

Time commenced – 6.00pm
Time finished – 6.42pm

**GENERAL LICENSING COMMITTEE
16 DECEMBER 2009**

Present: Councillor Redfern (Chair)
Councillors Baxter, Berry, Jackson, Leeming, Poulter,
Rawson, Tuplin and Williams

14/09 Apologies

Apologies for absence were received from Councillors Hird, Hussain and Skelton.

15/09 Late items introduced by the Chair

There were no items.

16/09 Declarations of Interest

There were no declarations of interest.

**17/09 Confirmation of the Minutes of the General
Licensing Committee held on Wednesday 14
October 2009**

The minutes of the meetings held on 14 October 2009 were agreed as a correct record and signed by the Chair.

18/09 Licensing Act Minor Variations

The Committee considered a report from the Director of Environmental Services on Licensing Act Minor Variations. The minor variation procedure was introduced on 29 July 2009. The purpose of the procedure was to allow operators to make small changes to their Premises Licence or Club Premises Certificate and to allow community centres to make an application to dis-apply the usual mandatory conditions that relate to Personal Licence holders and Designated Premises Supervisors. In relation to Premises Licenses and Club Premises Certificates, only changes that would not undermine the licensing objectives were permitted.

It was reported that the four types of applications could be made under the procedure to include minor changes to structural layout, small adjustments to

licensing hours, removal of irrelevant or unenforceable conditions or the volunteering of conditions and the addition of certain licensable activities.

Members noted that it was proposed that the decisions were only made by a designated senior officer and a competency criteria for this designation, based on appropriate training and experience would be established. The Licensing Authority would consider any relevant representation from interested parties when making their decision and if the application was refused it could be resubmitted through the full variation process.

Members raised concerns about the criteria officers would apply in determining whether or not an application fell within the minor variations process. They felt the absence of these could give rise to inconsistent decisions by officers when determining whether an application should be approved or not. Members suggested that further clarification be sought from the Department for Culture, Media and Sports, with an update to be provided to a future Committee when the report will be reconsidered.

Resolved to defer the report to the next scheduled meeting of the Committee.

19/09 Information on Premises Licence Applications

The Committee considered a report from the Director of Environmental Services on Information on Premises Licences Applications. It was reported that the Chair had recently received queries from ward members about the premises licence application process for businesses under the Licensing Act 2003 and, in particular, how they and local people can find information about these applications and make representations if appropriate.

It was noted that in view of this it was intended to implement two new procedures to allow better access to the information. This would be weekly updates to the licensing pages of the Council's website setting out applications received that week and for Constitutional Services to provide a copy of the weekly list of applications received to all elected members via email.

Members asked for clarification on ward members and their rights with regard to representation at Committee. The legal officer clarified the position which was that in order to make the representation, the member must either be representing the views and acting at the request of a constituent who lives within the vicinity of the licensed premises; or representing the views and acting at the request of a constituent who operates a business in the vicinity of the licensed premises.

Resolved to note the report.

MINUTES END