

# MINUTES OF LICENSING COMMITTEE MEETING – 31ST JANUARY 2005

## Present:

### Councillors

Bate	Callow	Mrs Greenhalgh	Mrs Smith
Blackburn	Carr	Hardy	Mrs Taylor
Brown	Cresswell	Hutchinson	
Mrs Callow	Mrs Delves	Mitchell	

## In attendance:

Head of Legal and Democratic Services

Mark Towers, Sharon Davies, Pauline Higson, Peter Baines (Business Services Directorate)

### 1. APPOINTMENT OF CHAIRMAN

Councillor Hardy was appointed Chairman for the remainder of the Municipal Year.

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

### 3. APPOINTMENT OF VICE-CHAIRMAN

Councillor Mrs Smith was appointed Vice Chairman for the remainder of the Municipal Year.

### 4. MOTION MOVED, SECONDED, VOTED UPON AND LOST

During consideration of the previous item the following item was 'moved, seconded, voted upon and lost'.

"That Councillor Hutchinson be appointed Vice Chairman of the Committee for the remainder of the Municipal Year."

### 5. LICENSING ACT 2003 - IMPLEMENTATION ARRANGEMENTS AND THE FORMATION OF A PUBLIC PROTECTION SUB COMMITTEE

The Committee considered proposed arrangements for the implementation of the requirements under the Licensing Act 2003. Regulations had been laid before Parliament relating to the operation of hearings to be held under the Act. The first appointed day for the Council to take on these new responsibilities was currently cited as being the 7th February 2005.

Consideration was given to the approximate number of personal and premises licences and the possible number of hearings which could be held. The role of this Committee was outlined together with the proposed role for a new Public Protection Sub Committee. The report also covered the possible venues and the potential impacts on member availability.

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The Head of Legal and Democratic Services reported upon a proposed procedure to be followed at meetings of the panels and consideration was also given to whether to set a time limit for a party to address the Authority, give any further information or call witnesses. The advice and guidance for Members drafted by the body called the Local Authorities Coordinators of Regulatory Services was also put forward for adoption by the Committee.

### **Resolved:**

1. That Licensing Panels comprising of 3 Members, drawn from the membership of this Committee, be constituted by the Head of Legal and Democratic Services to undertake hearings in accordance with the Licensing Act 2003 and consequent regulations.
2. That the Head of Legal and Democratic Services determine the makeup of the Panels (not to be politically balanced) with Members as far as practically possible serving in rotation.
3. That each Panel select a Chairman at the beginning of each meeting.
4. That the Head of Legal and Democratic Services identify a standby Member for each Panel meeting to cover for illness, Members who have interests etc.
5. That the Licensing Act 2003 functions be delegated, as set out in the report, to Licensing Panels and the Head of Legal and Democratic Services and where appropriate the Head of Environmental Services.
6. That the suggested procedure for use at Licensing Panel hearings as submitted with the report be approved.
7. That an equal maximum amount of time be set by each Panel at the beginning of each different hearing, for a party to address the Panel, give any further information or call any witnesses for the hearing.
8. That the advice produced by the Local Authorities Coordinators of Regulatory Services body regarding the role of Elected Members in relation to Licensing Committee/ Panel hearings as submitted be adopted and the Head of Legal and Democratic Services be authorised to update this document in accordance with any further changes made by that body.
9. That the Head of Legal and Democratic Services be requested to prepare other documentation to be sent to parties attending the hearings as required under the Licensing Act 2003, Hearings Regulations.
10. To note that the Head of Legal and Democratic Services will contact each Licensing Committee Member individually to go through the arrangements in more detail and ascertain availability and contact details.
11. That a Public Protection Sub Committee be constituted with a membership of 8 (5 Labour, 2 Conservative and 1 Liberal Democrat)

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12. That the functions assigned to the Public Protection Committee as set out in Part 3 of the Council's Constitution be delegated in totality to the Public Protection Sub Committee.

13. That the Public Protection Sub Committee meet on a monthly basis on the dates previously set for the Public Protection Committee.

Background papers: None

### 6. LAP DANCING ESTABLISHMENTS

The Committee considered a request from a Member to consider creating a policy where there would be a restriction on the number of lap dancing establishments in the same way as there was a policy restricting the number of sex shops, in Blackpool. The Head of Legal and Democratic Services explained that the legislation licensing sex shops was different to that controlling lap dancing establishments and a similar policy limiting their numbers could not be replicated.

**Resolved:** That the Head of Legal and Democratic Services be requested to report back to a future meeting with regard to the conditions currently attached to Public Entertainment licences in connection with the control of establishments providing lap dancing.

Background papers: None

(The meeting ended at 10:56 am)

Any queries regarding these minutes, please contact:  
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