

LICENSING ACT 2003 COMMITTEE - TUESDAY, 22 MAY 2018

**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, 22 MAY 2018 AT 10:00**

Present

Councillor DRW Lewis – Chairperson

SE Baldwin
JE Lewis

TH Beedle
DG Owen

A Hussain
AA Pucella

RM James
JE Williams

Apologies for Absence

RJ Collins, B Jones, MJ Kearns and G Thomas

Officers:

Julie Ellams Democratic Services Officer - Committees
Andrea Lee Senior Lawyer
Yvonne Wittchell Team Manager Licensing

4. DECLARATIONS OF INTEREST

None

5. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of the Licensing Act 2003
Committee of 23 May 2017 be approved as a true and accurate
record

6. 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 confirming arrangements for the formation of sub-committees following the Annual Meeting of Council 2018.

The Team Manager Licensing explained that Section 9 of the Licensing Act provided that a licensing committee could establish one or more sub-committees consisting of three members of the committee. On 16 May 2018 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. 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.

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 to the Head of Regulatory and Partnership Services, and for the Corporate Director of Operational and Partnership Services to institute proceedings under those Acts.

It was also proposed that, where appropriate, the Corporate Director of Operational and Partnership Services, the Team Manager Licensing (Bridgend and Vale) and the Senior Licensing Officer (Technical) and Senior Licensing Enforcement Officer 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 Committee was 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 from those in attendance.

RESOLVED: That Committee:

- 1) Exercised its delegated authority to authorise the Corporate Director Operational and Partnership Services to institute proceedings under the above-mentioned Acts.
- 2) 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), and Senior Licensing Enforcement Officer, 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) Exercised its delegated authority and approved the arrangements for the formation of Sub-Committees set out in paragraphs 4.3 and 4.4 of the report.

7. **URGENT ITEMS**

None