



Institute of Licensing (Wales Region)

Meeting 17 April 2008 MRC, Oxford Road, Llandrindod Wells Minutes

	<p><u>Attendance List:</u></p> <p>Simone Potter-Reed (Torfaen), Steve Bendell (Torfaen), Nick Hilton (Gwent Police), Jim Aitken (Gwent Police), Sarah Oliver (Pembrokeshire), Louise Puddy (Blaenau Gwent), Sue Towler (IOL), Agostini Green (Cardiff), Frank Pike (Cardiff), Alwyn Thomas (Gwynydd), Phillip Jones (Gwynydd), Roger Silvers (RJS Management Services) Keith Morgan (Gambling Commission), John James (Rhondda), Linda Ashman (Rhondda), Linda O’Gorman (Monmouthshire), Mark Bleasdale (Dyfed Powys Police), John Evans (Dyfed Powys Police), Nicola Davies (Dyfed Powys Police), Sally Ann Martin (Pembrokeshire), John Lloyd (Isle of Anglesey), Mark Edwards (Ceredigion), Nathan Miles (Ceredigion), Bethan Walker (Swansea), Richard Jenkins (Swansea) Martin Phillips (Powys), Helen Jones (Blaenau Gwent), Huw Fairclough (Blaenau Gwent), Emyr Jones (Carmarthenshire), Mike Price (Dyfed Powys Police), Thomas Blake (Denbighshire/Conway), Alan Davies (Wrexham), Graeme Dickson (Dyfed Powys Police), Justin Power (Carmarthenshire)</p>	
1	<p><u>Apologise</u></p> <p>Jane Shepard (WGLA), Lyndsey Thomas (Swansea), Simon Cadenhead (Newport), Barry Evans (Ceredigion), Dafydd Roberts (Ceredigion), Kevin Davies (Dyfed Powys Police), Nigel Owen (Gambling Commission), Paul Edmunds (Gambling Commission), Sue Evans (Powys), Meryl Williams (Rhondda), Sandra Evans (Gwent Police)</p>	
2	<p><u>Minutes of Last Meeting</u></p> <p>Item 5 on previous minutes reads that Cardiff council’s application for a regional casino was refused, it was actually an application for a large casino</p> <p>Minutes are a true record of meeting of 11 January 2008.</p>	

3	<p><u>Matters Arising</u></p> <p>SO questions whether all authorities have received the letter circulated with the previous minutes relating to absent DPS.</p> <p>Have all authorities now resolved the issues relating to contract law - is it working?</p> <p>Gwynedd have a problem with ambulance cars, there was recently a fatality involving an ambulance car. The drivers are claiming to be voluntary but are actually receiving large amounts of money for mileage. Gwynedd will be interested to see how the insurance company are going to deal with this massive claim.</p> <p>ST states that these voluntary drivers are clocking up a huge amount of mileage, this must be classed as a business interest.</p> <p>Conway say that they are having no co-operation from Social Services. They take the line that if a vehicle is used for a nursery run etc then it should have s ‘specialist’ plate on the vehicle, they are disappointed that they are not receiving co-operation from parts of their own Council. SO asks if they have spoken to CWISW, they might find them co-operative. Conway state that they were not helpful, that they were afraid of loosing child care places.</p> <p>SO suggests that Conway send her the information and see what the IOL can come up with, that this is a vulnerable group that nee protecting. Conway state that they have shown due diligence because they have contacted all registered child-carers and provided this information. SO states that the only other way forward might be enforcement action.</p> <p>SO states that she has now received all the information with regards to staffing issues and that the figures have been collated.</p>	Now resent to all
4	<p><u>Region Accounts</u></p> <p>LO states that at the end of March 2008 the amount in the Wales Region bank account was £3853.09</p> <p>There will be additional income for membership fees being renewed at present. A list had been sent around naming authorities who still owed the membership fee for 2007 – 2008.</p> <p>LO suggest that the IOL bank account being used at the moment should be closed and a new account opened.</p> <p>The Wales region accounts are quite healthy and hopefully training for members can be arranged in the future. SO gives announcement that Tim Haughton the training officer has re-signed due to work and family pressures.</p>	

Speakers / Presentations

1 Sue Towler – Update from the IOL (Presentation attached to minutes)

ST states at the end of her presentation that the Wales region is very strong , communicating very well. Hopefully some other regions can start learning from the set-up of the Wales Region

2 Jim Aitken, Gwent Police – Closure Powers for Licensed Premises (Presentation attached at back of minutes)

A question was raised during the presentation – when talking about public nuisance, is this relating to people outside smoking?

