

DECISIONS OF THE LICENSING COMMITTEE

21 FEBRUARY 2005

Committee:

- * Councillor Eva Greenspan (Chairman)
- * Councillor Daniel Hope (Vice-Chairman)

Councillors:

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| * Steven Blomer | * Susette Palmer |
| * Maureen Braun | Wendy Prentice |
| * Peter Davis | * Agnes Slocombe |
| * Aba Dunner | Ansuya Sodha |
| * Olwen Evans | * Soon-Hoe Teh |
| * Claire Farrier | * Jim Tierney |
| * Malcolm Lester | |

* denotes Member present

1. **MINUTES:**
RESOLVED – That the Decisions of the meeting held on 19 January 2005 be approved as a correct record.
2. **ABSENCE OF MEMBERS:**
Apologies for absence were received from Cllr. Ansuya Sodha.
3. **DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS:**
None were declared.
4. **LICENSING HEARINGS PROCEDURE:**
The Committee considered a report of the Head of Committee and of the Borough Solicitor which proposed a draft Procedure for the conduct of this Authority's Licensing Act 2003 Hearings. The report appended the draft Hearings Regulations made by the Secretary of State under the Act, upon which the proposed Procedure had been based.

The Committee noted that the appended draft Hearings Procedure struck a balance between the requirements of the Regulations – on the one hand to ensure that all entitled parties have an equal opportunity to present their case, and on the other hand that the Hearing should take the form of a non-adversarial discussion led by the Authority.

Further, the Committee noted that the proposed Hearings Procedure could be amended periodically to reflect legislative changes and developing best practice.

Accordingly, the Committee

RESOLVED – (i) To note the Hearings Regulations published by the Secretary of State, detailed at Appendix A to the report;

(ii) To approve and adopt the draft Hearings Procedure, detailed in the supplementary paper to the report, as the procedure to be used by this Licensing Authority for the conduct of Hearings under the Licensing Act 2003;

(iii) To agree that the Procedure be reviewed periodically and amended as required to reflect legislative changes and developing best practice; and

(iv) To authorise the Head of Committee, in consultation and agreement with the Chairman and Vice-Chairman, to make any minor or consequential amendments to the Procedure as might be required.

The meeting finished at 7.30pm