

# LICENSING ACT 2003 COMMITTEE

Friday 15<sup>th</sup> July 2005

**COUNCILLORS PRESENT:** The Vice-Chair (Councillor Turner), Councillors Baker, Christian, Goddard, Muir, Royce, Sareva and Sinclair.

**OFFICERS PRESENT:** William Reed (Democratic Services Manager), Lee Bailey, Katherine Battey and Tony Payne (Environmental Health Business Unit).

## 6. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Armitage, Brundin and Palmer. John Copley (Environmental Health Business Manager) also submitted his apologies.

## 7. DECLARATIONS OF INTEREST

The Democratic Services Manager submitted a note (previously circulated and now appended) of guidance on declaring interests. Councillor Sareva declared a personal interest as the holder of a Security Industry Association badge.

## 8. MINUTES

Resolved that the minutes (previously circulated) of the Committee's meeting held on 19<sup>th</sup> May 2005 be confirmed as a correct record.

## 9. LICENSING ACT 2003 – COUNCIL POSITION ON DISCHARGE OF DUTIES

The Environmental Health Business Manager and the Head of Legal and Democratic Services submitted a report (previously circulated and now appended). The Environmental Health Business Manager updated the report by advising that there had been a significant upsurge in premises licence applications in June and July. Of the 770 expected premises licence applications, 266 had now been received. On personal licences, 265 of the expected 1,070 applications had now been received. Most licensing authorities were currently receiving very many premises applications from applicants anxious to submit them by 6<sup>th</sup> August which was the deadline to enable the preservation of "grandfather rights".

Various trends in terms of licensing could be discerned namely:-

- That because of the significant increase in the licence fee, small establishments such as corner shops were intending no longer to sell alcohol by way of off-sales.
- Responsible authorities were negotiating with applicants on conditions, often up to a day or so before a hearing.
- Representations from interested parties were increasing

In Oxford, half of all off-licences had now applied for their licences. Approximately half of all restaurants had also now applied for their licences.

The Council's Licensing Team was coping well at present with the volume of applications being received. The peak periods for hearings was expected to be the second half of August and the second week in September.

Resolved:-

- (1) to receive the report;
- (2) to record that all members of the Committee should share the burden of casework hearings and that hearings should not fall unduly upon only a few members of the Committee;
- (3) to ask the Licensing Authority to reduce to the minimum the casework hearing papers that were distributed to Sub-Committee members.

## **10. LICENSING SUB-COMMITTEES – PROCEDURE FOR HEARINGS**

The Democratic Services Manager submitted the hearings procedure (previously circulated and now appended).

Resolved:-

- (1) to adopt the procedure for licensing hearings, noting that it had already been followed at the hearings that had already taken place;
- (2) to authorise the Head of Legal and Democratic Services in conjunction with the Chair and Vice-Chair of the Committee, to amend the procedure as and if necessary in the light of experience gained from its operation.

## **11. DATES OF FUTURE MEETINGS**

The Head of Legal and Democratic Services reported that the Committee was scheduled to meet on the following dates in the current Council Year:-

16<sup>th</sup> September 2005  
 25<sup>th</sup> November 2005  
 20<sup>th</sup> January 2006  
 17<sup>th</sup> March 2006

19<sup>th</sup> May 2006

He said that he envisaged a progress report upon licensing being submitted to each of the meetings.

The General Purposes Licensing Committee (that dealt with non 2003 Act matters) met on 17<sup>th</sup> June and had been scheduled to meet every other month from August onwards. The 17<sup>th</sup> June meeting had asked that meetings of that Committee and this Committee should be aligned so that they met on the same day, one after the other. There was considerable cross-membership of the two Committees.

Resolved, for the Committee's part, to raise no objection to the General Purposes Licensing Committee meeting on the same day as and immediately following the scheduled meetings of this Committee.