SO answered that there is other legislation to cover noise nuisance – Environmental Health. There must be a reasonable case for public nuisance e.g., drinkers in a beer garden until 3.00am making a lot of noise, this would stand a good chance of proving public nuisance.

3 Justin Power, Carmarthenshire County Council – Cab Safe (Presentation attached at back of minutes)

SO says that this is a real innovative project, maybe community safety partnerships may be able to fund or part fund this for authorities. The cost is not a huge amount of money for what you get.

JA asks if there are any advertising costs?

JP states that the only cost implication was the graphics on the leaflets, he has those and would happily share those with other authority's to save costs.

4 Roger Silvers, RJS Management Services LTD – Go Skills Taxi Driver Qualification (Presentation attached at back of minutes)

Go skills are developing a national qualification and training courses function to with the industry to provide adequate training providers.

A high percentage of taxi / private hire drivers have no qualifications. Go skills will provide 2 qualifications with 3 awarding bodies. Topics covered will include disability awareness, customer service, legislation, health and safety, conflicts, topography and safe driving.

Operators see this as an opportunity to advertise qualified drivers

	– a marketing opportunity.	
6	<p><u>Update from Centre / Business Plan</u></p> <p>(SO) The Business Plan came out 4 – 6 weeks ago, this will be e-mail to everyone and feedback is expected.</p>	SO/SPR
7	<p><u>Licensing Act 2003</u></p> <p>Do any authorities have a convictions policy with regards to Personal Licence Holders? Some people are going to court, being convicted of relevant offences but not telling the magistrates that they hold a personal licence, this is an offence. Should they then go back to court when this offence comes to light?</p> <p>JA has asked all Police Officers in Gwent to report to their Licensing officer if they suspect that anyone they are prosecuting is involved with a licensed premises so that checks can be made if they are a PLH and then the licensing officer will inform the court.</p> <p>SO states that only Magistrates Courts have the power to punish a personal licence holder, an authority should prosecute again if a personal licence holder fails to notify them about a conviction. The only time the system will be efficient is when a national database of personal licence holders is set up</p> <p>LO says that they have had in house problems where Trading Standards have prosecuted a personal licence holder and haven't passed on the information because they did not realise it was a relevant offence.</p> <p>SO asks if e-mails can be sent to her with problems that have been encountered for future reference, they can be passed to the IOL.</p> <p>JA stated that there are currently Freedom Of Information requests being made to Police forces requesting all correspondence and statistics re Cumulative Impact Policies. It is politically driven and Local Authorities are likely to receive similar requests when they realise that they are the Licensing Authorities</p> <p>SO says that a recent appeal by Carmarthenshire was upheld due to very good information from the Police. SO has found that to be successful you must become smarter with evidence, not able to just quote figures anymore.</p>	
8	<p><u>Gambling Act</u></p> <p>LO raised on behalf of Annette Dicks, there were concerns how to approach non-payment of fees which at the moment needs to be addressed in front of a Licensing Sub-Committee, should this go</p>	

to officer delegation?

Premises licence fees mention cancellation and not revocation. SO states that it would be better for officers to have delegated authority for this.

Keith Morgan (Gambling Commission) says they are still going through category A licence holder codes of practice, explaining what they need and their responsibilities. Hopefully they are nearly finished.

Compliance, KM states that they have not found anymore who are really trying to kick against the system, there are no real problems.

