

Licensing Committee

Friday, 26th May, 2023

PRESENT: Councillor J Gibson in the Chair

Councillors Ali, E Carlisle, R Downes,
L Farley, B Flynn, S Hamilton, Hinchcliffe,
Holroyd-Case, A Hutchison, L Martin,
D Seary and I Wilson

1 Appeals Against Refusal of Inspection of Documents

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

2 Exempt Information - Possible Exclusion of the Press and Public

The agenda contained no exempt information.

3 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 tabled at the meeting presenting the updated Sub Committee membership schedule following confirmation of the Committee membership by Annual Council on 24th May 2023. (Minute 7 refers)

4 Declaration of Interests

No declarations of interest were made.

5 Apologies for Absence

Apologies for absence were received from Councillor Buckley.

6 Minutes

RESOLVED – That the minutes of the previous meeting held on 14th March 2023 be agreed as a correct record.

7 Licensing Committee - Annual Governance Arrangements

The City Solicitor submitted a report which sought to establish the governance arrangements for the Licensing Committee for the 2023/2024 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.

The Committee noted that no changes had been made to the Terms of Reference for the Committee and its Sub Committees or to the relevant Officer Delegation Scheme.:

RESOLVED –

- To note the terms of reference of the Licensing Committee as shown at Appendix 1.
- That the five Licensing Sub-Committees for hearings required under the 2003 and 2005 Acts be established with the following Memberships for the 2023/2024 Municipal Year:
 - A Councillors: Ali, Flynn and Martin
 - B Councillors: N Buckley, Holroyd-Case and Wilson
 - C Councillors: Downes, Hamilton and Hinchcliffe
 - D Councillors: Carlisle, Gibson and Smart
 - E Councillors: Farley, Hutchison and D Seary
- That approval be given to the terms of reference for the Licensing Sub-Committees as set out in Appendix 3 of the report.
- That approval be given to the delegation of specified Licensing functions to officers in accordance with the Officer Delegation Scheme (Council (Non-Executive) Functions) of the Director of Communities, Housing and Environment as shown in Appendix 4 of the report.

8 Licensing Procedure Rules, The Code of Practice for Determining Licensing Matters and Prescribed Licensing Training

The City Solicitor submitted a report seeking approval of draft procedure rules relating to meetings and hearings of the Licensing Committee and its Sub Committees which apply to proceedings under both the Licensing Act 2003 and the Gambling Act 2005 and which cross-refer to the relevant regulations 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 follow the Code.

The Committee noted comments regarding Members responsibilities in decision making and attendance at Sub Committees.

RESOLVED –

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

9 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 27th June 2023 at 10.00 am.