

Committee: Licensing Committee
Date: Thursday 9 December 2010
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, Oxon OX15 4AA

Membership

Councillor Kieron Mallon (Chairman)	Councillor Tony Ilott (Vice-Chairman)
Councillor Fred Blackwell	Councillor Nick Cotter
Councillor Michael Gibbard	Councillor Timothy Hallchurch MBE
Councillor P A O'Sullivan	Councillor George Parish
Councillor G A Reynolds	Councillor Lawrie Stratford
Councillor Rose Stratford	Councillor Douglas Webb

AGENDA

1. Apologies for Absence and Notification of Substitute Members

2. Declarations of Interest

Members are asked to declare any interests and the nature of that interest which they may have in any of the items under consideration at this meeting.

3. Petitions and Requests to Address the Meeting

The Chairman to report on any requests to submit petitions or to address the meeting.

4. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. **Minutes** (Pages 1 - 6)

To confirm as a correct record the Minutes of the meeting of the Committee held on 15 December 2009 and 19 May 2010.

6. **Minutes of meeting Monday 30 November 2009 of Licensing Sub Committee**
(Pages 7 - 8)

To note the minutes of the Licensing Sub Committee meeting held on 30 November 2009.

7. **Minutes of meeting Friday 15 January 2010 of Licensing Sub Committee**
(Pages 9 - 12)

To note the minutes of the Licensing Sub Committee meeting held on 15 January 2010.

8. **Minutes of meeting Wednesday 24 March 2010 of Licensing Sub Committee**
(Pages 13 - 14)

To note the minutes of the Licensing Sub Committee meeting held on 24 March 2010.

9. **Minutes of meeting Friday 20 August 2010 of Licensing Sub Committee**
(Pages 15 - 16)

To note the minutes of the Licensing Sub Committee meeting held on 20 August 2010.

10. **Minutes of meeting Friday 22 October 2010 of Licensing Sub Committee**
(Pages 17 - 18)

To note the minutes of the Licensing Sub Committee meeting held on 22 October 2010.

11. **Licensing Act 2003 Statement of Licensing Policy** (Pages 19 - 100)

Report of Head of Safer Communities, Urban and Rural Services

Summary

The development and adoption of the Statement of Licensing Policy is a statutory requirement under the Licensing Act 2003. The function of approving the Statement and the subsequent reviews of it are the responsibility of the Licensing Committee in accordance with Cherwell District Councils Constitution and Scheme of Delegation. The current Statement was approved by Full Council for a period of three years in 22 October 2007. The publication date of the Statement of Licensing Policy was 1 January 2008.

This report seeks final approval of the Statement of Licensing Policy. A number of amendments have been made to the current policy statement further to the consultation exercise. As with the development of the current policy statement we have liaised with the other district councils in Oxfordshire and have, where appropriate, incorporated amendments suggested as a result of the consultation process.

The details of the consultation responses and any resulting proposed amendments are attached as appendix 1. All amendments are highlighted by track changes within the policy statement at appendix 2.

Recommendations

The Licensing Committee is recommended to:

- (1) Consider the schedule of responses and proposed alterations on the draft statement of licensing policy and decide whether any draft policies should be altered, omitted or others included.
- (2) Authorise the Head of Urban & Rural Services in consultation with the Chairman of the Licensing Committee, to make any minor alterations to the policy should the publication of regulations make expressed policies inconsistent with the regulations (NB – this would only apply up to the point of publication on Wednesday 5 January 2011, thereafter any alterations would be subject to full consultation in accordance with the Licensing Act 2003).

12. Exception to Licensed Vehicle Policy - Head of Service Guidelines (Pages 101 - 104)

Report of Head of Safer Communities, Urban and Rural Services

Summary

To advise the Licensing Committee of the consideration given by the Head of Safer Communities, Urban & Rural Services (SCURS) when exercising his delegated powers in determining an application for exception to Licensed Vehicle Policy.

Recommendations

The Licensing Committee is recommended to:

- (1) Note and endorse the consideration given by the Head of Safer Communities, Urban and Rural Services when determining applications for exception to Policy as detailed in the contents of this report.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or (01295) 221589 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item. The definition of personal and prejudicial interests is set out in Part 5 Section A of the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

Personal Interest: Members must declare the interest but may stay in the room, debate and vote on the issue.

Prejudicial Interest: Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Queries Regarding this Agenda

Please contact Natasha Clark Legal and Democratic Services natasha.clark@cherwell-dc.gov.uk (01295) 221589

Mary Harpley
Chief Executive

Published on Wednesday 1 December 2010