

Medway Council
Meeting of Licensing and Safety Committee
Tuesday, 4 July 2017
6.00pm to 6.11pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

- Present:** Councillors: Bhutia, Bowler, Carr (Vice-Chairman),
Mrs Diane Chambers (Chairman), Fearn, Godwin, Griffin, Hicks,
McDonald and Pendergast
- Substitutes:** Councillors:
Purdy (Substitute for Etheridge)
- In Attendance:** Laura Caiels, Legal Advisor
Stephen Platt, Democratic Services Officer
Alison Poulson, Licensing and Local Land Charges Manager

117 Apologies for absence

Apologies for absence were received from Councillor Etheridge.

118 Record of Meeting and Joint Meeting of Committees

The record of the meeting held on 8 March 2017 and the record of the joint meeting of Committees held on 17 May 2017 were agreed and signed by the Chairman as correct.

119 Urgent matters by reason of special circumstances

There were none.

120 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

There were none.

Licensing and Safety Committee, 4 July 2017

121 Amendments to the Licensing Act 2003 - Delegations to the Licensing Hearing Panel

Discussion:

The Licensing and Local Land Charges Manager introduced a report informing the Committee of amendments to the Licensing Act 2003 as a result of the Policing and Crime Act 2017. These concerned the definition of alcohol under the Act; the review of any interim steps imposed at a summary licensing review pending the full review hearing; consideration of the interim steps at a full review hearing; powers to revoke or suspend a personal licence; and the addition of further offences under the Act.

The report sought the Committee's agreement to the delegation of a specific function to the Licensing Hearing Panel concerning the suspension or revocation of personal licences issued by the Council as the Licensing Authority. Members discussed this additional power and were advised that training would be provided prior to a meeting of the Licensing Hearing Panel where a personal licence was to be reviewed. Although the Council had issued a considerable number of personal licences, the holders did not all work within Medway. It was not envisaged that there would be many Licensing Hearing Panel reviews specifically for this purpose. An option would be to consider the removal of the licence holder as Designated Premises Supervisor as part of a review of the Premises Licence.

Decision:

The Committee:

- (a) noted the amendments to the Licensing Act 2003 as a result of the Policing and Crime Act 2017;
- (b) extended the functions of the Licensing Hearing Panel to include the power to suspend or revoke personal licences, as set out in Appendix 1 to the agenda report; and
- (c) noted that the Monitoring Officer, who has delegated authority to make minor changes to the Council's Constitution, would amend the Constitution to incorporate the additional function of the Licensing Hearing Panel.

Chairman

Date:

Stephen Platt, Democratic Services Officer

Telephone: 01634 332011

Email: democratic.services@medway.gov.uk