

Licensing Committee

Friday, 27th May, 2022

PRESENT: Councillor J Gibson in the Chair

Councillors N Buckley, B Flynn,
A Garthwaite, Illingworth, L Richards,
L Martin, G Almass, L Farley, A Forsaith,
S Hamilton and I Wilson

1 Chairs Opening Remarks

The Chair welcomed all present to the first meeting of the new Municipal Year and particularly to Councillors A Forsaith, L Farley, S Hamilton and I Wilson as new Members of the Licensing Committee.

The Chair also paid tribute to the former Chair of the Licensing Committee, Councillor P Wray and Members joined the Chair in expressing their thanks and appreciation to the former Chair of the Committee.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

3 Exempt Information - Possible Exclusion of the Press and Public

The agenda contained no exempt information.

4 Late Items

No formal late items of business were added to the agenda, however a supplementary document relating to Item 7 "Licensing Committee – Annual Governance Arrangements" was presented at the meeting – this contained an updated Sub Committee membership schedule following formal confirmation of the Committee membership by Annual Council the previous evening. (minute 8 refers).

5 Declaration of Interests

No declarations of interests were made at the meeting.

6 Apologies for Absence

Apologies for absence were received from Councillors Downes and Hutchison.

7 Minutes

RESOLVED – That the minutes of the previous meeting held on 8th March 2022 be agreed as a correct record.

8 Licensing Committee - Annual Governance Arrangements

The City Solicitor submitted a report which sought to establish the governance arrangements for the Licensing Committee for the 2022/23 Municipal Year.

The Principal Legal Officer, Legal Services, presented the report providing a brief overview of its contents:

- Licensing Committee Terms of Reference as set out in Appendix 1 of the report
- Membership of each Licensing Sub-Committee as set out in amended Appendix 2 tabled at the meeting
- Licensing Sub-Committee Terms of Reference as set out in Appendix 3 of the report
- The delegation of Licensing functions to the Director of Communities, Housing and Environment as contained in Appendix 4.

RESOLVED –

- (i) To note the terms of reference of the Licensing Committee as shown at Appendix 1
- (ii) That the five Licensing Sub-Committees for hearings required under the 2003 and 2005 Acts be established with the following Memberships:
 - A Councillors: Billy Flynn, Lisa Martin and Izaak Wilson
 - B Councillors: Ann Forsaith, Neil Buckley and Gohar Almass
 - C Councillors: Al Garthwaite, Linda Richards and Luke Farley
 - D Councillors: Sharon Hamilton, Ryk Downes and James Gibson
 - E Councillors: Andy Hutchison, John Illingworth and Alice Smart
- (iii) That approval be given to the terms of reference for the Licensing Sub-Committees as set out in Appendix 3 of the report
- (iv) To approve the delegation of Licensing functions to the Director of Communities, Housing and Environment as shown in Appendix 4 of the report.

9 Licensing Procedure Rules, the Code of Practice for Determining Licensing Matters and Prescribed Licensing Training

The City Solicitor submitted a report which set out draft procedure rules relating to meetings and hearings of the Licensing Committee and sub-committees and sought the approval of Members to the adoption of these to govern committee procedure.

The report also requested consideration of the Code of Practice for the Determination of Licensing Matters and sought the agreement of the Committee to approve and a resolution to follow the Code.

Members noted that in exceptional circumstances the Licensing Sub Committee could proceed with two members, as long as all parties were in agreement with this at the start of the hearing.

RESOLVED –

- a) That the Licensing Procedure Rules as set out as Appendix 1 of the submitted report be approved.

- b) To approve and resolve to follow the contents of the Code of Practice for the Determination of Licensing Matters as set out in Appendix 2 of the submitted report.
- c) To note the arrangements for the prescribed training programme.
- d) To note that once approved the Code of Practice for the Determination of Licensing Matters will be brought to the attention of all Elected Members.

CLlr Hamilton left the meeting at 11:11am at the start of this item. She advised the Chair she was in agreement with the recommendations as set out in the submitted report.

10 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 5th July 2022 at 10.00 am.

The meeting concluded at 11:20