

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the inaugural meeting of the LICENSING COMMITTEE held in the Council Chamber, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 8th December 2004.

PRESENT: Councillors J T Bell, J D Fell,  
Mrs K P Gregory, D Harty, I R Muir, R Powell,  
J M Sadler, L M Simpson, J Taylor,  
R G Tuplin, J S Watt and Ms M Wheeler

### 1. ELECTION OF CHAIRMAN

RESOLVED

that Councillor J M Sadler be elected Chairman of the Committee for the ensuing Municipal Year.

**Councillor J M Sadler in the Chair.**

### 2. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

that Councillor J T Bell be appointed Vice-Chairman of the Committee for the ensuing Municipal Year.

### 3. LICENSING ACT 2003 STATEMENT OF LICENSING POLICY

With the aid of a report by the Head of Administration (a copy of which is appended in the Minute Book), the Committee were acquainted with the Council's arrangements to adopt the Statement of Licensing Policy as part of its functions under the Licensing Act 2003. The Committee noted the Statement should be approved by the Council prior to 7th January 2005 when it would come into effect for the ensuing three years period.

Members were reminded that at their meeting held on 29th September 2004, the Council had approved a draft Statement for consultation which had ended on 26th November 2004. In total, 228 copies of the Statement and a consultation questionnaire had been issued to relevant authorities and organisations and it had also been published on the Council's website. The Committee were presented with a summary of the responses to the questionnaire and written representations which had been received during the consultation and were pleased to note that the majority had been supportive of the content of the draft Policy. Comments on the representations received had been included in the report submitted and a number of changes had been made to the draft statement to reflect the submissions made.

Members commented upon whether Ward Councillors should sit on a Sub-Committee hearing dealing with premises in their Ward and whether Town and Parish Councils would be consulted on applications received.

In reply, the Head of Administration indicated that it was the duty of the applicant to advertise his application but that he would notify Town and Parish Councils explaining the procedure for applications and how local councils could submit representations if they wished. With regard to Councillors sitting on a Sub-Committee hearings, it was suggested that this would be addressed in the procedural arrangements for Sub-Committee hearings once the Regulations had been issued.

Having been advised that the Cabinet had also been invited to comment on the responses following the consultation period, the Committee

RESOLVED

that the amended Statement of Licensing Policy as appended to the report now submitted be approved and submitted to the Council for confirmation at their meeting to be held on 20th December 2004.

#### **4. LICENSING ACT 2003 - CONSULTATION ON DRAFT FEE LEVELS**

By way of a report by the Head of Administration (a copy of which is appended in the Minute Book), the Committee were advised that the Department of Culture, Media and Sport (DCMS) had published draft regulations on fee levels to be established under the Licensing Act 2003.

In order that the fees could come into effect by the first appointed day of 7th February 2005, the Committee were advised that the closing date for consultation was 23rd December 2004 which left a very limited period for implementation of fees before the first application could be submitted. The proposed fees had been based on the assessed volume of applications under the current licensing regimes and assumptions on the number of applications and objections likely to be received under the new Act. It had been announced by the Government that the level of fees set should achieve a full recovery of the administration, inspection and enforcement costs and had been based upon an average administration cost of £28 per hour, enforcement costs of £45 per hour and professional costs at £60 per hour.

The Committee discussed a number of suggested comments on the draft fee levels which were considered to significantly underestimate the complexity and magnitude of the applications and representations which were likely to be received. In that light, the Committee

RESOLVED

that the comments suggested in the report now submitted be approved for submission to the DCMS.

#### **5. DATE OF NEXT MEETING**

The Committee agreed that the Head of Administration should convene a further meeting as soon as the regulations on the

implementation of the Act had been received.

Chairman