

additional papers 1

Licensing Committee

Thu 3 Jun
2010
7.00 pm

Committee Room 2
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agenda and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees (or summaries of business undertaken in private) for up to six years following a meeting.
- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, upon request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.
- A reasonable number of copies of agenda and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its Committees etc.
- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, all items of business before the Executive Committee are Key Decisions.
- (Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:
www.redditchbc.gov.uk

If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact

**Denise Sunman
Committee Support Services**

Town Hall, Walter Stranz Square, Redditch, B98 8AH

Tel: Fax: (01527) 65216

e.mail: committee@redditchbc.gov.uk

Minicom: 595528

Welcome to today's meeting.

Guidance for the Public

Agenda Papers

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

Chair

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

Running Order

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

Refreshments : tea, coffee and water are normally available at meetings - please serve yourself.

Decisions

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

Members of the Public

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

Special Arrangements

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

Further Information

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

Fire/ Emergency instructions

If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.

If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.

Do Not stop to collect personal belongings.

Do Not use lifts.

Do Not re-enter the building until told to do so.

The emergency Assembly Area is on Walter Stranz Square.

Declaration of Interests: Guidance for Councillors

DO I HAVE A "PERSONAL INTEREST" ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

OR

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)

and

- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).



Licensing COMMITTEE

3rd June 2010

7.00 pm

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs: M Braley (Chair) A Griffin
A Clayton (Vice-Chair) W Hartnett
K Banks N Hicks
M Chalk R King
S Chalk W King
J Cookson J Pearce
A Fry B Quinney
C Gandy

3. Minutes
(Pages 1 - 2)
Chief Executive

To confirm as a correct record the minutes of the meeting of the Licensing Committee held on 17th May 2010.

(Minutes attached)



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Licensing Committee

17th May 2010

MINUTES

Present:

Councillor Michael Braley (Chair), Councillor Kath Banks (Vice-Chair) and Councillors M Chalk, A Clayton, B Clayton, J Cookson, C Gandy (substituting for Councillor Pearce), W Hartnett, G Hopkins, W King, B Quinney and M Shurmer (substituting for Councillor Fry)

Officer:

C Flanagan

Committee Services Officer:

I Westmore

1. APOLOGIES

Apologies for absence were received on behalf of Councillors Pearce and Fry. Three vacancies on the Committee had been taken by Councillors B Clayton, Hopkins and Quinney for the remainder of the municipal year.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 25th January 2010 be confirmed as a correct record and signed by the Chair.

4. LICENSING ACT 2003 - GAMBLING ACT 2005 - DELEGATION TO OFFICERS

A report was considered in respect of amendments to the Scheme of Delegation to Officers.

The proposals did not constitute an increase to the authority already delegated to Officers but rather delegated a number of functions to a different Officer, the newly appointed Head of Regulatory Service under the Worcestershire Enhanced Two-Tier Programme.

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Chair

In addition, the report was seeking explicit authorisation for further delegation to be given by the Head of Regulatory Service to service managers.

Finally, Members attended to a minor revision required in relation to the prosecution of offences under the Licensing Act 2003 and Gambling Act 2005.

RESOLVED that

- 1) **the functions under the Licensing Act 2003 and the Gambling Act 2005 currently delegated to the Head to Environment / Environmental Health Manager / Licensing Manager / Licensing Officer be delegated to the Head of Regulatory Service;**
- 2) **the Head of Regulatory Service be authorised to further delegate those functions, these further delegations to be recorded within the Constitution once made; and**
- 3) **the authorisation of prosecutions for offences under the Licensing Act 2003 and the Gambling Act 2005, be delegated to the Head of Regulatory Service.**

The Meeting commenced at 7.03 pm
and closed at 7.15 pm

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Chair