

## Licensing Sub-Committee

Report of the Head of Legal and Democratic Services

### Recommended:

**That the membership of the Licensing Sub-Committee be comprised of three members drawn from the Licensing Committee. Those members will be selected in strict alphabetical order, save when it transpires that a member has an interest in the Members' Code of Conduct or the member is a Member for or lives within the ward within which an application premises is situated. In the event of a member selected becoming unavailable to attend a hearing, then the Head of Legal and Democratic Services will select a replacement in accordance with the above arrangements. Where possible, those members will be selected on a basis of one Liberal Democrat and two other Members.**

#### SUMMARY:

- Various matters relating to the Licensing Act 2003 and Gambling Act 2005 are determined by the Licensing Sub-Committee established in 2005 and re-appointed annually.

### 1 Background

1.1 At its January 2005 meeting (Minute 466 of 27 January refers) the Committee agreed to establish Licensing Sub-Committees comprising three members. As the Licensing Act was silent on a quorum all three members needed to be present. As a result it was also agreed;

- (a) That a Sub-Committee be established comprising three members, and that the membership be drawn from a pool of members consisting of the membership of the Licensing Committee, subject to:
  - (i) as an alternative arrangement those members being selected on the basis of one Liberal Democrat and two other members, and;
  - (ii) those members be selected from the Licensing Committee membership list in strict alphabetical order save when it transpires that a member has an interest as defined in the Code of Conduct or the member is a member for or lives within the ward within which an application premises is situated then the next member on the list shall be selected, subject to their availability.
- (b) That the Chairman of the Sub-Committee be rotated amongst all members of the Licensing Committee.

- 1.2 At its meeting in April 2006 (Minute 583 of 20 April refers), the Licensing Committee approved revisions to these arrangements, whereby, in the event of a member selected becoming available, the Head of Administration (now Head of Legal and Democratic Services) be authorised to select a replacement in accordance with the existing arrangements and that the agenda for each Sub-Committee meeting should contain a note to this effect.
- 1.3 At its September 2013 meeting (Minute 126 of 19 September refers) the Committee re-considered Licensing Sub-Committee arrangements. Whilst the legislation regarding political proportionality at Council meetings does not apply to Licensing Sub-Committees, it was agreed that where possible members would be selected for a Licensing Sub-Committee on the basis of one Liberal Democrat and two other members.

## 2 Conclusion

- 2.1 The Licensing Committee is asked to re-appoint the membership of the Sub-Committee on the basis set out above.

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| <u>Background Papers (Local Government Act 1972 Section 100D)</u>  |                     |           |              |
| None   |                     |           |              |
| <u>Confidentiality</u>   |                     |           |              |
| It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public. |                     |           |              |
| No of Annexes:   | 0                   | File Ref: | N/A          |
| (Portfolio: Corporate) Councillor Preston  |                     |           |              |
| Officer:   | Karen Dunn          | Ext:      | 8401         |
| Report to:   | Licensing Committee | Date:     | 18 July 2019 |