

160

Licensing Guidance Review Team
Tourism Division
6th Floor
Department for Culture, Media and Sport
2-4 Cockspur Street
London
SW1Y 5DH

My Ref : EAM/CEHO
Your Ref :
Date : 04 April 2007
Contact : Ted Massey
Tel No :
E-mail Add :
Department : Housing and Environment

Dear Sir

Consultation on draft revised Guidance to be issued under section 182 of the Licensing Act 2003

The draft Revised Guidance under Section 182 of the Licensing Act 2003 was discussed in detail at a meeting of this authority's Licensing Committee on the 28th March.

In response to your identified questions I would advise that Licensing Committee's comments are as follows:

Question number	Three Rivers District Council Licensing Authority response
1 and 2	Agree with the proposals
3 and 4	Suggest that the wording should be changed in the first bullet point to read "Is the music a significant (rather than the main) reason for people attending the premises? (Members felt that unless the wording was changed it could be argued that that if the music was not the main reason for attending, then it would be "incidental" and would not need to be licensed).
5 and 6	Paragraph 3.17 of the current Guidance (Cumulative Impact Policy) – the Committee believe that the Guidance should be changed to make it clear that that such policies can be introduced away from town centres and to cover off - as well as on – sales.
7,8,9 and 10	Given local circumstances the Licensing Committee considers sub – Committees can impose the appropriate conditions to deal with local concerns and therefore suggest the removal of the standard conditions from the Guidance.
11 and 12	The Guidance should be consistent with other work on the Code Of Conduct for Councillors. Ward Councillors should be able to make representations in their own right as a Ward Councillor (they are currently unable to do so at Hearings). The Guidance wording is considered unfriendly. Ward Councillors should be able to speak in their role as Community Advocates.
13 and 14	Agree with the proposals
15 and 16	Agree with the proposals
17 and 18	Agree with the proposals



19 and 20	Agree with the proposals
21 and 22	Agree with the proposals
23 and 24	Agree with the proposals
25 and 26	The explanation on Police powers should be appended to the Guidance to ensure that everyone is aware of it.
27 and 28	Agree with the proposals
29 and 30	Committee is happy with the overall format of the revised Guidance
31	<ul style="list-style-type: none"> (a) Committee suggest that there should be a reduction in the number of permitted Temporary Events and the time over which they can be held. (b) Committee request that the section on sexual equality (at point 6.1.6) should be worded comparably to that on racial equality (at point 10.2.8). There appears no good reason for the difference.

I trust these comments are helpful to you in the final determination of the reviewed Guidance.

Yours sincerely,



Ted Massey
Chief Environmental Health Officer