

DECISIONS OF THE LICENSING COMMITTEE

14 September 2005

Committee:

- * Councillor Brian Coleman (Chairman)
- * Councillor Eva Greenspan (Vice-Chairman)

Councillors:

- | | |
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| * Steven Blomer | * Wendy Prentice |
| Maureen Braun | * Joan Scannell |
| Terry Burton | Agnes Slocombe |
| \$ Peter Davis | * Ansuya Sodha |
| * Olwen Evans | \$ Soon-Hoe Teh |
| * Claire Farrier | * Jim Tierney |
| * Susette Palmer | |

* denotes Member present

\$ denotes Member absent on Council business

1. **MINUTES:**
RESOLVED – That the Decisions of the meeting held on 21 February 2005 be approved as a correct record.
2. **ABSENCE OF MEMBERS:**
Apologies for absence were received from Councillors Maureen Braun, who was unwell, Peter Davis who was at an Artsdepot meeting and Soon - Hoe Teh who was at School Governing Body meeting.
3. **DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS:**
None were declared.
4. **LICENSING ACT 2003- POSITION STATEMENT ON APPLICATIONS RECEIVED (Report of the Acting Head of Environment and Neighbourhood Services – Agenda item 4)**

The Committee noted that the slow rate of applications, initially, followed by the vast number of applications on the deadline set by government for the conversion of existing licences was reflected nationally, as was the number of variations applied for at this time.

The Committee also considered a number of issues associated with the operation of the arrangements for the hearings by Licensing Sub – Committees where there were objections to applications. The Committee noted that at the day of the meeting, there were in the region of 70 cases to be heard before the end of September.

The Committee also considered the issues associated with determining the validity of objections. The Licensing Act 2003 referred to valid objections emanating from people “in the vicinity “of the premises.

The Committee noted that there were instances where the police had intimated that, where there were substantial changes to the premises the matter should not proceed to a hearing at all. It was considered that in these cases there should be close liaison between the Licensing Officers and the police and the Chairman agreed to write to the Borough Commander.

RESOLVED –

(1) That the report be noted.

(2) That the issues indicated below be addressed by the officers indicated:

Issue	Action	By
1. Licensing Officer’s Report format	2 sides of A4 in table form	Acting Head of Environmental and Neighbourhood Services
2. Letters advising of decisions	Letters to include details of ability to (i) appeal to a Magistrates’ Court (ii) seek a review of the licence	Democratic Services Manager/Borough Solicitor/Acting Head of Environmental and Neighbourhood Services
3. Order of agendas/start times	All applicants and objectors to be given the same start time for morning hearings. This principle also to apply to afternoon hearings.	Democratic Services Manager
	The Committee agreed to take no action, at present, to arrange evening hearings.	
4. Recording decisions	Ensure consistency	Democratic Services Manager

(3) That the Chairman’s remit includes the ability to determine the weight to be placed on an objection, having regard to the guidance.

(4) That where a Member finds that he or she is unable to attend hearings, the Member concerned endeavours to find a substitute.

The meeting finished at 7.48pm