

<b>REPORT OF:</b>	HEAD OF ENVIRONMENTAL HEALTH SERVICES
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<b>TO:</b>	<b>LICENSING COMMITTEE</b>
<b>DATE:</b>	<b>6 MARCH 2008</b>

<b>AGENDA ITEM NO:</b>	<b>6</b>	<b>WARD(S) AFFECTED:</b>	<b>ALL</b>
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<b>SUBJECT:</b>	TO ENSURE THAT THE EXISTING COMMITTEE PROCEDURES ARE APPROPRIATE
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**RECOMMENDATIONS:**

- 1. The Committee is requested to examine the existing Sub Committee procedures reproduced at Annex 1, and in the light of experience to consider whether or not any amendments are required.**

**SUMMARY**

1. The existing procedures were adopted by this Committee on 10 May 2005 prior to the introduction of the Licensing Act 2003 (Act) (Minute 15 2005/6).
2. The Committee is free within the limitation imposed by the Act and relevant Regulations to set its own procedures, and undertake any revisions as from time to time may be necessary.

## **STATUTORY POWERS**

1. The Licensing Act 2003 Section 9(3) allows that 'subject to any such regulations, each licensing committee may regulate its own procedure and that of its sub-committees'.
2. The Licensing Act 2003 (Hearings) Regulations 2005 (Regulations) specify the procedures to be followed in connection with the hearing along with the additional information that should be sent to interested parties

## **ISSUES**

3. There have been 65 scheduled meetings of the Licensing Sub Committee since the implementation of the Act, 18 of which were scheduled in the current Municipal year.
4. Not all Sub Committee meetings have included a formal hearing. Provided that all parties agree that a hearing is unnecessary, the Act allows the Sub Committee to attach conditions to a licence without holding a hearing.

## **LEGAL IMPLICATIONS**

5. The current procedures are cross-referenced with the relevant provisions of the Act and Regulations, and these should be borne in mind if any changes are required.

## **FINANCIAL IMPLICATIONS**

6. None.

Background Papers: None

### **Annexes:**

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| Annex 1 | Licensing Sub-Committee – Hearings Rules      |
| Annex 2 | Licensing Sub-Committee – Licensing Procedure |