

LICENSING ACT 2003 COMMITTEE - TUESDAY, 23 MAY 2017

MINUTES OF A MEETING OF THE LICENSING ACT 2003 COMMITTEE HELD IN  
COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON  
TUESDAY, 23 MAY 2017 AT 10.15 AM

Present

Councillor – DRW Lewis

RJ Collins	PA Davies	DK Edwards	RM James
B Jones	MJ Kearn	JE Williams	JE Lewis
DG Owen	AA Pucella	G Thomas	

Apologies for Absence

Officers:

Kelly Watson	Group Manager Legal & Democratic Services
Yvonne Witchell	Team Manager Licensing
Julie Ellams	Democratic Services Officer – Communities

1. DECLARATIONS OF INTEREST

None

2. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meetings of the Licensing Act 2003 Committee of 24 May 2016 be approved as a true and accurate record.

3. LICENSING ACT 2003 AND GAMBLING ACT 2005 - DELEGATION OF FUNCTIONS

The Team Manager Licensing presented a report setting out the proposed arrangements for the authorisation of officers under the Licensing Act 2003 and Gambling Act 2005 and to confirm arrangements for the formation of sub-committees following the Annual Meeting of Council 2017.

The Team Manager Licensing explained that Section 9 of the Licensing Act 2003 provided that a licensing committee could establish one or more sub-committees consisting of three members of the committee. At their meeting on 17 May 2017 Council received a report establishing the membership of the Licensing Act 2003 Committee. Section 10 of the Licensing Act 2003 allowed for the sub-delegation of functions by a licensing committee to a sub-committee established by it, or subject to certain restrictions, to officers. She stated that authorisations had previously been approved by Committee but needed to be updated to reflect changes to job titles following the establishment of the Shared Regulatory Service and change in the service department name.

The delegation of functions for the Gambling Act 2005 was delegated to the Licensing Act 2003 Committee established for the purposes of the Licensing Act 2003. The legislation and statutory guidance set out those circumstances where decisions could

not be undertaken by officers and these were generally where representations or objections had been made in respect of personal or premises licence applications.

The Team Manager Licensing explained that in the interests of effective performance it was proposed to delegate the responsibility for authorising officers to administer the requirements of the Licensing Act 2003 and Gambling Act 2005, to the Corporate Director Operational and Partnership Services, and for instituting proceedings under those Acts. It was also proposed that, where appropriate, the Corporate Director of Operational Partnership Services, Team Manager Licensing (Bridgend and the Vale) and the Senior Licensing Officer (Technical) be authorised to acknowledge and issue Notices relating to Temporary Event Notices; to issue, refuse, suspend licences, registrations, certificates, permits and notices, to implement the relevant provisions in respect of offences, reviews or other requirements; pursuant to any of the rules, regulations and/or Orders made under the Licensing Act 2003 and Gambling Act 2005 (as amended). The authorisation in respect of the Team Manager Licensing (Bridgend and Vale) and the Senior Licensing Officer (Technical) would only take effect when they were made available to Bridgend County Borough Council in accordance with section 113 of the Local Government Act 1972.

The Team Manager Licensing reported that the Committee was being asked to approve the existing arrangement of the formation of further Sub-Committees consisting of three Members of the Licensing Act 2003 Committee to determine applications under the Licensing Act 2003 and Gambling Act 2005. The Committee was asked to note that approval of both the licensing and gambling policy statements must, by statute, be determined by Council. It was proposed that the Licensing Act 2003 Sub-Committees were chaired by the Chairperson or Vice Chairperson of the Licensing Act 2003 Committee where possible. In the event that the Chair or Vice Chair were not able to attend, a chair person would be elected. In the event that the Chair or Vice Chair was not able to attend their respective sub-committee meeting, a chair would be elected from those in attendance.

- RESOLVED:
- 1) That the Committee exercised its delegated authority to authorise the Corporate Director Operational and Partnership Services to institute proceedings under the above-mentioned Acts.
  - 2) That the Committee exercised its delegated authority to authorise the Corporate Director Operational Partnership Services, the Team Manager Licensing (Bridgend and Vale) and the Senior Licensing Officer (Technical) to acknowledge and issue Notices relating to Temporary Event Notices; to issue, refuse, suspend licences, registrations, certificates, permits and notices, to implement the relevant provisions in respect of offences, reviews or other requirements; pursuant to any of the rules, regulations and/or Orders made under the Licensing Act 2003 and Gambling Act 2005 (as amended).
  - 3) That the Committee exercised its delegated authority and approve the arrangements for the formation of Sub-Committees set out in paragraphs 4.3 and 4.4 of the report.

The meeting closed at 10.30 am.