

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING COMMITTEE

31<sup>ST</sup> MAY, 2012

A MEETING of the LICENSING COMMITTEE was held at the MANSION HOUSE, DONCASTER on THURSDAY, 31<sup>ST</sup> MAY, 2012 at 10.00 a.m.

PRESENT:

Chair – Councillor David Nevett  
Vice-Chair – Councillor Patricia Bartlett

Councillors Elsie Butler, Linda Curran, Barbara Hedley, Ken Keegan, Pat Knight, Sue McGuinness, Sue Phillips and Kevin Rodgers

APOLOGIES:

Apologies for absence were received from Councillors Eddie Dobbs, Austen White and Jonathan Wood.

1. ANNOUNCEMENT FROM THE CHAIR

Prior to the commencement of the meeting, the Chair, Councillor David Nevett thanked, Councillor Patricia Bartlett the former Chair of the Licensing Committee, former Members of the Committee and officers for their contribution to Licensing meetings during the past year.

The Chair then welcomed new Members to the Committee and announced that he looked forward to working with them for the next Municipal Year.

2. DECLARATIONS OF PERSONAL OR PREJUDICIAL INTEREST, IF ANY

There were no declarations made at the meeting.

3. MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 22<sup>ND</sup> MARCH 2012.

RESOLVED that the minutes of the Licensing Committee meeting held on 22<sup>nd</sup> March 2012 were approved as a correct record and signed by the Chair.

4. MINUTES OF THE LICENSING SUB-COMMITTEE 'B' MEETINGS HELD ON 4<sup>TH</sup> AND 18<sup>TH</sup> JANUARY AND 25<sup>TH</sup> APRIL 2012.

RESOLVED that the minutes be noted.

## 5. TERMS OF REFERENCE, PROCEDURE AND DELEGATIONS

The Committee received a report that contained Terms of Reference of the Licensing Committee that had been revised in order to reflect the changes to the Licensing Act 2003 that were in the process of being enacted.

Furthermore, in January 2012, the Council approved the Taxi Policy and resolved that the Licensing Committee should determine any revisions to the same. Members noted that the amended Terms of Reference also gave the Licensing Committee the authority to determine any policies that were relevant to the licensing and registration functions.

Members were also invited to note the procedure and delegation of functions under the Act and to agree the appointment to the Licensing Sub-Committees with immediate effect.

The Committee discussed and sought clarity on a number of issues that related to Licensing Regulations and Functions, including the Sexual Entertainment Policy, Taxi Policy and the Gambling Act.

Members discussed at length issues surrounding Hackney carriages and private taxis with driver and passenger safety being the main focus of the discussion. Members noted the rigorous checks undertaken to ensure vehicle safety and the checks undertaken by the Licensing Department to ensure the reliability of drivers.

The Chair drew the debate to a close and then asked the Committee to agree the membership of the Licensing Sub-Committee Divisions as outlined in Appendix D to the report.

Members noted that the quorum of the Sub-Committee considering a licensing application where relevant representations had been received was three Members. It was also noted that the number of Members required to attend the meeting to consider the application was currently three. After discussing a number of alternative arrangements, the Committee agreed to increase the number of Members in attendance from three to four. This would ensure that should one of the four Members encounter any difficulties on the day of the hearing and be unable to attend, there would still be a quorum of three members to hear the application.

It was also agreed that should all four Members turn up for the hearing, one Member would be able to choose from the following options:

- Stay and take part in the meeting and agree the outcome with the rest of the Sub-Committee Members;
- Sit in the public area as an observer (it was agreed this would be particularly useful for the new, less experienced members); or
- Leave the meeting if they so wished.

The Committee discussed the possibility of Members attending a training course that would provide them with an insight into the training that new employees undergo to enable them to authorise the sale of alcohol.

Harold Hudson, Licensing Manager advised the Committee of a training course that they could attend which had the option of sitting an exam that would enable them to obtain an NVQ Level 2 Certificate for Personal Licence Holders. The Licensing Manager agreed to contact Andy Constantine, Best Bar None Development Officer to inform Members of future training days and to invite expressions of interest.

It was also suggested that it might be beneficial for Members of the Committee to visit the Licensing Section to obtain a more detailed insight into the work of the section.

RESOLVED that:-

- (1) the Committee note
  - (i) the Terms of Reference for the Licensing Committee, as detailed within Appendix A to the report;
  - (ii) the Terms of Reference for the Licensing Sub-Committees, as detailed in Appendix A to the report;
  - (iii) the procedure for hearings under the Licensing Act 2003 before the Licensing Committee and Sub-Committees, as detailed in Appendix B to the report;
  - (iv) the delegation of functions to Licensing Sub-Committees, as detailed in Appendix C to the report;
  - (v) the procedure for dealing with settling appeals after Sub-Committee hearings but before appeal hearings in the Magistrates' Court are decided;
- (2) the Licensing Sub-Committees be established as follows:-

**Sub-Committee A**

Councillor D. Nevett (Chair)  
Councillor E. Butler  
Councillor P. Coddington  
Councillor L. Curran  
Councillor E. Dobbs  
Councillor B. Hedley  
Councillor K Keegan

**Sub-Committee B**

Councillor P. Bartlett (Chair)  
Councillor P. Knight  
Councillor S. McGuinness  
Councillor S. Phillips  
Councillor K. Rodgers  
Councillor A. White  
Councillor Jonathan Wood

- (3) the Committee agreed that
  - (i) the number of Members required to consider a Licensing application be increased from 3 to 4 Members with the option to review in the future;
  - (ii) should all four Members attend the hearing, one Member would be able to choose from the following options:
    - Stay and take part in the meeting and agree the outcome with the rest of the Sub-Committee Members;
    - Sit in the public area as an observer; or
    - Leave the meeting if they so wished
- (4) the proposed change in the Terms of Reference, be noted;
- (5) The Licensing Manager be asked to contact the Best Bar None Development Officer with a view to obtaining expressions of interest from Members to attend a training course in respect of the authorisation of the sale of alcohol; and
- (6) The Licensing Manager be asked to arrange for Members to visit the Licensing Section with a view to obtaining a detailed insight into the work of the Section.