There are a number of lice issues, one being betting in pubs (betting slips) otherwise known as a pub account. The process is that the licensee collects money from their customers and then places a bet over the phone on their behalf. KM states that this is illegal, the pub landlord should not act as an intermediary. KM asks if evidence of this type of betting is uncovered could you please inform him for him to deal with the bookies.

Another issue are arcade operators, they were allowed section 16 machines. They are now only allowed 4 machines (B3) but with 1 important exemption – the stake has been reduced from £2 - £1. The arcades are suffering dramatically.

Some Adult Gaming Centre operators are applying for a betting operators licence but then changing it with the Local Authority. They are not supposed to do that. Operator's licences are for a particular part of gambling only. The Gambling Commission will only grant if they have provided Gambling facilities, the operators must guarantee this to GC before they approach the Local Authority for a premises licence.

There have also been cases of some bingo premises asking to divide their premises. One national operator in particular, GALA, where machines are big business for them. Bingo halls are allowed B3 machines with a £1 stake and £500 payout. Their intention is to de-licence one area but then to apply for a new premises licence for the surrendered bit, this doubles the number of B3 machines from 4 to 8.

Should all LA's attach their own conditions with regards to separation between two premises e.g. Family Entertainment Centre and bingo, they will not be consistent throughout the country, it would be a good idea to discuss and agree on conditions via all welsh authorities. Gambling commission can offer advice but not on individual applications.

	<p>The gambling commission has been carrying out familiarisation visits to race tracks. They need an operator's licence but not a premises licence. The law doesn't allow GC to visit them at home and they are very busy when at work.</p> <p>The quarterly reviews are also now due for the gambling commission</p> <p>There was an operation carried out on the 3 April 2008 targeting unlawful machine suppliers based in Merseyside. Two brothers are supplying B4 machines to premises that only have a licence for B3 machines (take aways, chip shops etc).</p> <p>GC asks if any of these machines are identified to make a note of the address, type of machine, stake and the telephone number of the supplier.</p> <p>GC say there are 3 options if a machine is identified either</p> <ul style="list-style-type: none"> ➤ Send a letter asking the shop to get rid of the machine, problem with this is the machine will be recycled and end up at another premises ➤ Seize the machine – where would a local authority store it, you have no powers to dispose of the machine ➤ Or you can prosecute, again you have the problem of storage of the machine <p>GC says that all legal machines will have a legacy sticker on it, if one cannot be found that the chances are high that the machine is illegal.</p> <p>The GC says that they will keep the IOL informed of any developments with regards to disposal of machines.</p>	
9	<p><u>Immigration – Taxi Drivers and Visa's</u></p> <p>There is an interesting change in the way immigrants are being granted work permits. Many come into the UK on student visa's and then go to the local authority and apply for a taxi badge, this then changes their position because they are classed as having a job. Many of these people have no interest in being a taxi driver, they apply for the visa.</p> <p>SO is very concerned about this, maybe local authorities can look at their policy's to try and counter act this occurring.</p> <p>Two items need to be present to allow a person to be able to work in this country, they are a work permit and a leave to remain. It might be an idea to ask for these at time of application.</p>	

10	<p><u>UWIC and Training</u></p> <p>As of yet this course is still not being endorsed through the IOL but the IOL is hoping to achieve this in the future. The pilot course is now running with 12 students. It is a one year, distance learning course which is based lower than the Cert of HELL. The UWIC course is ideal if you are a Licensing Officer or if you wish to train to become a Officer</p> <p>The course is a Welsh based course specifically for Welsh Local Authorities or for the Police if need be. Andy Hayward has high expectations of developing the course and hoping to take it to Masters Level.</p> <p>SO announces that Tim Haughton, Training Officer for the IOL has resigned and asked Steve Bendell, if there is no opposition, if he would like to take over this role. Steve Bendell accepts the position.</p>	
11	<p><u>AOB</u></p> <p>SO says that there is a lot of interest for the SIA doorman plight. HTV are making enquiries into the situation.</p> <p>Local Authorities are getting the blame for taking enforcement action</p>	

Date of Next Meeting

10.30am Monday 14th July 2008 at MRC, Llandrindod Wells