

**Minutes of a Meeting of the Licensing
Committee held at Surrey Heath House,
Camberley on 7 March 2012**

+ Cllr Bruce Mansell – Chairman
+ Cllr Bill Chapman – Vice Chairman

+ Cllr Rodney Bates	+ Cllr Bob Paton
+ Cllr Glyn Carpenter	+ Cllr Chris Pitt
+ Cllr Mrs Vivienne Chapman	+ Cllr Joanne Potter
+ Cllr Surinder Gandhum	+ Cllr Ian Sams
+ Cllr Beverley Harding	+ Cllr Pat Tedder
+ Cllr Paul Ilnicki	+ Cllr Valerie White
+ Cllr Lexie Kemp	

+ Present

06/L Minutes

The minutes of the meeting held on 14 September 2011 were signed by the Chairman with the inclusion of the amendment to show Cllr Charlotte Morley as substitute for Cllr Valerie White.

PART I
(public)

07/L Street Collection Policy

The Committee at its meeting on 14 September 2011 had considered requests received from 2 charities to receive an additional day's collection per year. The Street Collection Policy had only allowed for a charity to receive a licence for one day's collection per year, although a number of charities had been granted additional days as exceptions. At that meeting the Committee had agreed that a review of the Policy was required.

A Working Group had met and considered revisions to the Policy, following which a new Street Collection Policy had been drafted. The new Policy would allow a charity to carry out up to 4 collections in the borough each year, although, with the exception of the Camberley Ex Round Tablers 41 Club, the Rotary Club of Camberley, and the Camberley and Frimley Lions, no organisation would be able to collect in the same area more than once per calendar year. Members were reminded that, as the majority of collections were requested for Camberley Town Centre, particularly on Saturdays, this would ensure fairness by maximising the number of organisations able to collect in the Town Centre.

RESOLVED that the new Street Collections Policy, as attached at Annex A to these minutes, be adopted.

08/L Licensing Sub Committee Proposed Procedural Changes

The Committee considered a report on minor administrative changes to Licensing Sub Committees Procedures which had been made in accordance with best practice. The handbook produced for Members' use in Licensing Sub Committee hearings had been reviewed.

The Committee considered the role of the reserve Member appointed to provide cover in the event that an appointed Member became unable to attend the meeting or found they had an interest to declare. It was noted that a reserve Member would only be able to step in at the start of the meeting or shortly into the proceedings, and if they chose to remain at the hearing they would be required to remain separate from the process. Members agreed that the reserve Member should be required to remain until the Sub-Committee retired to consider its decision.

The layout of the hearings was considered. It was reported that Section 23 of the Licensing Act 2003 Hearing Regulations 2005 stated that a hearing should take the form of a discussion. Recent advice from a barrister had suggested that it may be helpful to consider the layout of the room in order to facilitate a discussion and that councillors sitting on a raised platform may not be conducive to such purposes.

Members considered the information in light of the current arrangements for the Sub-Committee to be seated on the dais in the Council Chamber. It was felt by some Members that the hearings were a quasi-judicial process and in order to maintain formality the current seating arrangements should be retained.

It was reported that a number of other authorities held their Sub-Committee meetings in a Committee Room. As a result, Members discussed whether the meetings should be held in the Council Chamber or whether in some instances it would more appropriate to conduct the hearing in a Committee Room but it was agreed that meetings should continue to be held in the Chamber. It was further agreed that seating arrangements should be determined by the Chairman of the particular Sub-Committee.

The format of the Licensing Sub Committee minutes was discussed by the Committee. Some Members felt that the decision notice should be contained within the minutes. The Committee agreed that the matter should be deferred for further discussion with relevant officers.

RESOLVED that

- (i). the Members' handbook for use by Members of the Licensing Sub Committee be noted;**
- (ii). reserve Members be required to attend the hearing until the Sub-Committee retires to consider its decision;**
- (iii). the Licensing Sub-Committee hearings continue to be conducted in the Council Chamber;**
- (iv). the layout of a hearing be the decision of the Chairman of the Sub-Committee; and**
- (v). the format of the minutes be deferred to a future meeting.**

09/L Licensing Act 2003 – Summary of Decisions

The Committee received details of the decisions taken under delegated powers in respect of licence applications where no representations had been received from the responsible authorities or interested parties and details of Licensing Sub Committee hearings which had taken place since the previous committee.

CHAIRMAN