

## **Licensing Committee**

**Tuesday, 22nd June, 2010**

**PRESENT:** Councillor S Armitage in the Chair

Councillors M Dobson, R Downes, J Dunn,  
R D Feldman, T Hanley, G Hussain,  
G Hyde, V Morgan, B Selby, C Townsley,  
D Wilson and G Wilkinson

### **1 Late Items**

No formal late items of business were added to the agenda however Members had received the following supplementary documents prior to the meeting:

- Agenda item 7 – An up to date version of Appendix 3 detailing the Terms of Reference of the Licensing Sub Committees
- Agenda Item 7 – An up to date version of Appendix 5 detailing the Officer Delegation Scheme (Council (non executive) functions) in relation to Director of Environment and Neighbourhoods

### **2 Declarations of Interest**

There were no declarations of interest.

### **3 Apologies for Absence**

Apologies for absence were received from Councillors Mrs Feldman and Grayshon

### **4 Minutes**

**RESOLVED** – That the minutes of the previous meeting held 13<sup>th</sup> April 2010 be approved as a correct record

### **5 Licensing Committee - Annual Governance Arrangements**

The Assistant Chief Executive (Corporate Governance) submitted a report on the governance arrangements for the Licensing Committee during the 2010/2011 Municipal Year. It was noted the Terms of Reference for the Committee had been agreed by Annual Council on 27 May 2010 The report set out the following matters for the Committee to consider:

- Appointments to the Licensing Sub Committees
- Approval of the Terms of Reference for the Sub Committees
- The Officer Delegation Schemes appropriate to the work of the Committee

Members were in receipt of additional documents which provided the most up to date versions of Appendices 3 and 5 of the report.

Officers highlighted the amendments made to the powers of the Committee and the documents for this Municipal Year which included:

- The power for Committee to designate Alcohol Disorder Zones. This function to be delegated to the Director of Environment and Neighbourhoods as appropriate to the community safety work of the department
- and an additional clause within the Sub Committee Terms of Reference to allow them to address any new legislation/guidance which may be published during the course of the year

Members discussed the following:

#### Officer Delegations

A comment was made that the power to determine whether objections were “irrelevant” under the Act 2003 should rest with Committee and not be delegated to officers.

In response, officers outlined the strict criteria set out in the Act which was adhered to and assured Members that whenever there was doubt over the validity of a representation the application was listed for a hearing before a Sub Committee. It was reported that the number of hearings would significantly increase if the power to determine relevancy was not delegated to officers.

Officers proposed to bring a report back on the number and type of objections received and subsequent officer determinations

#### Responsible Authorities

The Committee noted a comment welcoming the recent improvement in liaison between Planning Services and the Licensing Committee.

Members were reminded that Planning Services were regarded as a Responsible Authority (RA). All RA’s were served with notice of all applications received however no RA had the right to speak at a hearing to determine an application they had not submitted a representation on

#### **RESOLVED –**

- a) That the Terms of Reference for the Licensing Committee (as contained in Appendix 1) be noted
- b) That five Sub Committees of three Members each be established, and the membership of each Sub Committee as proposed within Appendix 2 and detailed below be agreed:
 

Sub Committee A	Councillors Armitage, Dobson & Downes
Sub Committee B	Councillors Dunn, R D Feldman & Hyde
Sub Committee C	Councillors Grayshon, Hussain & Morgan
Sub Committee D	Councillors Mrs Feldman, Hanley & Selby
Sub Committee E	Councillors Townsley, Wilkinson and Wilson
- c) That the Terms of Reference for the Licensing Sub Committees as contained within Appendix 3 of the report be approved
- d) That the delegation of licensing functions to the Assistant Chief Executive (Corporate Governance) as detailed in Appendix 4 of the report be approved
- e) That the approval be given to delegate the function of making an Alcohol Disorder Zone to the Director of Environment and Neighbourhoods as shown in Appendix 5

- f) That a report be presented to the next Committee on the number and type of objections received and subsequent officer determinations

## **6 Licensing Procedure Rules and Code of Practice for Determining Licensing Matters**

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the Rules of Procedure and Code of Practice for Determining Licensing Matters relevant to the work of the Licensing Committee and the Licensing Sub Committees during the 2010/11 Municipal Year

### **RESOLVED –**

- a) That the Licensing Procedure Rules as set out in Appendix 1 of the report; and the contents of the associated information sheets (as contained within Appendix 2); be noted
- b) To note the contents of the Code of Practice for Determining Licensing Matters as set out in Appendix 3

## **7 Work Programme**

The Committee received a schedule setting out the proposed Licensing Work Programme during the 2010/11 Municipal Year.

Officers reported that work had commenced on a review of the Authority's Statement of Licensing Policy, as required by the Licensing Act 2003. Part of that process included a thorough review of the Cumulative Impact Policy and copies of the CIP Review document were presented to Members to consider and comment on prior to the end of the consultation period on 30 June 2010

### **RESOLVED –**

- a) To note the contents of the Work Programme
- b) To note receipt of the CIP Review document and to note that Members are requested to pass any comments they may have on the Policy to Entertainment Licensing by 30 June 2010

## **8 Date and Time of Next Meeting**

### **RESOLVED –**

- a) To note the date and time of the next Licensing Committee as Tuesday 20<sup>th</sup> July 2010 at 10:00 am. This meeting will be followed immediately by a Licensing and Regulatory Panel.
- b) To note the dates for the remainder of the Municipal Year as: 20<sup>th</sup> July 2010 ; 17<sup>th</sup> August 2010; 14<sup>th</sup> September 2010; 19<sup>th</sup> October 2010; 16<sup>th</sup> November 2010; 21<sup>st</sup> December 2010; 18<sup>th</sup> January 2011; 15<sup>th</sup> February 2011; 15<sup>th</sup> March 2011; 12<sup>th</sup> April 2011 and 17<sup>th</sup> May 2011.

The Panel and the Licensing Committee will meet on the same day, alternating the 10.00 am start time