

**LICENSING ACT  
COMMITTEE**

2.00 P.M.

18TH JUNE 2015

**PRESENT:** Councillors Terrie Metcalfe (Chairman), June Ashworth, Alan Biddulph, Carla Brayshaw, Sheila Denwood, Charlie Edwards, Mel Guilding, Colin Hartley, Christopher Leadbetter, Abi Mills, Sylvia Rogerson and Roger Sherlock

Apologies for Absence:

Councillors Stuart Bateson, Rebecca Novell and Paul Woodruff

Officers in Attendance:

Wendy Peck	Licensing Manager
Luke Gorst	Solicitor
Jane Glenton	Democratic Support Officer

**1 APPOINTMENT OF VICE-CHAIRMAN**

The Chairman requested nominations for the position of Vice-Chairman of the Licensing Act Committee for the municipal year 2015/16.

It was proposed by Councillor Hartley and seconded by Councillor Brayshaw:

"That Councillor Biddulph be appointed Vice-Chairman of the Licensing Act Committee for the municipal year 2015/16."

There being no further nominations, the Chairman declared the proposal to be carried.

***Resolved:***

That Councillor Biddulph be appointed Vice-Chairman of the Licensing Act Committee for the municipal year 2015/16.

**2 MINUTES**

The Minutes of the meeting held on 4<sup>th</sup> December 2014 were signed by the Chairman as a correct record.

**3 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN**

There were no items of urgent business.

**4 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## 5 CHAIRMEN OF LICENSING ACT SUB-COMMITTEES

The Committee received the report of the Licensing Manager to enable Members to make arrangements for the chairing of Licensing Act Sub-Committees during the forthcoming municipal year.

It was reported that each Sub-Committee must comprise three members of the Licensing Act Committee. The procedure for establishing Sub-Committees to deal with hearings under the Licensing Act 2003 had been agreed at the Licensing Act Committee's meeting on 14<sup>th</sup> February 2005.

At that meeting, it had been agreed that the then Chairman and Vice-Chairman and three other Members be appointed as Chairmen of the Sub-Committees, and that each ad hoc Sub-Committee convened by the Chief Officer (Governance) would include one of these Members who would act as the Chairman. This arrangement had continued, although in some municipal years the Committee had nominated four, rather than five, Chairmen.

In 2014/15, Sub-Committees had only met on two occasions, and this reflected the reduced workload since the original implementation of the Act. It was recommended that the number of Sub-Committee Chairmen be reduced to three, being the Chairman and Vice-Chairman of the Licensing Act Committee and one other member of the Committee.

It was proposed by Councillor Hartley and seconded by Councillor Denwood that there be a total of three Chairmen of the ad hoc Licensing Act Sub-Committees in 2015/16, comprising the Chairman and Vice-Chairman of the Licensing Act Committee and one other named Member, and that each ad hoc Sub-Committee include one of these three Members, who acts as Chairman.

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposal to be carried.

The Chairman requested nominations for one other Chairman of the ad hoc Sub-Committees. Councillor Rogerson was nominated by Councillor Ashworth and seconded by Councillor Edwards. Councillor Brayshaw was nominated by Councillor Biddulph and seconded by Councillor Hartley.

Upon being put to the vote, 6 Members voted for Councillor Rogerson and 6 Members voted for Councillor Brayshaw, whereupon the Chairman, in accordance with council procedure rule 19.2, used her casting vote and declared Councillor Brayshaw to be the one other Chairman of the ad hoc Sub-Committees.

### **Resolved:**

- (1) That there be a total of three Chairmen of the ad hoc Licensing Act Sub-Committees in 2015/16, comprising the Chairman and Vice-Chairman of the Licensing Act Committee and one other named Member, and that each ad hoc Sub-Committee includes one of these three Members, who acts as Chairman.
- (2) That the one other Chairman of the ad hoc Sub-Committees be Councillor Brayshaw.

**6 LICENSING ACT 2003 - CONSULTATION ON THE DRAFT REVISED LICENSING ACT STATEMENT OF POLICY**

The Committee received the report of the Licensing Manager to inform Members that the consultation process for the Licensing Act 2003 revised Statement of Policy would begin on 1<sup>st</sup> July 2015, as required by Section 5 of the Act.

It was reported that the Licensing Act 2003 required the Licensing Authority to revise its Statement of Licensing Policy every five years and to consult with stakeholders before publishing and implementing the updated Policy. The current Policy had come into force in January 2011.

A copy of the revised draft Statement of Licensing Policy and a summary of the proposed changes was attached as Appendix 1 to the report for the Committee's consideration.

Members were advised that responses to the consultation would be requested by 30<sup>th</sup> September 2015. Any responses to the consultation would be reported back to the Committee on 3<sup>rd</sup> December 2015. The Policy would then go to full Council on 17<sup>th</sup> December 2015 for implementation in January 2016 in order to satisfy the statutory timeframes.

***Resolved:***

That the report be noted.

**7 GAMBLING ACT 2005 - CONSULTATION ON THE DRAFT REVISED STATEMENT OF LICENSING POLICY**

The Committee received the report of the Licensing Manager to inform Members that the consultation process for the Gambling Act 2005 revised Statement of Policy would begin on 31<sup>st</sup> July 2015, as required by Section 349 of the Act.

It was reported that the Gambling Act 2005 required the Licensing Authority to revise its Statement of Gambling Licensing Policy every three years and to consult with stakeholders before publishing and implementing the updated Policy. The current Policy had come into force in January 2013.

A copy of the revised draft Statement of Gambling Licensing Policy and a summary of the proposed changes was attached as Appendix 1 to the report for the Committee's consideration.

The Policy had been updated with regard to the latest Draft Guidance from the Gambling Commission, which was currently out for consultation and was due to be finalised shortly. It was noted that the Policy may need further amendment following finalisation of the Guidance.

Members were advised that responses to the consultation would be requested by 24<sup>th</sup> October 2015. Further steps would be taken in addition to the statutory requirements to ensure effective consultation and these were outlined to Members.

It was reported that any responses to the consultation would be reported to the Committee on 3<sup>rd</sup> December 2015. The Policy would then go to full Council on 16<sup>th</sup> December 2015 and be implemented in January 2016 to satisfy the statutory timeframes.

***Resolved:***

That the report be noted.

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Chairman

(The meeting ended at 2.19 p.m.)

**Any queries regarding these Minutes, please contact  
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