

# LICENSING COMMITTEE

## 12 JANUARY 2011

*Present :-* Councillor Barrie Cook (Chairman)  
Councillors Mary Blandon, John Bouckley, Nick Cope,  
Mark Cory, Wyn Foster, Christopher Garnett,  
Dave Harris, Margaret Kimberley, Michael Lilley and  
Ann Quarrie

### 14. Urgent Items

The Chairman agreed to consider the following item as a matter of urgency because of the need to submit a response to the Home Office by 26 January 2011.

#### **Relaxation of Licensing Hours for the Royal Wedding// Consultation document**

The Committee considered a report by the Head of Environmental and Protective Services on a consultation document received from the Home Office that morning concerning the relaxation of licensing hours for the Royal Wedding. The Government proposed to make an order under Section 172 of the Licensing Act 2003 to mark the Wedding of Prince William and Catherine Middleton on 29 April 2011. The effect of the order would be to extend opening hours of licensed premises to 01.00 on Friday, 29 April and Saturday, 30 April 2011 for the sale of alcohol for consumption on the premises and the provision of regulated entertainment. There was some discussion concerning the wording of the document which was ambiguous concerning the dates and times of the order and clarity on this matter would be sought from the Home Office.

*RESOLVED* that the relaxation in Licensing Hours on 29 and 30 April be supported and the Head of Environmental and Protective Services be requested to respond to the consultation document setting out the Committee's views and seeking clarification on the dates and times of the order.

### 15. Licensing Policy//Consultation Responses

The Committee considered a report by the Head of Environmental and Protective Services on the comments that had been received following public consultation on the review of the Council's Statement of Licensing Policy and on the suggested changes to the policy following its examination by leading licensing Counsel, Mr Kolvin.

Mr Kolvin had been requested by the Committee to consider an amendment to tighten up the provisions of the Policy in relation to the application for a Temporary Event Notice by a premises licence holder who had previously been refused a full variation application for the same hours. He had responded that such an amendment would be unlawful since it would amount to a fetter on the authority's discretion and also because it would purport to confer a discretion on the authority that could only be engaged by police representation. The Chairman reported to the Committee that this issue had

been raised by Bob Russell MP in the House of Commons.

*RECOMMENDED* to Council that the draft revision of the Statement of Licensing Policy as amended be approved.