

LICENSING ACT 2003 - APPOINTMENT OF THE LICENSING SUB-COMMITTEE

Report of the Democratic Services Officer

FOR DECISION YES

Cabinet Lead: To be confirmed at Annual Council meeting

Key Decision: N/A

1.0 Purpose of Report

1.1 To agree the appointment of five Licensing Sub-Committees to undertake work arising under the Licensing Act 2003.

2.0 Recommendation

THAT

- (1) the Committee delegates functions under the Licensing Act 2003 to the Licensing Sub-Committee with terms of reference as set out at paragraph 3.3 below;
- (2) the Committee appoints five of its members to stand as Chairmen of the Licensing Sub-Committee on a rotating basis.

3.0 Summary

3.1 At its meeting on 24 November 2004 the Licensing Committee agreed proposals for dealing with new responsibilities under the Licensing Act 2003 (minute 45/11/2004 refers). At that meeting the Committee resolved that the new functions, set out below, be delegated to five sub-committees, each consisting of a Chairman and two other members of the Committee, and that hearings be allocated to these sub-committees on a rotating basis.

3.3 Applications to be determined under the Licensing Act 2003:

- Applications for personal licences where there is an objection by the police
- Applications for personal licences where the applicant has unspent convictions
- Applications for premises licences/club premises certificates where relevant representations are made
- Applications for provisional statements where relevant representations are made.

- Applications to vary premises licences/club premises certificates where relevant representations are made
- Applications to vary designated premises supervisors where there is an objection by the police
- Requests to be removed as designated premises supervisor where for any reason officers are not prepared to use their delegated powers.
- Applications for transfer of premises licences where there is a police objection
- Applications for interim authorities where there is a police objection
- Applications to review premises licences/club premises certificates
- Decision as to whether a complaint is irrelevant, frivolous, vexatious etc. and the officers have not used their delegated powers.
- Decisions to object when the council is a consultee and not the relevant authority considering any application
- Determinations of police objections to a temporary events notice.

(Relevant representations are representations by a responsible authority or by any individual, body or business that has grounds to make representations under the Licensing Act 2003).

4.0 Implications

4.1 Resources:

None arising directly from this item

4.2 Legal:

None arising directly from this item

4.3 Strategy:

None arising directly from this item

4.4 Risks:

None arising directly from this item

4.5 Communications:

None arising directly from this item

4.6 For the Community:

None arising directly from this item

4.7 The Integrated Impact Assessment (IIA) has been completed and concluded the following:

Not Applicable

5.0 Consultation

Not Applicable

Appendices:

None

Background Papers:

None

Contact Officer: Mark Gregory
Job Title: Democratic Services Officer
Telephone: 02392 446232
E-Mail: mark.gregory@havant.gov.uk