

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING COMMITTEE held in the Council Chamber, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 13 June 2007.

PRESENT: Councillor J M Sadler – Chairman.

Councillors K M Baker, J T Bell, J J Dutton, R S Farrer, J D Fell, A Hansard, I R Muir, R Powell and J S Watt.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors R W J Eaton and T D Sanderson.

6. MINUTES

The Minutes of the meeting of the Committee held on 16th May 2007 were approved as a correct record and signed by the Chairman.

7. MEMBERS' INTERESTS

No declarations were received.

8. LICENSING SUB COMMITTEE PROCEDURE

Consideration was given to a report by the Head of Administration (a copy of which is appended in the Minute Book) informing the Committee that the Gambling Act 2005 required hearings to be held by a Sub-Committee where representations had been received from responsible authorities or interested parties for conversions, variations and new licences under the Act. In that respect the Committee discussed a suggested procedure for Sub-Committee hearings which incorporated the requirements of the relevant Regulations made under the Act.

RESOLVED

- (a) that the procedure for hearings of Licensing Sub-Committees under the Gambling Act 2005 set out in the appendix to the report now submitted be adopted; and
- (b) that the Head of Administration, after consultation with the Chairman or Vice-Chairman of the Committee, be authorised to make any minor changes to the procedure as may be necessary in the future.

9. GAMBLING ACT 2005 - CONDITIONS

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 arrangements for conditions to be attached to premises licences under the Gambling Act 2005 which, unlike the Licensing Act 2003 regime, now made provision for mandatory and default conditions. Having been informed that the licensing authority was able to exclude or vary default conditions and attach such other conditions to a licence where these were proportionate to the premises to be used and the form of gambling to be licensed, it was

RESOLVED

that the contents of the report be noted.

10. GAMBLING ACT 2005 - DELEGATIONS

Consideration was given to a report by the Head of Administration (a copy of which is appended in the Minute Book) recommending a schedule of delegations under the Gambling Act 2005. Where representations on an application for a premises licence were received or a review of a licence was initiated, a hearing by a Sub-Committee would need to be held. However, guidance issued by the Secretary of State recommended that, in the interests of speed, decision making should be delegated to officers as far as was permissible under the legislation. In that context, it was

RESOLVED

that the Schedule of Delegations under the Gambling Act 2005 as set out in the appendix attached to the report now submitted be approved.

11. GAMBLING ACT 2005 - FEES

By means of a report by the Head of Administration (a copy of which is appended in the Minute Book) the Committee was acquainted with the contents of guidance issued by the Department for Culture, Media and Sport in relation to fees for premises licences under the Gambling Act 2005. Having noted the discretion afforded to licensing authorities to charge up to a maximum level, the Committee was recommended to approve a schedule of fees for premises licences and other charges which, with the exception of first annual fees, represented the maximum permissible under the Act.

RESOLVED

that the fees for premises licences and other charges as set out in the appendix to the report now submitted be approved.

12. GAMBLING ACT 2005 - AUTHORISED PERSONS

Consideration was given to a report by the Head of Administration (a copy of which is appended in the Minute Book) informing the Committee that the Gambling Act 2005 enabled officers authorised by the Council to inspect or enter premises for a variety of purposes.

RESOLVED

that the following officers be authorised under Part 15 of the Gambling Act 2005 as authorised persons -

- ◆ Head of Administration,
- ◆ Central Services Manager,
- ◆ Licensing Officer, and
- ◆ Assistant Licensing Officers.

13. SUB COMMITTEES

Pursuant to Minute No. 5, the Committee reviewed its decision to establish groups from which Members would be appointed to Sub-Committees.

RESOLVED

- (a) that Minute No. 05/7 be rescinded; and
- (b) that three groups be established from which Members be appointed to 12 sub-committees as follows –
 - (1) i. Councillors Sadler, Baker and Farrer;
ii. Councillors Sadler, Baker and Watt;
iii. Councillors Sadler, Farrer and Watt;
iv. Councillors Baker, Farrer and Watt.
 - (2) i. Councillors Bell, Dutton and Fell;
ii. Councillors Bell, Dutton and Powell;
iii. Councillors Bell, Fell and Powell;
iv. Councillors Dutton, Fell and Powell.
 - (3) i. Councillors Muir, Eaton and Hansard;
ii. Councillors Muir, Eaton and Sanderson;
iii. Councillors Muir, Hansard and Sanderson;
iv. Councillors Eaton, Hansard and Sanderson.

Chairman