

# LICENSING ACT COMMITTEE

Wednesday, 7 June 2023

## Present:

Councillors	S Bennett (Vice-Chair)	K Murphy
	C Cooke	M Redfern
	G Davies	J Stewart Laing
	B Hall	K Stuart
	L Luxon-Kewley	M Sullivan
	C McDonald	E Tomeny

## Apologies

Councillors	A Hodson (Chair)	R Pitt
	M Jordan	

## **Vice-Chair in the Chair**

### 1 **WELCOME AND INTRODUCTION**

The Vice-Chair welcomed everyone to the meeting and those watching the webcast.

### 2 **APOLOGIES**

The Vice-Chair confirmed apologies had been received from Councillors A Hodson (Chair), M Jordan and R Pitt.

### 3 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Committee were asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

### 4 **MINUTES**

**Resolved** – That the accuracy of the minutes of the meeting held on 16 November 2022 be approved.

### 5 **MINUTES OF THE LICENSING PANEL**

**Resolved** – That the accuracy of the minutes of the meetings of the Licensing Panel (now re-named as the Licensing Act Sub Committee) held on 19 December, 20 December 2022, 6 January and 18 January 2023 be approved.

6      **PUBLIC QUESTIONS**

The Vice-Chair indicated that one question had been received from John Brace relating to a refund in respect of an application he had made for a Temporary Event Notice.

In response, the Legal Advisor to the Committee explained that the payment would be refunded as of 9 June 2023 and should be received a few working days after this date.

7      **STATEMENTS AND PETITIONS**

The Vice-Chair reported that there had been no statements or petitions submitted.

8      **QUESTIONS BY MEMBERS**

The Vice-Chair reported that there had been no questions submitted from Members.

9      **APPOINTMENT OF MEMBERS TO THE LICENSING ACT SUB-COMMITTEE**

The Director of Law and Governance submitted a report in respect of the appointment of Members to the Licensing Act Sub-Committee.

It was reported that the Terms of Reference of the Licensing Act Committee as contained in the Council's Constitution (approved by Council on 24 May 2023), required this Committee to act as the administrative committee, acting under statutory delegation pursuant to the Licensing Act 2003, and to be responsible for making decisions as a Licensing Authority under the Licensing Act 2003 and Gambling Act 2005.

It was further reported that the Terms of Reference also allowed for the convening of Licensing Act Sub-Committees of three members of the Licensing Act Committee, with responsibility for the Council's functions to deal with applications, determinations and reviews of licences, permissions and any related matter in respect of the Licensing Act 2003 or the Gambling Act 2005 within statutory timescales.

**On a motion by Councillor Mike Sullivan and seconded by Councillor Chris Cooke it was –**

**Resolved –**

- (1) That the Terms of Reference of the Licensing Act Sub-Committee as referred to in paragraphs 1.1 and 1.2 of the report be noted and that each Licensing Act Sub-Committee be comprised of three Members drawn from the fifteen Members of the Licensing Act Committee with the Chair appointed on the day of each meeting.**
- (2) That the Director of Law and Governance (Monitoring Officer) be given delegated authority, in consultation with the Chair and Spokespersons to convene Licensing Act Sub-Committees as and when required for the purposes of carrying out the Council's functions to deal with applications, determinations and reviews of licences permissions and any related matter in respect of the Licensing Act 2003 or the Gambling Act 2005. Up to two further Members of the Licensing Act Committee may attend as observers.**
- (3) That the term of membership of the Licensing Act Committee be continued until such time as a new Licensing Act Committee is appointed.**