

LICENSING COMMITTEE

Wednesday 4 July 2012

Present:- Councillor T Hambleton – in the Chair

Councillors Mrs Bates, Cooper, Eastwood, Mrs Heames, Lawton,
Miss Mancey, Mrs Simpson, Tagg, Williams, Mrs Williams and
Mrs Winfield

1. **APOLOGIES**

Apologies were received from Councillor Wemyss.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **MINUTES OF A PREVIOUS MEETING**

Resolved:- That the minutes of the meeting held on 7 March 2012 be agreed as a correct record.

4. **MINUTES OF SUB COMMITTEE MEETINGS**

Resolved:- That the minutes of the Sub-Committee meetings held on 19 March, 26 March, 16 April, 15 May and 29 May 2012 be agreed as correct records.

5. **CHANGES TO THE LICENSING ACT 2003 AND RESPONSIBLE AUTHORITIES**

Consideration was given to a report advising Members of changes to the Licensing Act giving stronger powers in removing licences or refusing to grant licences to problem premises. It would also allow for delegation of powers of the licensing authority as a responsible authority to a recognised area of the Council.

Members were asked to consider how to delegate the function of responsible authority to an area of the Council.

The decision made by this Committee would be with immediate effect prior to being presented to Full Council in September.

Legal advice had been received from James Button & Co Solicitors who made several recommendations as below which were agreed by this Committee.

Resolved:- (a) That the Committee make a recommendation to Council that 'Community Safety' have delegated responsibility as the responsible authority under the Licensing Act 2003.

(b) That the decision outlined above (Resolution a) have immediate effect pending confirmation by Full Council at its meeting on 12 September 2012.

(c) That Community Safety be designated as the responsible authority under the Gambling Act 2005.

(d) That this decision have immediate effect pending confirmation by Full Council at its meeting on 12 September 2012.

6. CHANGES TO THE LICENSING ACT 2003

Consideration was given to a report outlining amendments to the Licensing Act 2003 following the granting of Royal Assent to the Police Reform and Social Responsibility Act on 15 September 2011.

Five new measures were identified:-

- Lowering the evidential household on licensing authorities.
- Removing the vicinity test for licensing representatives to allow wider local community involvement.
- Reforming the system of Temporary Event Notices.
- Suspension of premises licences due to non-payment of annual fees.
- The Licensing Authority becoming a responsible authority.

Fact sheets were attached to the agenda outlining the changes.

Resolved:- That the information be received.

**T HAMBLETON
Chair**