

## LICENSING ACT COMMITTEE

9 FEBRUARY 2005

M.A. Wright (Chairman)

Councillors:

P.G. Barnes	R.T. Day
P.M. Blandamer	M.S. Dunkin
P. Feeney	R.J. Goodwin
R.G. Kempster (a)	H. Maddock
J.J. McCauley (a)	G.L. Millar
W.A. Peet	D.A. Pycroft
M.S. Spencer	J.A. Woodward

### 1 ELECTION OF CHAIRMAN

It was proposed and seconded and:-

RESOLVED:

That Councillor Wright be appointed as Chairman.

### 2 APOLOGIES FOR ABSENCE.

An apology for absence was received from Councillor McCauley.

### 3 HEARING PANELS

The Head of Legal and Democratic Services reported that the Committee had delegated authority to deal with all the Council's functions under the Licensing Act 2003, save for those matters reserved to full Council by the legislation.

The Committee would therefore be dealing with policy issues, monitoring the application of the Act and dealing with applications made under the Act and will meet on an ad hoc basis. The Guidance issued to Councils indicated that best practice would be for those decisions and functions which are purely administrative to be delegated.

It was therefore proposed that where there were no relevant representations on the application for a grant of a premise's licence or club premise's certificate or police objections to an application for a personal licence or to an activity taking place under the authority of a temporary event notice, these matters should be dealt with by officers in

the interests of efficiency, speed and cost-effectiveness.

The volume of applications which would result in a requirement for a hearing was unpredictable. It was suggested therefore that initially 5 sub-committees were formed consisting of 3 members on each. It was hoped this would give flexibility to deal with any volume of hearings without overburdening members. This provision would be reviewed after the first year of operation.

The following Panels were proposed:

- Panel A      Councillor M S Dunkin  
                    Councillor Peet  
                    Councillor Wright
- Panel B      Councillor Mrs Blandamer  
                    Councillor Feeney  
                    Councillor Day
- Panel C      Councillor Goodwin  
                    Councillor Kempster  
                    Councillor Pycroft
- Panel D      Councillor Maddock  
                    Councillor Millar  
                    Councillor P G Barnes
- Panel E      Councillor M S Spencer  
                    Councillor McCauley  
                    Councillor Woodward

It was therefore RESOLVED that:

1. The 5 Panels be appointed with the membership of each as included in the report;
2. Each Panel have delegated authority to make the decision on:
  - Applications for a personal licence where there is a police objection;
  - Applications for a personal licence where unspent convictions are revealed;
  - Applications for a premises licence or club premise's certificate where a relevant representation is made and not withdrawn;
  - Applications for a provisional statement where a relevant representation is made and not withdrawn;
  - Applications to vary a premises licence or club premises certificate if a relevant representation is made and not withdrawn;
  - Applications to vary the designated premises supervisor, where a

- police objection is made;
- Applications for transfer of a premises licence where a police objection is made;
- Applications for interim authorities where a police objection is made;
- Applications to review a premise's licence or club premise's certificate;
- Determinations of a police objection to a temporary event notice.

3. That the Head of Planning and Environment have delegated authority to carry out the functions and to deal with all decisions which are required to be made under the Licensing Act 2003, and which are not either delegated to the Panels or reserved to the Licensing Committee or the Council.

The meeting closed at 6.00 pm.