:</p> <p>Q - Do you think there is merit in test purchasers lying about their age?</p> <p>A – Really need to demonstrate a real need to do this. This approach should be kept for severe circumstances.</p> <p>Q – Who should be prosecuted, the seller or the licence holder?</p> <p>A – Very often the seller is cautioned then look at the licence holder and see whether they have demonstrated due diligence. The DPS needs to be looked at as well.</p> <p>Q – Has Fixed Penalty Notices made a difference</p> <p>A – Yes, Torfaen has been accredited so there is no need for a uniformed police officer to be in attendance. It also sends out the message that a big fine is a big dent in wages.</p> <p>Q – Are there any negatives from Fixed Penalty Notices?</p> <p>A – Not really, early on most authorities were concentrating on licence holders and not the seller.</p> <p>Q - There’s no surprise that statistics are so bad for on-licence (presentation), are clubs and pubs risk assessments robust enough for test purchasing.</p> <p>A – There are some premises that you cannot take children into. If a test purchase is carried out then it must be very well staffed, staff inside premises and situated outside as well. Must have the flexibility to change plans at the last moment.</p> <p>Huw Fairclough states that Blaenau Gwent accreditation only covers them for sales under 13 years of age, advice to other authorities that when they go for accreditation to ask to be associated with the Licensing Act. Helen states that accreditation</p>	

	<p>is renewed annually and can be changed then.</p> <p>Q – Are any other authorities have difficulty finding test purchasers.</p> <p>A – Changes mean that you can now offer the test purchaser gift vouchers but there is a problem with the purchasers retaining an interest – the vouchers do help. Suggestions made are to contact local scouts groups or drama groups.</p> <p>2 Sarah Oliver – Spontaneous Events – presentation attached at back of minutes.</p> <p>SO states that there is a memo of understanding between all relevant parties involved and this would be available if any authority wanted it for information.</p> <p>SO suggest that other authorities should contact WAG or Community Safety partnership to see if there is any funding available that might help with supporting these operations. She states that the Community Safety Partnership in Pembrokeshire have bought a Landover with a PA, CCTV etc for use by the LA and Police Force if need be.</p> <p>Some authorities feel that the Police are not working as effectively as they could with LA’s when these problems occur. Linda O’Gorman states that when they had an illegal event in Monmouthshire the Police looked at it as a Police issue only, maybe with the information from Pembrokeshire they can move forward with this.</p>	SO
6	<p><u>Update from Centre</u></p> <p>Sue Towler sends her apologise and commented that she thought the Wales region were well organised. Other regions were looking towards the Welsh region to replicate the set-up.</p> <p>National Conference is being held in Leeds in November. SO states that many licensing authorities have a small budget and ask if any authority might be interested in beginning a sponsorship scheme e.g. It was proposed that the region might be able to pay for an officer from an authority to attend that does not have the funds through there training budgets. This would be done on people putting themselves forward with confirmation from there employer that hey give there permission for them to attend and that they would be expected to feedback to the region at the next meeting a report on the conference in a cascade type session. Nomination forms are attached with the minutes.</p> <p>Apparently Trading Standards Conference allow members to</p>	Action

	attend free of charge as long as they are prepared to steward for a day.	
7	<p><u>Business Plan</u></p> <p>Business Plan to be attached at back of minutes</p>	
8	<p><u>Thwaites Case</u></p> <p><u>See case notes attached to minutes</u></p>	
9	<p><u>Licensing Act 2003</u></p> <p>A question is raised as to whether a public house would need to apply for a variation on their licence if they wanted to open early to sell food e.g. a public house opening to serve breakfast but no alcohol. No regulated entertainment or alcohol being served, most authorities think that this would not need a variation.</p> <p>A supermarket had moved the shelves that the alcohol is stored on, would this need a variation.</p> <p>SO thinks that maybe a new plan would require a variation but not necessarily each one on its merits, although Carmarthenshire suggest that they would not request a variation for this move.</p> <p>The question is raised as to what action can be taken if premises change or move something on their plan and refuse to vary their licence.</p> <p>SO states that an interview under caution would be the way forward if it was felt that this was outside the authorisation of the licence.</p> <p>SO asks how many authorities have undertaken reviews of premises licences recently.</p> <p>Carmarthen states that they have had a number of reviews and so has Pembrokeshire.</p> <p>LO states that it might be an idea to send a questionnaire to all authorities asking how many reviews have taken place and the outcome of them.</p> <p>SB states that this information might be available from Lacors.</p> <p>SO asks if any other officers are still having problems with their legal sections. Advice is given that you should work with Police to show all the points that need to be proved.</p>	

