

Report to Overview & Scrutiny Committee

Date of meeting: 9th April 2013

Portfolio: Safer Greener and Highways

Subject: Report of the Licensing Services Task and Finish Panel



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Committee Secretary: Adrian Hendry

Decisions Required:

- 1. That members consider the recommendations in the report of the Licensing Services Task and Finish Panel, and**
- 2. Request that Cabinet agree a supplementary estimate in the sum of £58,770.72 annually together with a single payment of £5,000 as detailed in the Resource Requirements on page 13 of the report.**

Report:

The Licensing Services Task and Finish Panel was established by this Committee in September 2012.

The primary objectives were to undertake a review of the proposal that licence applications in respect of premises were considered in a similar way to planning applications.

The Panel's conclusions are set out in the attached report.

Reason for decision:

The reasons are set out in the attached report.

Options considered and rejected:

As set out in the attached report

Consultation undertaken:

Other local authorities were consulted. It was decided that there should be a trial period during which applicants, their representatives and members of the public who took part in the decision making process should be consulted and a report would be made back at the time of review.

Resource implications:

Budget provision: There is none. If the panel's recommendations are agreed the a request will be made for a supplementary estimate in the sum of £58,770.72 annually together with a single payment of £5,000 to enable these proposals to be implemented.

Personnel: Two new members of staff will be required.

Land: None

Community Plan/BVPP reference: None

Relevant statutory powers:

Laws;

Licensing Act 2003 as amended, The Licensing Act 2003 (Hearings) Regulations 2005

The Licensing Act 2003 (Summary Review of Premises Licences) Regulations 2007

Gambling Act 2005

The Gambling Act 2005 (Proceedings of Licensing Committees and Sub-committees)(Premises Licences and Provisional Statement)(England and Wales)

Regulations 2007.

Local Government (Miscellaneous Provisions) Act 1982

Local Government and Housing Act 1989

Town and Police Clauses Act 1847 and 1889

Local Government (Miscellaneous Provisions) Act 1976

Human Rights Act – Article 6 - right to a fair hearing

Background papers:

Agenda and Minutes of the Task and Finish Group for 17th December 2012, 24th January 2012

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Council policies etc.

Current list of delegations and the Council's Constitutio

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required)