

HINCKLEY AND BOSWORTH BOROUGH COUNCIL  
LICENSING COMMITTEE  
17 AUGUST 2009 AT 6.30 P.M.

PRESENT: MRS. S. FRANCKS - CHAIRMAN  
Mr. C.G. JOYCE - VICE-CHAIRMAN

Messrs. P.R. Batty, J.C. Bown, S. L. Bray, M.B. Cartwright, D.M. Gould, P.A.S. Hall, R. Mayne, K Nichols, L.J.P. O'Shea and A.J. Smith and Mrs. S. Sprason.

Officers in attendance: Mr. Mark Brymer, Mrs. P.I. Pitt and Mr. M. Rice.

158 APOLOGIES

Apologies for absence were submitted on behalf of Messrs. K. Morrell and B.E. Sutton.

159 MINUTES (L5)

On the motion of Mr. Bray, seconded by Mr. O'Shea it was

RESOLVED - the minutes of the meeting held on 9 June 2009 be confirmed and signed by the Chairman.

160 LICENSING ACT 2003 – MINOR VARIATIONS PROPOSAL (L6)

The Principal Licensing Officer indicated that the Licensing Act 2003 had been amended by the Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates) Order 2009 to introduce what the Government described as a simplified process for minor variations to premises licences and club premises certificates. The Principal Licensing Officer then went on to summarise the new process for dealing with applications for minor variations. Reservations were expressed by some Members that with the revised requirement that an applicant would no longer need to advertise the application in the local press or copy it to the Responsible Authorities residents would not necessarily be aware of any submission. It was emphasised by the Principal Licensing Officer that the intention was to simplify a minor process relating to minor variations and described the 5 circumstances in which the minor variation process could not be used.

The suggestion was made that details of any application for minor variations be sent to Members of the Licensing Committee and appropriate ward members and on the motion of Mr. Cartwright, seconded by Mr. O'Shea it was

RESOLVED – in order to keep Members fully acquainted details of any applications for minor variations be sent to the Licensing Committee and ward members, as necessary.

Further, it was moved by Mrs. Francks, seconded by Mr. Bray and

RECOMMENDED – the Council be requested to agree that:-

- (i) the power to grant or issue applications for minor variations of a premises licence or club premises certificate be delegated to the Director of Community and Planning Services; and
- (ii) the Principal Licensing Officer make appropriate amendments to the Constitution (delegation of functions) to take account of (i) above by adding to the delegated powers of the Director of Community and Planning Services and the Principal Licensing Officer the authority to grant or refuse minor variations under the Licensing Act 2003.

161 GAMBLING ACT 2005 – STATEMENT OF PRINCIPLES (L7)

The Principal Licensing Officer referred to the requirement under section 349 of the above legislation for the Council to review and republish its Statement of Principles every three years. This being the case the Council would, following a specific consultation process, be asked at its December meeting to agree a revised Statement of Principles prior to publication no later than 31 December 2009.

It was moved by Mr. Bray, seconded by Mr. Cartwright and

RESOLVED – the contents of the report of the Head of Planning and Community Services be noted and the revised draft of the three year Statement of Principles be approved for consultation purposes.

(The meeting closed at 6.53 p.m.)