

APPOINTMENTS TO LICENSING PANEL

Head of Service/Contact:	Amardip Healy, Chief Legal Officer
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Annexes/Appendices (attached):	
Other available papers (not attached):	Report to Council, 21 May 2019, Constitution of, Allocation of seats and appointment of Committees, Sub Committees and Advisory Panels; Appointment of Chairman and Vice Chairmen

Report summary

To seek approval to further appointment of members to the Licensing Panel.

Recommendation (s)

That Council

- (1) Appoints the following additional members to the Licensing Panel: Councillors Liz Frost and Clive Woodbridge**

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 There are no direct implications for this report.

2 Background

- 2.1 At its meeting on the 21 May 2019, Council allocated seats on Committees, Sub Committees, and Advisory Panels.
- 2.2 The following Members were appointed to the Licensing Panel: Councillors Neil Dallen*, Rob Geleit*, Previn Jagutpal, Julie Morris*, Phil Neal, Peter O'Donovan, David Reeve*, Humphrey Reynolds*.

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- 2.3 However, the nomination to the Licensing Panel from members appointed to the Licensing and Planning Policy, resulted in the pool of those being able to deal with liquor licensing matters being too small.
- 2.4 At present there are only 4 members that permitted to sit on the Licensing Hearing Sub Committee (shown marked with an * in para 2.2). The availability of members is subject to a number of constraints. Licensing Sub Committee meetings occur during the day, and only members who have had specialist licensing training are able to sit on these Sub Committees.
- 2.5 At present not all those in the Licensing Panel have attended the training sessions and as such are not able to sit on any sub committees. This presents a risk, particularly as one member of the Panel is a Town Ward Member, where most of the contentious liquor applications requiring a hearing arise. In effect this leaves only three Members available for all licensing hearings sub committees related to Town Ward.
- 2.6 This risk can be mitigated by adding additional members from Licensing & Planning Policy to the Licensing Panel.

3 Proposals

- 3.1 Two members, Councillors Liz Frost and Clive Woodbridge have been nominated to be added to the Panel. Both have had training to sit on licensing matters.

4 Financial and Manpower Implications

- 4.1 None
- 4.2 **Chief Finance Officer's comments:** none arising from the contents of this report.

5 Legal Implications (including implications for matters relating to equality)

- 5.1 Section 6 of the Licensing Act 2003 requires each authority to set up a licensing committee of no less than 10 and no more than 15 Members. Section 9 of the Act provides for the Licensing Committee to set up sub committees of 3 members of the Committee to determine matters set out by Section 10 of the Act.
- 5.2 The Council replaced its Licensing Committee with a joint planning and licensing committee, however, it set up a licensing panel to deal with any licensing applications which needed determination. Although general licensing matters can be dealt with by any member of the Council, only those matters required to be determined under the Licensing Act can be determined by those members who sit on Licensing & Planning Policy, since this committee sits as the Licensing Committee.

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5.3 Following changes to Part 3 the Constitution last year, two licensing sub committees were set up to ensure the arrangements reflected the requirements of the legislation.

5.4 **Monitoring Officer's comments:** none arising from the contents of this report, but further changes to the set up and make of the Licensing Panel will be considered in the next revision of the Constitution.

6 Sustainability Policy and Community Safety Implications

6.1 None

7 Partnerships

7.1 None

8 Risk Assessment

8.1 To manage the risk of ensuring there are sufficient members available to sit on a Licensing Hearing Sub Committee, it is important to widen the panel from where members can be drawn.

9 Conclusion and Recommendations

9.1 To mitigate the risk of not being able to form a Licensing Hearings Sub Committee, the appointment of further members from Licensing & Planning Policy Committee to the Licensing Panel is recommended.

Ward(s) Affected: (All Wards);