



Report to Council

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Licensing Act 2003

The Licensing Act 2003, which transfers responsibility for liquor licensing to local authorities from the Magistrates' Court, will come into effect from 7 February 2005. The legislation requires the Council to appoint a Committee to deal with its functions under the Act, of between 10 and 15 Members.

It is proposed that a committee to be called the Licensing Act Committee be established of 15 Members. This will enable the Committee to create five Panels of 3 Members to deal with applications under the Act. It is proposed, following discussion with the Chair, that the membership of the Committee be the same as the Environment and Licensing Committee, currently 14 members, with the addition of the independent member.

The Licensing Act Committee will be dealing with those applications where there have been objections. In many cases, these will be objections from the Police and Councillor W J Clarke has asked that in the circumstances he not be appointed to the new Committee. Councillor J A Woodward is proposed as the Labour Group nominee in his place.

The remit of the Committee would be to exercise all the functions of the Council under the Licensing Act 2003, except those functions which are reserved to the Council, such as the adoption of the Statement of Licensing Policy.

It is **recommended** that Council:

1. Establish a Licensing Act Committee of 15 members;
2. Appoint the Members of the Environment and Licensing Committee to serve on the Licensing Act Committee, except for Councillor W J Clarke, who is replaced by Councillor J A Woodward, together with Councillor W Peet;
3. That the Licensing Act Committee have delegated authority to deal with all the Council's functions under the Licensing Act 2003, save for those matters reserved to the Council by the legislation.