Gambling Act 2005

SB informs the region that Torfaen has received an application for a variation from Mecca Bingo to split the premises into 3. This would treble the number of high stake machines at the premises.

Torfaen has rejected the application for the Adult Gaming Centres on two points: the exits were not specified and plans were not clear (very small).

At the end of the consultation period Mecca also withdraw the applications for their variations. The £5000 application fee was non-refundable.

SB states that the applications for AGM were going into different names, this would avoid any issues raised by the Gambling Commission.

DCMS are consulting to see if there could be any increase in the numbers of B3 machines allowed in any one premises.

SB will circulate the letter that was sent to Mecca explaining why the application was rejected when he is sure that Mecca is not going to re-apply with a slightly altered application.

Carmarthenshire had an application for a betting office licence with touch screen terminals connected to all the racing tracks in the Country. The application was granted at Licensing Committee. When a visit was made to the premises it was noted that there was a big screen on the wall of the premises (virtual betting). The enforcement officers were told that they premises was due to have one more large screen but this was not connected to all race tracks. When the premises licence holder was asked about the 4 missing terminals they were told that the GC would not allow them to have them, the officers contacted the GC who denied this. They later found out that the premises had trouble with their broadband. The officers suspect that this is a back door way of obtaining a betting licence – not primarily a betting office.

OUN – has any authority done enforcement regarding these. Suspected that illegal betting is happening. The people applying for these should only use the track but it is suspected that betting is taking place, this should be properly licensed.

SO states that when the GA was first introduced they had concerns regarding an OUN and provided guidance in writing, if they had concerns again they would deal with it fully. A local authority cannot object to an OUN being granted, only the GC can do this.

	<p><u>Training Update</u></p> <p>Steve Bendell, newly appointed Training Office for the Wales region, has previously sent a need analyse to members but found the response was that everyone wanted every bit of training. As a region, he can only offer 1 or maybe 2 training events per year. He will re-send analyse to get members most needed training subject. SB will look at doing some training around March or April of 2009. Of course there are financial implications and hopefully he will be able to keep the cost low. SB will be asking the training session required and how many people might attend.</p> <p>SB states that the IOL have selected their new full-time training officer but has not released the name of the person appointed yet.</p> <p>IOL already have a fee structure for courses running around the £85 mark per person which is cost effective. Proof of attendance can be given to go towards CPD points. At the moment the IOL is not accredited to offer CPD points but hopefully the newly appointed training officer will work towards this.</p>	
10	<p><u>AOB</u></p> <p>Helen Picton from Torfaen informs the meeting of a Fireworks Course being run by UWIC on the 18th and 19th November 2008 and being held at the Metropol Hotel, Llandrindod Wells. The course does involve and overnight stay and the cost is £280.00 per person.</p> <p>Training will be on offer with regards training for counter terrorism, this is specifically for people working within the night time economy including Licensing Officers.</p> <p>Welsh Heads of Environmental Health have sent next step with regards to Best Practice Guide. SO suggest that officers might want to ask their managers where their authority is with this.</p> <p>DATE AND NEXT MEETING:- TUESDAY 2ND DECEMBER, MRC, LLANDRINDOD</p>	