

LICENSING ACT 2003 COMMITTEE - MONDAY, 9 JULY 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 MONDAY, 9 JULY 2018 AT 14:00

Present

Councillor DRW Lewis – Chairperson

TH Beedle
MJ Kearn

PA Davies
JE Lewis

A Hussain
AA Pucella

B Jones
G Thomas

Apologies for Absence

SE Baldwin and JE Williams

Officers:

Daniel Cook	Licensing Policy Officer
Andrea Lee	Senior Lawyer
Andrew Rees	Senior Democratic Services Officer - Committees

8. DECLARATIONS OF INTEREST

None.

9. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of the Licensing Act 2003 Committee of 22 May 2018 be approved as a true and accurate record.

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

The Licensing Policy Officer 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 Licensing Policy Officer 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. Council at its Annual Meeting on 16 May 2018 established the membership of the Licensing Act 2003 Committee. He stated that 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.

The Licensing Policy Officer reported 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 institute proceedings under those Acts to the Head of Legal and Regulatory Services.

It was also proposed that, where appropriate, the Head of Legal and Regulatory Services, the Team Manager Licensing (Bridgend and Vale) and the Senior Licensing Officer (Technical) and Senior Licensing Enforcement Officer, Senior Licensing Policy Officer and Licensing Assistant 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 authorisations in respect of the Team Manager Licensing (Bridgend and Vale), Senior Licensing Officer (Technical), Senior Licensing Enforcement Officer, Senior Licensing Policy Officer and Licensing Assistant would only take effect when these officers are made available to Bridgend County Borough Council in accordance with section 113 of the Local Government Act 1972.

The Committee was requested 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 the Committee:

- 1) Exercised its delegated authority to authorise the Head of Legal and Regulatory Services to institute proceedings under the above-mentioned Acts.
- 2) Exercised its delegated authority to authorise the Head of Legal and Regulatory Services, the Team Manager Licensing (Bridgend and Vale), the Senior Licensing Officer (Technical), Senior Licensing Enforcement Officer, Senior Licensing Policy Officer and Licensing Assistant are authorised to;
 - acknowledge and issue Notices relating to Temporary Event Notices;
 - issue, refuse, suspend licences, registrations, certificates, permits and notices;
 - 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.

11. **URGENT ITEMS**

There were no urgent items.

The meeting closed at 14:07