

**MINUTES OF THE LICENSING COMMITTEE
THURSDAY, 22 MAY 2008**

PRESENT:

Councillors Beacham, Demirci, Dodds, Lister (Vice-Chair), Patel (Chair), Thompson and Vanier

Apologies Councillors Edge and Reid

Also Present: Councillor Aitken (substituting for Councillor Reid)

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCO01.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received on behalf of Councillor Reid due to illness, for whom Councillor Aitken was substituting, and apologies also from Councillor Edge.</p> <p>NOTED</p>	
LSCO02.	<p>URGENT BUSINESS</p> <p>There were no items of urgent business however the Clerk advised that in respect of Item 5 – Establishment of Licensing Sub-Committees there was a TABLED appendix 2 which had been marked 'TO FOLLOW' which the Committee were asked to consider as part of the circulated report.</p> <p>NOTED</p>	
LSCO03.	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p> <p>NOTED</p>	
LSCO04.	<p>MINUTES</p> <p>RESOLVED</p> <p>That the minutes of the meetings of the Licensing Committee held on 17 December 2007, and the special Licensing Committee held on 14 April 2008 be agreed and signed as an accurate record of the proceedings.</p>	
LSCO05.	<p>ESTABLISHMENT OF LICENSING SUB-COMMITTEES</p> <p>The Chair referred to the TABLED appendix 2 which was referred to within the report and asked if there were any comments from Members in relation to the proposed composition of the Sub-Committees. The Chair also referred the position of the Councillor who would be appointed</p>	

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as 'float', and asked that the Committee Secretariat ensure the utilising of this member in the situation where a substitute member was required or in the case of convening a 'Special' Licensing Sub-Committee, and also ensuring the use of those Members of the Council who had been trained in Licensing matters but who did not sit on the Committee at present.

In response to points of clarification from the Committee the Head of Legal Service's representative – Mr Mitchison – advised the Committee of the powers delegated to the Head of Local Democracy and Member Services in respect of convening 'Special' Licensing Sub-Committees at short notice, as required, and the reasoning for this, together with the Licensing substitution rules in relation to appointing a Member to a sub-Committee on the actual day of the meeting.

Councillor Dodds commented on the feasibility of the Sub-Committees having site visits to premises where a licence was to be considered, and the usefulness to having such visits.

Mr Mitchison responded that whilst he did not see any initial difficulties to the possibility of site visits there would need to be clear guidance and protocols drawn up in respect of such visits, similar to those protocols used for site visits in relation to Planning Committee. The main areas of difficulty however could be in situations where a 'Special' Licensing Committee was to be convened at short notice and there not being sufficient time in which to arrange for a site visit to take place. However Mr Mitchison advised that he would speak with the Licensing Service in this respect to ensure that a report be submitted to a future meeting of the Licensing Committee in this respect.

The Chair welcomed Councillor Dodd's suggestion and asked that officers pursue this suggestion and report further to the Committee.

In response to points of clarification from Councillor Thompson the Chair advised that training would be provided for Councillor Thompson, and to any Councillors on the Sub-Committees as a refresher if they required this, and that the quorum for the meeting of the Sub-Committees was 3 Members – being the number of Members appointed to each.

There being no further points of clarification the Chair MOVED and it was:

RESOLVED

1. that the terms of reference of the Licensing Committee in Part 3 Section C of the Council's Constitution, and as detailed in Appendix 1 to this report be noted;
2. That the establishment of three Licensing Sub-Committees with the membership set out in the TABLED Appendix 2 to this report and as detailed below be agreed:

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Licensing Sub-Committee A

**Councillor Patel – Chair
Councillor Reid
Councillor Vanier**

Licensing Sub-Committee B

**Councillor Lister – Chair
Councillor Demirci
Councillor Thompson**

Licensing Sub-Committee C

**Councillor Beacham – Chair
Councillor Baker
Councillor Dodds**

Float : Councillor Edge

3. That the terms of reference of the Licensing Sub-Committees in Part 3 Section C of the Constitution, attached as Appendix 3 to this report be confirmed;
4. That Members note the powers delegated to the Head of Local Democracy and Member Services at the meeting of the Committee on 14 April 2008 as detailed below be noted: -
 - (a) To make appointments to the membership of special Licensing Sub-Committees from among the Members of the Licensing Committee;
 - (b) To appoint an additional Member or Members to any scheduled meeting of a Licensing Sub-Committee from among the Members of the Licensing Committee whenever the appointment of a substitute Member under the Committee Procedure Rules (Part 4, Section B) would be impracticable and the meeting would otherwise be inquorate;
 - (c) The exercise of the delegated powers in (a) and (b) above shall be, so far as practicable, in consultation with the Chair of the Licensing Committee and the Chief Whip of each Group and with a view to achieving political balance in the membership of Licensing Committees; and
5. that officers be requested to look at the feasibility of conducting site visits to premises whose license applications are to be considered by the Licensing Sub-Committees, and report to a future meeting of the Committee.

LSCO06. NEW ITEMS OF URGENT BUSINESS

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	<p>There were no other items of urgent business.</p> <p>NOTED</p>	
LSCO07.	<p>DATES OF FUTURE MEETINGS</p> <p>The Committee noted the dates of the Licensing Committee for the remainder of the Municipal Year 2008/09 as follows:</p> <p>7 October 2008 17 February 2009</p>	

The meeting ended at 19.45hrs.

COUNCILLOR JAYANTI PATEL
Chair