

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Licensing Sub-Committee (Licensing Act 2003 and Gambling Act 2005) held at the Council Offices, Gloucester Road, Tewkesbury on Thursday, 16 June 2016 commencing at 11:30 am

Present:

Chair

Councillor R E Garnham

and Councillors:

Mrs J Greening and P N Workman

LSB/A.1 ELECTION OF CHAIRMAN

1.1 It was proposed, seconded and

RESOLVED That Councillor R E Garnham be appointed as Chair for the meeting.

LSB/A.2 ANNOUNCEMENTS

2.1 The evacuation procedure, as noted on the Agenda, was advised to those present.

LSB/A.3 DECLARATIONS OF INTEREST

3.1 The Sub-Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.

3.2 The following declaration was made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
R E Garnham	Item 4 – Application for Grant of a Club Premises Certificate for Norton Rugby Football Club	The gentleman assisting the applicant with his application was a Licensing Officer at Cheltenham Borough Council at the same time he had been a Borough Councillor for that authority.	Would speak and vote.

3.3 There were no further declarations made on this occasion.

LSB/A.4 APPLICATION FOR GRANT OF A CLUB PREMISES CERTIFICATE FOR NORTON RUGBY FOOTBALL CLUB

- 4.1 The report of the Licensing and Systems Officer, circulated at Pages No. 1-48, outlined an application for the grant of a club premises certificate in respect of Norton Rugby Football Club. The Licensing Sub-Committee was asked to determine the application taking such steps, if any, as it considered appropriate for the promotion of the licensing objectives.
- 4.2 The Licensing and Systems Officer explained that, since the publication of the report, further information had emerged in relation to the application. A complaint had been received two days earlier alleging that the Norton Rugby Football Club was regularly organising events and carrying out licensable activities, including the sale of alcohol, without any authorisation under the Licensing Act 2003. Authorisation included a premises licence, a temporary events notice or a club premises certificate. Section 136 (1) of the Licensing Act 2003 made it an offence to carry out, or attempt to carry out, a licensable activity otherwise than in accordance with an authorisation and the maximum penalty for a conviction was currently set at £20,000. Given that the complaint was very recent, Officers considered that further investigation was necessary and this could be prejudiced should the Licensing Sub-Committee determine the application today. On that basis, it was requested that the application be deferred until the investigation was complete or the matter disposed.
- 4.3 The Chair indicated that his view was that the application should be deferred in accordance with Officer advice, and it was subsequently

RESOLVED That the application be **DEFERRED** until the investigation into the complaint that Norton Rugby Football Club was regularly organising events and carrying out licensable activities, including the sale of alcohol, without any authorisation under the Licensing Act 2003, was complete or the matter was disposed.

The meeting closed at 11:40 am