

A meeting of the **LICENSING COMMITTEE** will be held in **CIVIC SUITE 0.1B, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **WEDNESDAY, 22 MARCH 2017 ON THE RISING OF THE MEETING OF THE LICENSING AND PROTECTION COMMITTEE** and you are requested to attend for the transaction of the following business:-

**Contact
(01480)**

1. ELECTION OF CHAIRMAN

To elect a Chairman for the remainder of Municipal Year.

2. MINUTES (Pages 5 - 6)

To approve as a correct record the Minutes of the meeting held on 19th July 2016.

**C Bulman
388234**

3. MEMBERS INTERESTS

To receive from Members declarations as to disclosable pecuniary and other interests in relation to any Agenda Item.

4. LICENSING SUB COMMITTEES (Pages 7 - 8)

To receive a summary of the meetings of the Licensing Sub-Committee which have taken place since the last meeting of the Committee.

**C Bulman
388169**

Dated this 14th day of March 2017



Head of Paid Service

Notes

1. Disclosable Pecuniary Interests

(1) *Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.*

(2) *A Member has a disclosable pecuniary interest if it -*

(a) relates to you, or

(b) is an interest of -

(i) your spouse or civil partner; or

(ii) a person with whom you are living as husband and wife; or

(iii) a person with whom you are living as if you were civil partners

and you are aware that the other person has the interest.

(3) Disclosable pecuniary interests includes -

- (a) any employment or profession carried out for profit or gain;
- (b) any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);
- (c) any current contracts with the Council;
- (d) any beneficial interest in land/property within the Council's area;
- (e) any licence for a month or longer to occupy land in the Council's area;
- (f) any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or
- (g) a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.

Non-Statutory Disclosable Interests

(4) If a Member has a non-statutory disclosable interest then you are required to declare that interest, but may remain to discuss and vote providing you do not breach the overall Nolan principles.

(5) A Member has a non-statutory disclosable interest where -

- (a) a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or
- (b) it relates to or is likely to affect a disclosable pecuniary interest, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association, or
- (c) it relates to or is likely to affect any body –
 - (i) exercising functions of a public nature; or
 - (ii) directed to charitable purposes; or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a Member or in a position of control or management.

and that interest is not a disclosable pecuniary interest.

2. Filming, Photography and Recording at Council Meetings

The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening at meetings. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and available via the following link [filming, photography and recording at council meetings.pdf](#) or on request from the Democratic Services Team. The Council understands that some members of the public attending its meetings may not wish to be filmed. The Chairman of the meeting will facilitate this preference by ensuring that any such request not to be recorded is respected.

Please contact Mrs Claire Bulman, Democratic Services Officer, Tel: 01480 388234 / email Claire.Bulman@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.

Specific enquiries with regard to items on the Agenda should be directed towards the

Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website –
www.huntingdonshire.gov.uk (*under Councils and Democracy*).

If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Elections & Democratic Services Manager and we will try to accommodate your needs.

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING COMMITTEE held in Civic Suite 0.1A, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Tuesday, 19 July 2016.

PRESENT: Councillor R Fuller – Chairman.

Councillors Mrs S Conboy, J E Corley,
J W Davies, Mrs S A Giles, D J Mead,
Mrs J Tavener, D R Underwood and
R J West.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors Mrs B E Boddington, S J Criswell and D Watt.

9. MINUTES

The Minutes of the meeting of the Licensing Committee held on 21st June 2016 were approved as a correct record and signed by the Chairman.

10. MEMBERS' INTERESTS

No declarations of interest were received.

11. SCHEMES OF DELEGATION

With the assistance of two reports by the Head of Community (copies of which are appended in the Minute Book) the Committee were invited to consider –

- (i) a scheme of delegation between the Licensing Committee and the Licensing Sub-Committee; and
- (ii) a scheme of delegation between the Licensing Committee and the Council's Officers.

The Committee were reminded that the Council had approved a new Constitution in March 2016 and subsequent legal advice had recommended that the Licensing Committee should formally resolve to approve the scheme of delegation between the Committee and its sub-committee and the Committee and its officers.

With regard to the functions of the Licensing Committee, Members noted that the full Committee would retain the ability to determine the amount of any charge to be made for any approval, consent, licence, permit or registration.

Having noted that the recommended schemes allowed for the efficient and effective execution of the Council's functions under the Licensing Act 2003 and the Gambling Act 2005 and permitted the Committee to reverse the delegation and determine a matter itself should this be considered necessary, Members were advised that the proposed schemes replicated those which had previously been included within the Council's Constitution.

Whereupon it was

RESOLVED

- a) that the Scheme of Delegation from the Licensing Committee to the Licensing Sub-Committee as set out in the report now submitted be approved
- b) that the Scheme of Delegation from the Licensing Committee to Officers as set out in the report now submitted be approved;
- c) that the Head of Community be authorised to make minor editorial changes which by definition make no changes to the powers of delegations within both the Sub-Committee and the Officer schemes;
- d) that the Head of Community, in consultation with the Chairman and Vice-Chairman of the Licensing Committee be authorised to make changes to both schemes as a result of revocations, amendments or the enactment of relevant statutory provisions;
- e) that the Head of Community and the Head of Development (with regards to Licensing Act 2003, Section 13(4)(d)), be authorised to appoint suitably qualified officers as deemed appropriate to exercise those duties delegated to them within the Scheme of Delegation to Officers as set out in the report now submitted.

12. SELECT COMMITTEE ON THE LICENSING ACT 2003

(In accordance with Section 100B(4)(b) of the Local Government Act 1972 the Chairman announced that he proposed to admit the following urgent item of business to the Agenda to enable the Council to meet the consultation deadline).

The Head of Community explained that the Government had recently set up a Select Committee on the Licensing Act 2003 with the task of conducting post-legislative scrutiny of the Act. The Committee would be looking at the provisions of the Act and whether it had achieved its objectives.

Having noted that there had been a public call for written evidence to be submitted to the Select Committee by 2nd September 2016, it was agreed that the Head of Community would circulate further details to Committee Members. Members could then either respond on an individual basis or to the Head of Community Services for incorporation into a response on behalf of the Council.

Whereupon, it was

RESOLVED

that the Head of Community in consultation with the Chairman and Vice-Chairman be authorised to approve the contents of the Council's submission to the call for evidence for the Select Committee on the Licensing Act 2003.

Agenda Item 4

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Subject Matter: LICENSING SUB COMMITTEES

Meeting/Date: Licensing Committee – 22nd March 2017

Executive Portfolio: Councillor R Fuller – Executive Councillor for Housing and Regulatory Services

Report by: Elections and Democratic Services Manager.

1. INTRODUCTION

- 1.1 The Licensing Sub Committee comprising three Members of the Licensing and Committee is convened when necessary to determine such matters which have been delegated to it in accordance with the Licensing Act 2003. Below is a summary of the meetings that have taken place since the last meeting of the Committee. Full copies of the Hearing Records are available on request.

Meeting Date	Chairman	Application	Determination
15th September 2016	R Fuller	Application for a new premises licence by J D Wetherspoon for 8/9 Market Hill, St Ives PE27 5AL	The Sub-Committee agreed to grant the application with amended opening hours and the imposition of a number of conditions.

2. RECOMMENDATION

- 2.1 The Committee are invited to note the above information.

BACKGROUND PAPERS

Agenda, Reports and Records of the Licensing Sub Committee meetings held on 15 September 2016.

Contact Officer: Mrs C Bulman, Democratic Services - ☎ 01480 388234.

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