

LICENSING COMMITTEE24 August 2009
10:00am – 10.28am

Present: Councillors Blencowe, Boyce, Hart, Liddle, McGovern, Rosenstiel, Stuart (Chair) and Upstone

FOR THE INFORMATION OF THE COUNCIL**09/Lic/45 Minutes**

Subject to the addition of the following decision to minute 09/Lic/25 Licensing of Tuk Tuks, the minutes of 6 July 2009 were confirmed as a correct record:

'2) to ask officers to investigate whether Tuk Tuks could be licensed as Hackney Carriages and report on this to the meeting of the Licensing Committee in October 2009.'

09/Lic/46 Apologies

Cllr Benstead, Dixon, Smith and Wright

09/Lic/47 Declarations of Interest

Councillor	Interest
Rosenstiel	Member of Campaign for Real Ale
McGovern	Member of Campaign for Real Ale

09/Lic/48 Public Questions

None

09/Lic/49 Introduction of Changes to The Licensing Act 2003 Brought About by Regulatory Reform

The Head of Environmental Services introduced the report which had been brought as a result of the publishing of Statutory Instruments seeking to simplify the licensing process. He stated that it would give licensees the opportunity to apply for minor variations to existing licences within specific circumstances. In these cases there would be no requirement for consultation with the Responsible Authorities by the Licensing Department.

The four licensing objectives were unaffected but for these variations, representations from Interested Parties would no longer trigger a hearing. The Licensing Authority would however have to take the representations into

account when making decisions. In addition, there would no longer be the requirement to advertise an application in the newspaper, but applications would have to continue to be advertised on site.

The Members of the Sub-Committee asked a number of questions and officers responded, these concerned:

- Clarification on how the minor variations would be charged for
- The number of applications for minor variations which would be made and how they were likely to be dealt with.
- How local residents would know about an application for a minor variation if there will no longer be an advertising requirement; the white sign notice requirement to display on the premises would still be in operation.
- Who would determine the applications and if members would be involved.
- Would applications be notified to Ward Councillors?
- Access to information concerning licensing information is not particularly easy. Could there be a type of 'licensing portal' as there currently is for planning to enable public access to track the various stages of an application; they were currently working on the licensing register which would contain information for applicants and show the various stages and conditions. They have been very keen to get this publicised so that Members and the public can access applications on the internet. The Head of Environmental Services would update the committee as soon as it was available.

Resolved: (by 8 votes to 0) to

1. Note the content of the report and the changes arising from the new legislation.
2. Note the revised procedures for processing and determining applications.
3. Approve the delegated authority table as detailed in Appendix A of the report, amended to incorporate the new legislation, in accordance with Government Guidance, recommending delegation to officers.
4. Extend the Licensing Act 2003 delegations and authorizations granted by the Licensing Committee to the Head of Environmental Services in 21st February 2005, to include and provide for the new legislation detailed in paragraph 3.2 of this report. (Except for the existing delegations table, attached at Appendix B which will be replaced by Appendix A)
5. Authorize the Head of Environmental Services, in consultation with the Head of Legal Services, to determine whether an application for a minor variation could impact adversely on the licensing objectives.

6. Ask officers to report to Committee in a year's time on the number of applications for minor variations received and also the numbers outside those categories listed during the course of the year and how they had been determined.

The Meeting Ended at 10.28am

Chair