

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING COMMITTEE held in Civic Suite, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Tuesday, 23 June 2015.

PRESENT: Councillor R Fuller – Chairman.
Councillors K M Baker, Mrs S Conboy,
J W Davies, Ms L Kadic, D J Mead and
R J West.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors D Brown, R S Farrer, R Harrison, S M Van De Kerkhove and P D Reeve.

4. MINUTES

The Minutes of the meetings held on 29th October 2013, 4th June 2014 and 20th May 2015 were approved as a correct record and signed by the Chairman.

5. MEMBERS INTERESTS

No declarations of interest were received.

6. LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY

Consideration was given to a report by the Head of Community (a copy of which is appended in the Minute Book) a draft Statement of Licensing Policy for the Authority. The Statement sets out how the Council will exercise its statutory duties relating to its licensing function.

Members were advised that the Council's existing policy expires in January 2016 and the Council is required to determine its policy for the next five years to 2021. The proposed new policy has been re-drafted to incorporate changes in legislation, government guidance and the Local Government Association Best Practice Framework for the review of licensing policy statements.

Having noted that before determining or revising its policy the Council must undertake a public consultation with a number of specified bodies, the Panel were informed that a ten week consultation would be undertaken from 26th June to 4th September 2015 for this purpose. There was likely to be a need for further amendments to the draft, arising as a result of feedback from this process or additional legislative change.

In considering the report, Members commented upon the timetable for the approval of the Statement and expressed concern that the Council would be unable to fulfil its licensing duties under the Licensing Act 2003 if it did not have a new policy in place by 7th January 2016. Whilst this did represent a risk to the Authority, the

Panel were advised that it was to be hoped that if Members had any significant concerns these would be raised during the consultation period. In addition, once adopted the statement of licensing policy can be amended by the licensing authority at any time during the next five years.

Having been urged by the Head of Community to take the opportunity to review and provide detailed feedback on the draft Statement during the consultation period, the Panel

RESOLVED

- (a) that the draft 'Statement of Licensing Policy' as set out in the appendix attached to the report be approved for public consultation;
- (b) that the Head of Community be authorised to make any amendments to the statement that are considered necessary as a result of any comments received from the public consultation exercise, or revised guidance issued by the Home Office; and
- (c) that the revised final draft be submitted to the Licensing Committee on 20 October 2015 for endorsement to the Cabinet and Council.

7. GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES

Consideration was given to a report by the Head of Community (a copy of which is appended in the Minute Book) to which was attached a draft Statement of Principles under the provisions of the Gambling Act 2005. The Statement outlines the principles which the Council proposes to apply when exercising its functions under the Act.

Members were informed that the current Statement was scheduled to expire on 30th January 2016 and that the Council was required to adopt and publish a new Statement in advance of that date. Should the Council fail to have a new policy in place then it will be unable to fulfil its licensing duties under the Act.

In terms of the contents of the draft Statement for 2016 onwards, the Panel were advised that it had been drafted to take into account the relevant provisions of the draft fifth edition of the Gambling Commissions Guidance to Local Authorities. Although it may prove necessary to make further changes once the final version of the guidance is produced.

Having noted that the Council were required to undertake a public consultation on the draft Statement, Members were informed that it was proposed to consult over a ten week period from 26th June to 4th September in accordance with legislative requirements. Whereupon, it was

RESOLVED

- (a) that the draft Statement of Principles as set out in the

appendix to the report be approved for public consultation;

- (b) that the Head of Community be authorised to make any amendments to the draft Statement that are considered necessary as a result of comments received from the public consultation exercise or arising from any new guidance issued to licensing authorities by the Gambling Commission; and
- (c) that the revised final draft be submitted to the Licensing Committee on 20 October 2015 for endorsement to Cabinet and Council.

Chairman