

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: Monday 24th October 2005

**PRESENT: Councillor Huntbach (in the Chair)
Councillors Atkinson, D Barnes, L Barnes, Eaton,
Entwistle, Forshaw, Neal, Nicholass, S Pawson (substitute
for J Pawson), Sandiford, H Steen, P Steen and Unsworth**

**IN ATTENDANCE: S Chadwick, Licensing Manager
D Hamill, Licensing Enforcement Officer
E Newsome, Committee Services Manager**

ALSO PRESENT: 3 Members of the Public

APOLOGIES: Councillor J Pawson

MINUTES

Resolved:

That the Minutes of the meeting of the Licensing Committee held on the 30th August 2005 be signed by the Chair as a correct record.

DECLARATIONS OF INTEREST

No declarations of interest were made at the meeting.

APPOINTMENT OF OFFICERS

Following changes to the management structure within the Licensing Unit, the Committee were requested to consider the appointment of the Licensing Manager as an officer of the Licensing Authority under Section 10(1)(b) of the Licensing Act 2003. The Licensing Manager submitted a report in order to notify members of the legal requirement to formally appoint officers that exercise statutory functions under the Licensing Act 2003.

The report outlined that under Section 10(1)(b) of the Licensing Act 2003, the Licensing Committee could arrange for the discharge of any functions exercisable by it to an officer of the Licensing Authority. The report recommended that the Licensing Manager be appointed under Section 13(2)(a) of the Act to exercise delegated powers.

Resolved:

That the Committee exercises its powers under Section 10(1)(b) of the Licensing Act 2003 to appoint Susan Chadwick, Licensing Manager as an officer of the Licensing Authority under Section 13(2)(a) of the Act to exercise delegated powers.

APPOINTMENT OF SUB-COMMITTEES

The Democratic Services Manager submitted a report on the revisions to the Council's Constitution with effect from 1st October 2005. The Committee Services Manager advised that the standing Licensing Sub-committees had been disestablished under the new Leader and Cabinet style of Corporate Governance, and as such, requested that the Head of Legal and Democratic Services be granted delegated authority to convene adhoc Sub-committee meetings, comprising of 3 elected members in instances where a Hearing was required under the Licensing Act 2003.

Resolved:

1. That the that the Head of Legal and Democratic Services be authorised to establish ad hoc Sub-Committees, for the purpose of hearing matters under the Licensing Act 2003
2. That the Head of Legal and Democratic Services be authorised to appoint the individual members of Sub-Committees, comprising any three members of the Licensing Committee.

PUBLIC SPEAKING PROCEDURE FOR LICENSING COMMITTEE

The Committee Services Manager submitted proposals to adopt a public speaking procedure for matters to be considered by the Licensing Committee.

Resolved:

1. That the Public Speaking procedure and public guidelines be approved and introduced with immediate effect
2. That the procedure be reviewed after 6 months following its implementation

EXCLUSION OF THE PUBLIC AND PRESS

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items as it was likely, in view of the nature of the business to be transacted, that if members of the public were present there would be disclosure to them of exempt information relating to:

Any particular applicant for, or recipient or former recipient of, any service provided by the authority (Paragraph 4 of Part 1 of Schedule 12A to the Act)

APPLICATION FOR HACKNEY CARRIAGE DRIVERS LICENCE MR S.H.

The Chair welcomed the applicant and his representative to the meeting. The Licensing Enforcement Officer then presented a report detailing the circumstances leading to the application for the hackney carriage drivers licence

The Committee proceeded to deal with the matter. Mr S.H., his representative, the Licensing Manager and the Licensing Enforcement Officer then retired from the meeting to enable the Committee to determine the application.

Resolved:

That the Hackney Carriage Drivers licence for Mr S.H. be granted.

(The meeting commenced at 6.30pm and closed at 7.10pm)