

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING COMMITTEE held in Civic Suite 1A, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Tuesday, 23 October 2012.

- PRESENT: Councillor J W Davies – Chairman.
- Councillors I J Curtis, R S Farrer, R Fuller, G J Harlock, A J Mackender-Lawrence, M C Oliver, T D Sanderson and S M Van De Kerkhove
- APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors K M Baker, C R Hyams and Mrs P A Jordan.

7. MINUTES

The Minutes of the meeting of the Committee held on 20th June 2012 were approved as a correct record and signed by the Chairman.

8. MEMBERS' INTERESTS

No declarations were received.

9. GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES

Consideration was given to a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) to which was attached a revised draft Statement of Principles under the Gambling Act 2005.

The draft Statement had been approved for public consultation by the Licensing Committee at its meeting on 20th June 2012 in accordance with the Act which required the Statement to be reviewed every three years.

Having noted that the Statement had now been amended to take into account both Gambling Commission guidance and, where appropriate, consultation responses, it was

RESOLVED

that the Council be recommended to approve the Statement of Principles under Section 349 of the Gambling Act 2005 as set out in Appendix 1 of the report now submitted, for a period of three years commencing on 31st January 2013.

10. LICENSING ACT 2003 - RESPONSIBLE AUTHORITY DELEGATIONS

Consideration was given to a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) inviting the Committee to authorise officers to act on behalf of the Licensing Authority as a Responsible Authority, following an amendment to the Licensing Act 2003.

Members were advised that the amendment, which had been the result of certain provisions of the Police Reform and Social Responsibility Act which had come into effect on 25 April 2012, had resulted in the Licensing Authority being included as a new category of Responsible Authority. This would enable the Licensing Authority to make representations and initiate a review of a premises licence in addition to the local Planning Authority and Environmental Health Authority.

Having been advised that for consistency and the avoidance of doubt a clear distinction would be required between the officer acting as the Responsible Authority and the officer preparing the report and presenting it to the Sub-Committee on behalf of the Licensing Authority, the Committee

RESOLVED

the Head of Legal and Democratic Services be authorised to act as the Responsible Authority on behalf of the Licensing Authority under Section 13 (4) (za) of the Licensing Act 2003.

11. LICENSING ACT 2003 - DELEGATION OF FUNCTIONS

Consideration was given to a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) recommending a schedule of delegations under the Licensing Act 2003. The delegations had been amended to incorporate certain provisions of the Police Reform and Social Responsibility Act 2011 which had come into effect on 25 April 2012 imposing additional duties on the Licensing Authority. Guidance issued by the Secretary of State recommended that, in the interests of speed and efficiency, 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 Licensing Act 2003 as set out in the appendix attached to the report now submitted be approved.

Chairman