

LICENSING COMMITTEE

Minutes of the meeting held on Monday 7 December 2009 at the Town Hall, Royal Leamington Spa, at 4.30 pm.

PRESENT: Councillors Mrs Mellor (Chairman); Councillors Mrs Bunker, Crowther, Mrs Goode, Mrs McFarland, Shilton and Wilkinson.

Apologies for absence were received from Councillors Coker, Guest, Harris, Hatfield, Mrs Higgins, Heath and Mobbs.

11. DECLARATIONS OF INTERESTS

There were no declarations of interest.

12. MINUTES

The minutes of the meeting of the Committee held on 2 September 2009 were taken as read and signed by the Chairman as a correct record.

13. RECORD OF LICENSING PANEL HEARINGS

The Committee considered the minutes of the Licensing Panel Hearings held between 8 May 2009 and 17 November 2009.

It was requested by Councillor Shilton, that it be recorded in the minutes of the meeting, that it was noted by the Committee how often in the meeting Warwickshire Police had referred to the good work of the Warwick District Council CCTV system and how they had regularly asked for a condition requiring a premises to install CCTV that conformed to their standards, yet Warwickshire Police had withdrawn their contribution towards the Warwick District Council Scheme.

The Committee discussed the request that had been received from the applicant of a premises licence that the membership of the panel to consider the application be amended. This was because one of the Councillors had been a member of Licensing Panel Hearing that had previously refused an application by the same applicant for another premise. Concern was expressed by the Committee on this matter because they felt the applicant was requesting a change so that they could have a better chance of having the application approved. The Senior Committee Services Officer explained, that the request had been considered by the Head of Legal Services and was considered to be reasonable due to the proximity of the meetings. He advised that, while there was no legal obligation to change the composition of the panel, and that the same Councillors would be capable of looking at the application with an open mind, it was considered prudent to do so on this occasion, in order to avoid any accusations of pre-determination/bias.

The Committee also requested that the first meeting of the municipal year should be used as a reminder of the procedures for hearings and matters that can be considered by a Licensing Panel Hearing, along with any updates on either the Licensing or Gambling Acts or other relevant legislation/guidance. This could then be followed by a half year refresher on changes on either the Licensing or Gambling

LICENSING COMMITTEE MINUTES (Continued)

Acts or other relevant legislation/guidance. It was requested that funding for this should be sought through the Members' Development Budget for use of an external trainer.

There were some minor grammatical changes to the minutes of the Licensing Panel Hearing minutes, relating to the hearing on 16 July 2009, 6 October 2009, 30 October 2009 and 12 November 2009 and it was agreed these would be made before they were considered by a Licensing Panel Hearing for signing.

RESOLVED that

- (1) the minutes of the Licensing Panel Hearings held between 8 May 2009 and 17 November 2009, be noted; and
- (2) the Senior Committee Services Officer approached the Members' Development Group for funding of the training as discussed.

(The meeting ended at 5.00 pm)