

**LICENSING COMMITTEE
8 MARCH 2007**

Present: Councillors Armstrong, Charlesworth, Fawthrop, Martin, Roberts, Sabetian, Soan, Stevens (in the Chair) and Webb

Apologies were received from Councillors Lambrechs, Poulter, Scott and Springthorpe.

5. MINUTES

RESOLVED that the minutes of the meeting held on 4 July 2006 be approved as a true record.

6. DECLARATIONS OF INTEREST

Councillors made no declarations of interest at this meeting.

7. REVIEW OF THE OPERATION OF LICENSING COMMITTEE AND ITS SUB-COMMITTEES

The Borough Solicitor and Scrutiny and Democratic Services Manager submitted a report that reviewed the operation of Licensing Committee and its sub-committees.

The report noted the success regarding the Licensing function at Hastings Borough Council, which was due to flexibility, size of Licensing Committee, consistency of legal advice, administrative processes and training.

Some members raised concerns over the selection process of sub-committees and felt that this needed to be addressed to ensure an equal opportunity to sit on a panel as was possible.

RESOLVED that:

- 1. The selection process for sub-committees be reviewed and members notified of suggestions; and**
- 2. the report be noted.**

**LICENSING COMMITTEE
8 MARCH 2007**

8. GAMBLING ACT DELEGATIONS AND HEARING PROCEDURE

The Borough Solicitor presented a report explaining the proposed Gambling Act delegation of functions to Licensing sub-committees and officers. The report also recommended a hearings procedure for gambling applications.

RESOLVED (unanimously) that the recommendations as set out in Paragraphs 7 and 10 of the report be agreed.

9. PROCESS FOR THE REVIEW OF THE COUNCIL'S LIQUOR LICENSING POLICY

The Licensing Manager presented a report informing members of the legal process under the provisions of the Licensing Act 2003 to conduct a three-year review of the Council's existing Liquor Licensing Policy.

Members raised questions over the timescales of the review of the policy and asked for clarification on a 'cumulative impact' policy.

RESOLVED that the report be noted.

10. LICENSING REVIEW PROCESS - VERBAL REPORT

The Licensing Manager gave a verbal report on the licensing review process. He explained that any interested party could request that a licence be reviewed if they felt that the licence and its conditions were not being adhered to. If a valid representation were made, there would be a timeframe of 28 days for other interested parties to make representation. The matter would then come before a sub-committee for decision.

RESOLVED that the report be noted.

11. IMPACT OF SMOKE FREE LEGISLATION UPON LICENSED PREMISES, TAXIS AND PRIVATE HIRE VEHICLES - VERBAL REPORT

The Licensing Manager gave a verbal report on the new smoke-free legislation that would be introduced on 1 July 2007. Members were told that the new legislation would affect all public buildings and public vehicles. Currently, seminars were being held by Licensing Officers to various organisations, including Barwatch, Licensed Victuallers Association and the Hackney Carriage and Private Hire Associations.

**LICENSING COMMITTEE
8 MARCH 2007**

A 'light touch' approach would be taken initially and funding had been identified for education purposes and for Smoking Enforcement Officers. These officers would provide information and advice to businesses, then follow up visits a few weeks later.

The Act allowed for three offences:

1. Smoking in a public place
2. Owner of a premise failing to display the correct signs
3. Permitting of a premise to be used for smoking

Any business found to be in breach of the Act could be issued with a fixed penalty notice.

It was also noted that the Council's current Code of Guidance in respect of Hackney Carriages and Private Hire vehicles would need to be reviewed and possibly amended in light of the new legislation.

RESOLVED that the report be noted.

(The Chair declared the meeting closed at 6.51pm)