

Monday 17 October 2005



# Licensing Act Committee

**MEMBERS:** Councillor Mrs MURRAY (Chairman) Councillor BOWKER (Deputy Chairman), Councillors BELSEY, HERBERT, LACEY OBE, Mrs POOLEY, Mrs SIMS, SKILTON, SLATER, STEVENS, TAYLOR, WARNER and Miss WOODALL.

(Apologies for absence were reported from Councillors Harris and Marsh).

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## 1 Minutes

The minutes of the meeting held on 26 January 2005 were submitted and approved and the Chairman was authorised to sign them as a correct record.

## 2 Declaration of Interests.

None were received.

## 3 Licensing Act 2003 - Update.

The Committee received a presentation from the Licensing Manager to update the Committee on work being undertaken to implement the requirements of the Licensing Act 2003.

The Committee was advised that 500 personal licenses had been issued, which enabled an individual to sell alcohol in places with a premises licence.

400 applications had been made for the conversion and/or variation of a premises licence. Licensees that applied after 6 August 2005 would lose their grandfather rights and would be required to apply for a new licence. As the determination period was 2 months it could not be guaranteed that applications would be processed in time for the 2<sup>nd</sup> appointed day of 24 November 2005.

The Licensing Team were working to ensure that clear procedures were in place to guide the work of the Council under the new legislation and the advice given to the trade and interested parties. Work was also required to ensure that current Council policies and strategies were updated to reflect changes as a result of the Licensing Act.

The Licensing Act Sub-Committee had so far held 25 hearings to consider applications that had received representations from responsible authorities and interested parties.

The Licensing Manager reported that 6 appeals had been lodged with the Magistrates' Court against the decisions made at Sub-Committee hearings, 3 of which had been lodged by interested parties. It was noted that any party lodging an appeal was required to make a payment of £23.50 to the Court. The Court could also make an order for costs against any party involved in the proceedings.

The Committee agreed that it was important that Councillors who attended hearings and Councillors whose wards were affected were kept informed of the existence and dates of appeals. The Licensing Manager advised that Councillors could be called as witnesses to defend a decision at an appeal hearing.

Enforcement procedures were being developed through a joint initiative with the Fire Authority and Sussex Police to ensure a consistency of approach and that transgressions under the Act would be enforced by the appropriate lead agency.

The Committee thanked the Licensing Manager and her team, the Principal Lawyer and the Member Development Manager for their support and work during the hearing process.

**RESOLVED** That the update report be noted.

The meeting closed at 7.30 p.m.

**Mrs A Murray  
Chairman**