

LICENSING COMMITTEE

AGENDA

Meeting to be held in the Civic Centre (Committee Room No.6) on Monday, 18th April, 2016 at 2.00 p.m.

ITEM		PAGE
1.	Receipt of Declarations of Interest (if any)	
2.	Apologies for Absence	
3.	Minutes of the last meeting of the Committee held on 29th July, 2015 (copy herewith).	1
4.	Licensing Act 2003 – Withdrawal of Club Premises Certificate Due to Club Ceasing to be a Qualifying Club	3
	Report of the Executive Director of Commercial Development (copy herewith)	

ELAINE WAUGH,
Head of Law and Governance.

Civic Centre,
SUNDERLAND.
8th April 2016

At a meeting of the LICENSING COMMITTEE held in the CIVIC CENTRE on MONDAY, 20th JULY, 2015 at 2.00 p.m.

Present:-

Councillor MacKnight in the Chair

Councillors Blackburn, Elliott, Farthing, I. Galbraith, Gallagher, P. Gibson, Heron, Howe, Turner, D. Smith and Waller

Declarations of Interest

There were no declarations of interest.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors D. Dixon, G. Galbraith and D. Wilson

Minutes of the Last Meeting of the Committee held on 22nd June, 2015

1. RESOLVED that the minutes of the last meeting of the Committee held on 22nd June 2015 be confirmed and signed as a correct record.

Review of Licensing Policy Statement

The Executive Director of Commercial Development submitted a report (copy circulated) which advised the Committee of the requirement to carry out a consultation exercise on the Council's draft Licensing Policy Statement under the Licensing Act 2003.

(For copy report – see original minutes)

2. RESOLVED that the contents of the report be noted and approval be given to the Licensing Section to undertake a consultation exercise upon the Council's draft Licensing Policy Statement under the Licensing Act 2003.

(Signed) D. MACKNIGHT,
Chairman.

REPORT OF THE EXECUTIVE DIRECTOR OF COMMERCIAL DEVELOPMENT

LICENSING COMMITTEE - 18 APRIL 2016

LICENSING ACT 2003 – WITHDRAWAL OF CLUB PREMISES CERTIFICATE DUE TO CLUB CEASING TO BE A QUALIFYING CLUB

**WASHINGTON MASONIC CLUB
WASHINGTON MASONIC HALL
WEST VIEW
CONCORD
WASHINGTON
NE37 2DU**

1.0 PURPOSE OF REPORT

- 1.1 The purpose of the report is to request Members to consider whether the above mentioned club, which currently holds a club premises certificate, continues to satisfy the conditions for being a qualifying club in relation to a qualifying club activity to which the certificate relates.

2.0 DESCRIPTION OF DECISION

- 2.1 Members are recommended to consider whether the above mentioned club has ceased to be a qualifying club and, if so, withdraw the club certificate.

3.0 INTRODUCTION/BACKGROUND

- 3.1 Section 90 of the Licensing Act 2003 states that, where a club holds a club premises certificate and it appears to the relevant licensing authority that the club does not satisfy the conditions for being a qualifying club in relation to a club activity to which the certificate relates, the authority must give a notice to the club withdrawing the certificate, so far as relating to that activity.

4.0 CURRENT POSITION

- 4.1 After the issue of an invoice to the club requesting the payment of the annual fee due in relation to the club premises certificate, officers of the Council's Licensing Section were informed by the Finance Section that the invoice had been returned unpaid.
- 4.2 A letter was then sent to both the Club and the Secretary of the Club asking if they could confirm whether or not the Club still met the criteria of a qualifying club as defined by section 62 of the Licensing Act 2003. To date no response has been received from either party.
- 4.3 An officer of the Licensing Section has since visited the premises named on the club premises certificate and has confirmed that the premises appear not to be in operation as a qualifying club.

4.4 One of the qualifying criteria of a qualifying club is that the club is established and conducted in good faith as a club. Consequently, it would appear that the club no longer satisfies this condition.

5.0 REASONS FOR THE DECISION

5.1 To comply with the requirements of the Licensing Act 2003

6.0 ALTERNATIVE OPTIONS

6.1 None submitted.

7.0 RELEVANT CONSIDERATIONS

7.1 There are no other relevant considerations.

8.0 GLOSSARY

8.1 None.

9.0 LIST OF APPENDICIES

9.1 None.

10.0 BACKGROUND PAPERS

10.1 None.