

## 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.