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## LICENSING SUB-COMMITTEE

**When: Monday 31 January 2022 at 8.00 pm**

**Where: Council Chamber**

**Civic, 1 Saxon Gate East, Milton Keynes, MK9 3EJ and**  
<https://www.youtube.com/user/MiltonKeynesCouncil>

### **Members of the Sub-Committee**

Councillor        McLean (Chair)  
Councillors      Marlow and Minns

### **Enquiries**

Please contact Jane Crighton on 01908 252333 or [jane.crighton@milton-keynes.gov.uk](mailto:jane.crighton@milton-keynes.gov.uk)

For more information about attending or participating in a meeting please see overleaf.

## **Public Attendance / Participation**

All our meetings are open to the public to attend. Public health measures remain in place at Civic and the number of people who will be able to physically attend this meeting to observe proceedings, continues to be limited - please let us know in advance if you plan to attend.

We use our best efforts to stream meetings on YouTube. From time to time there are technical problems which could mean we are unable to stream the meeting. When this happens, our meetings will continue, and we will do our best to upload a recording of the meeting after it takes place. Meeting minutes form the formal record and are published after every meeting.

For those registering or entitled to speak, facilities will be in place to do so in person or via video / audio conferencing, but this is not guaranteed. From time to time there are technical problems which mean we are unable to enable remote participation. When this happens our meetings will continue, although we will try to provide alternatives options, for example through a telephone call as opposed to a video call.

If you wish to speak at a meeting, we recommend reading our guide to *Public Participation at Meetings* first to understand the process and technology behind participation. This information is available at: [www.milton-keynes.cmis.uk.com/milton-keynes/](http://www.milton-keynes.cmis.uk.com/milton-keynes/).

## **Agenda**

Agendas and reports for the majority of the Council's public meetings can be accessed at: [www.milton-keynes.cmis.uk.com/milton-keynes/](http://www.milton-keynes.cmis.uk.com/milton-keynes/).

## **Webcasting and Permission to be Filmed**

Please note that this meeting will be filmed for live broadcast on the internet and can be viewed online at [www.youtube.com/user/MiltonKeynesCouncil](http://www.youtube.com/user/MiltonKeynesCouncil) . Generally, the public gallery is not filmed, but by entering the meeting room and using the public seating area you are consenting to being filmed. All recording will be undertaken in accordance with the Council's Standing Orders.

## **Recording of Meetings**

The proceedings at this meeting (which will include those making representations by video or audio conference) will be recorded and retained for a period of six months, for the purpose of webcasting and preparing the minutes of the meeting.

In accordance with the Openness of Local Government Bodies Regulations 2014, you can film, photograph, record or use social media at any Council meetings that are open to the public. If you are reporting the proceedings, please respect other members of the public at the meeting who do not want to be filmed. You should also not conduct the reporting so that it disrupts the good order and conduct of the meeting. While you do not need permission, you can contact the Council's staff in advance of the meeting to discuss facilities for reporting the proceedings and a contact is included on the front of the agenda, or you can liaise with staff at the meeting. Guidance from the Department for Communities and Local Government can be viewed at: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/343182/140812\\_Openness\\_Guide.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/343182/140812_Openness_Guide.pdf)

## **AGENDA**

**1. Election of Chair**

The Chair of the Licensing Committee shall Chair meetings of the Licensing Sub-Committee, if present. In the absence of the Chair, the Vice-Chairs of the Licensing Committee, shall Chair meetings of the Licensing Sub-Committee. In the absence of both the Chair and the Vice-Chairs, the Licensing Sub-Committee will, as its first item of business, elect a Chair for the meeting.

**2. Chair's Announcement**

The Chair to welcome Councillors, officers and the public to the meeting and introduce Councillors and officers who are present.

**3. Apologies of Absence**

**4. Declarations of Interest**

Councillors to declare any disclosable pecuniary interests, or personal interests (including other pecuniary interests), they may have in the business to be transacted, and officers to disclose any interests they may have in any contract to be considered.

**5. Licensing Sub-Committee Procedure**

The Chair will outline the procedure to be followed by the Sub-Committee in the determination of an application for an objection against a Designated Premises Supervisor, which is set out at Item 5 (**Page 4**).

**6. Exclusion of Public and Press**

To consider excluding the public and press representatives from the meeting by virtue of Paragraph 2 (Information likely to Reveal the Identity of an Individual) of Part I of Schedule 12A of the Local Government Act 1972, in order that the Sub-Committee consider Item 7.

**7. Application for an Objection to a Designated Premises Supervisor - TJ Wines, 2 Swinden Court, Heelands**

To consider Item 7 (**circulated under separate cover**)



**PROCEDURE FOR THE DETERMINATION OF LICENSING APPLICATIONS IN RESPECT OF OBJECTIONS TO A TRANSFER OR PREMISES SUPERVISOR APPLICATION BY THE LICENSING SUB-COMMITTEE**

1. At the start of the hearing the Chair will introduce the Sub-Committee Councillors and colleagues and explain their roles for the purpose of the hearing.
2. The Chair will explain the procedure to be followed by the Sub-Committee, which will normally take the form of:
  - (a) The Licensing Officer(s) will present the relevant details, but make no recommendations regarding a decision on the application to the Sub-Committee, together with information regarding any details relevant to the application, which may have come to light since the report was written.
  - (b) The applicant (the premises licence holder) or his/her representative can present his/her case, including calling any witnesses. Questions may then be put to the applicant, through and with the consent of the Chair, by the other parties and the Sub-Committee.
  - (c) The Police will present their case, but only where objections are unresolved. Questions may then be put with the consent of the Chair, by the other parties and the Sub-Committee.
  - (d) The Licensing Officer(s) will be invited to sum up the case.
  - (e) The Police will be invited to sum up their case.
  - (f) The applicant or his/her representative will be invited to sum up his/her case.
  - (g) The Sub-Committee will be invited to adjourn to come to its decision. Upon adjournment, all parties will withdraw, directly or through retirement of the Sub-Committee. The only colleagues who may remain with the Sub-Committee during its adjournment shall be the legal advisor and the Committee Manager.
  - (h) Where the Sub-Committee has to make a decision at the end of the hearing, all parties will be called back and informed orally of the decision of the Sub-Committee and any conditions made, with the reasons for those conditions.
3. The Sub-Committee will be permitted to retire to deliberate in private on any matter it chooses. The Sub-Committee may seek legal advice on a point of law at any point but the substance of any advice given in private must be repeated in open session.