

## Report for Resolution

**Report to** Licensing Committee  
17 December 2009

**Report of** Head of Legal, Regulatory and Democratic Services

**Subject** Committee Arrangements

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### **Purpose**

To consider ways of undertaking the duties previously carried out by licensing committee, licensing sub-committees and regulatory committee.

### **Recommendations**

- 1) Licensing/gambling hearings to be considered by a Licensing Sub-Committee consisting three members of Licensing Committee to be arranged as and when required by the Licensing Act 2003 and the Gambling Act 2005.
- 2) Regulatory hearings to be considered by a Regulatory Sub-Committee consisting of two separate groups of six from the full committee, each group to meet on alternate months both chaired by the chair of Licensing Committee making a total membership of seven for each meeting.

### **Financial Consequences**

Decisions on how to set up sub committees could have an affect on members allowances, subject to future recommendations of an Independent Panel into Members Allowances.

### **Strategic Priority and Outcome/Service Priorities**

The report helps to meet the strategic priority “Aiming for excellence – ensuring the Council is efficient in its use of resources, is effective in delivering its plans, is a good employer and communicates effectively with its customers, staff and partners”.

### **Contact Officers**

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### **Background Documents**

Nil

# Report

## Introduction

1. Following consideration of recommendations from the constitution working party, council agreed at its meeting on 29 September 2009 that –
  - (a) the functions of the licensing and regulatory committees be merged to form a new licensing committee
  - (b) the licensing committee to comprise of 13 members
  - (c) the new licensing committee to meet in December with a view to setting up its sub-committee arrangements to deal with hearings from 1 January 2010.

## Licensing Committee

2. It is suggested that Licensing Committee will need to meet infrequently, possibly only two/three times per year to discuss matters of policy/strategy and other major issues such as responding to government consultations etc.
3. In order to reflect the requirements of the Licensing Act 2003 and the Gambling Act 2005 it is proposed that the committee's agendas be split into Licensing Act/Gambling Act business and regulatory business.
4. The work currently undertaken by licensing sub-committees and the regulatory committee in respect of hearings will need to be undertaken by new sub-committees of Licensing Committee.

## Licensing/Gambling Hearings

5. It is suggested that the current way of working should continue. All uncontested licensing applications will be dealt with by the head of legal, regulatory and democratic services. Where there is a valid objection/representation applications should be placed before a Licensing Sub-Committee of 3 members of Licensing Committee who will then determine the matter, having allowed the interested parties an opportunity to make representations.
6. The number of members of each sub-committee i.e. 3 is set down in the Licensing Act 2003 and the Gambling Act 2005. The committee officer will contact members to set up a sub-committee as and when required taking into account that ward members are not allowed to consider applications within their area.

## **Regulatory**

7. Hearings currently considered by regulatory committee include private hire and hackney carriage licences and fares, tables and chairs and sex establishments. The workload currently requires a monthly meeting, lasting 3-4 hours on average, mainly because of the volume of taxi licence reviews.
8. One option would be to appoint a Regulatory Sub-Committee of seven members which will meet once a month to consider regulatory hearings.
9. If it is considered desirable to spread the workload throughout the full membership and to engage all Licensing Committee members in the process, it is suggested that two groups of six be identified from the full committee, each group to meet as the Regulatory Sub Committee on alternate months. All sub-committee meetings to be chaired by the chair of Licensing Committee making a total membership of seven for each meeting. A Vice chair can be chosen within each group.
10. The quorum would be three and substitutes would be allowed from the other group if required.