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MEETING	GAMBLING & LICENSING ACTS COMMITTEE
DATE	3 OCTOBER 2008
PRESENT	COUNCILLORS ALEXANDER (CHAIR), AYRE, SUE GALLOWAY, HORTON, HYMAN, MOORE, ORRELL, REID, RUNCIMAN, TAYLOR AND WISEMAN (VICE-CHAIR)
APOLOGIES	COUNCILLORS CREGAN, D'AGORNE, FUNNELL AND MERRETT

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## 5. DECLARATIONS OF INTEREST

## 6. MINUTES

Members discussed as a result of the minutes of the meeting on 6 June, if it was possible for copies of the PCT's Alcohol Harm Reduction Strategy document to be distributed to the Committee, alongside some information regarding the performance of the PCTs alcohol treatment services such as the outcome of treatments and value for money. Members suggested an Agenda item to discuss the PCT document at the next Gambling and Licensing Acts Committee meeting on 5 December, with a view to progressing to a Scrutiny topic if necessary.

RESOLVED: That the minutes of the last meeting of the Committee, held on 6 June, be approved and signed by the Chair as a correct record.

### Action Required

1. Distribute York Alcohol Harm Reduction Strategy document to Members and look into obtaining further information from PCT on performance of Alcohol Abuse Services.

KS

## 7. DISCLOSURE OF PERSONAL DETAILS OF INTERESTED PARTIES AT LICENSING HEARINGS

Members considered a report which examined the current practice adopted by the Authority to not disclose the personal details of interested parties during the Licensing Hearing process.

Since the Licensing Act 2003 transferred the licensing function to local authorities instead of Magistrates Court, numerous Licensing Hearings have been held by the authority. Initially all personal details of interested parties were released. However in December 2006 due to an incident

involving a representor being afraid of intimidation, presumed non disclosure of personal details was adopted. It is not known who made the decision to take this approach, but since 2006 all personal details of members of the public making representations at licensing hearings have been kept confidential.

Recently Barristers attending a hearing at the Guildhall questioned why City of York Council keep personal details confidential and pointed out that in recent guidelines issued by the Department for Culture, Media and Sport in June 2007, it is stated that withholding such detail should only be considered in exceptional circumstances. Officers have since looked into the matter and have found no reason why City of York Council should be taking the approach of non-disclosure.

Members commented that the procedure should be the same as the planning departments, where the details of individuals making representations are in the public domain. Some Members raised concerns regarding representors being intimidated or too frightened to make representations if their details were made public, however officers confirmed all local authorities make details public during the hearing process and the same fears could be applied to the planning process which seems to operate satisfactorily.

Members debated how best to inform those involved that their details would be made public and whether to offer an explanation within the paperwork issued by Democracy Services explaining that in exceptional circumstances details could be kept confidential.

It was proposed by a Member that the form be changed to advise representors that in exceptional circumstances confidentiality may be adopted. This proposal was rejected 5 votes to 4.

Members discussed further and could find no reason, in light of the guidelines, not to go along with the Officers recommendation that all details of interested parties should be disclosed.

**RESOLVED:** That Option 1 be approved and personal details of interested parties during the licensing hearings procedures be disclosed.

**REASON:** To comply with the Guidance issued by the Department for Culture, Media and Sport in June 2007.

Action Required

1. Edit Democratic Services Licensing Hearings response form. GR

Councillor Alexander, Chair

[The meeting started at 2.00 pm and finished at 2.25 pm].