

**MEETING WITH CHAIRMAN OF THE LICENSING AND REGULATORY
PANEL**

LICENSING POLICY – FURTHER AMENDMENTS

THURSDAY 28 OCTOBER 2004 AT 4.00PM

PRESENT: Councillors Morton, Licensing Manager, Legal Services
Manager and Committee Clerk

**LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY –
CONSIDERATION OF ADDITIONAL REPRESENTATIONS FOLLOWING
CONSULTATION**

The Licensing Policy Working Group on 11 October 2004 (Minute Reference LPWG.08/04) had agreed that the Licensing Manager, in consultation with the Chairman and the Legal Services Manager, be authorised to make further amendments to the Policy in light of any additional representations received. This decision was confirmed by the Licensing and Regulatory Panel on 20 October 2004 (Minute Reference LRP.87/04).

The Licensing Manager then provided details of another 15 representations received (numbered 35 to 49). He summarised the representations with an appraisal and recommendations, where appropriate, for drafting changes to be made to the Policy.

RESOLVED – (1) That, following consideration of these representations, the amendments as set out by the Licensing Manager in the papers be approved, subject to the following additional amendments also being included:

- (a) Reference 36b - paragraph 4.1.6 – replace “Environmental Protection Section”, with “Environmental Protection Services”.
- (b) Reference 36s - should read paragraph 4.6.26 and 4.6.27.
- (c) Reference 37 – Also insert at paragraph 2.10 “This is in the Guidance at paragraph 3.47.
- (d) Reference 44d – Glossary – the Licensing Manager should look through the Policy to see how many terms needs to be clarified and how many of these are contained within the Act, before deciding whether a Glossary needs to be included.
- (e) Requirement for an Executive Summary – the Licensing Manager and the Legal Services Manager to meet with the Overview and Scrutiny Support Officer on 1 November 2004 to discuss the Policy and consider whether an Executive Summary is required or not. If a draft is produced, then it could be considered further by this Group.

- (f) Following discussion on the imposition of Conditions, it was agreed that Paragraph 4.4.5 – under Reason, wording to the following effect should be added: “The Council acknowledges that Conditions can only be imposed where they are necessary to promote the licensing objectives. Only conditions that are consistent with the applicant’s Operating Schedule, or considered necessary following relevant representations, or mandatory conditions prescribed by the Act will be attached to a licence/certificate. However, for the guidance of applicants, the responsible authorities have indicated that if these matters are not addressed in the Operating Schedule, they may make representations.”
 - (g) Reference 38d – The Licensing Manager intends to publish leaflets to assist smaller Voluntary Organisations, Village Halls and Community Centres
- (2) The positive comments from the Association of Licensed Retailers (Reference 38a) and British Beer and Pub Association (Reference 41a) about the Council’s positive approach and objectives in the Policy were welcomed.
- (3) It was noted that Version 8 of the Licensing Policy would be sent to Members with an explanatory letter during the week before the presentation to Council Members on 23 November 2004.

(The meeting ended at 4.40pm)