

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

23RD FEBRUARY 2009

LICENSING SUB-COMMITTEE HEARING PROCEDURE

Responsible Portfolio Holder	Roger Smith
Responsible Head of Service	Claire Felton
Non-Key Decision	

1. SUMMARY

- 1.1 Officers have reviewed the Licensing Sub-Committee hearing procedures for licensing applications and a draft revised Hearing Procedure is appended to this report for consideration by members.

2. RECOMMENDATION

Members are requested to consider whether to revise the Licensing Sub-Committee Hearing Procedure.

3. BACKGROUND

- 3.1 Officers undertake periodic reviews of committee hearing procedures and have recently looked at those for the Licensing Sub-Committee hearings. A draft revised Hearing Procedure is at Appendix 1 for consideration by members.
- 3.2 It has been suggested that the time allowed for representations to be made at Sub-Committee hearings be shortened; currently 20 minutes is allocated to the Applicant, to each Responsible Authority and to each Interested Party. The attached draft shortens these time limits to 10 minutes for the Applicant, 10 minutes for all Responsible Authorities and 10 minutes for all Interested Parties.
- 3.3 Officers have also tried in the attached revised draft to simplify the language and clarify certain aspects of the procedure.
- 3.4 Members are requested to consider the attached draft and decide whether to revise the Sub-Committee Hearing Procedure either in accordance with the attached draft or otherwise.

4. FINANCIAL IMPLICATIONS

- 4.1 None

5. LEGAL IMPLICATIONS

5.1 The Licensing Act 2003 and the regulations made under it, particularly the Licensing Act 2003 (Hearing) Regulations 2005 set out the framework for licensing sub-committee hearings.

6. COUNCIL OBJECTIVES

6.1 N/a

7. RISK MANAGEMENT

7.1 The main risk associated with the details included in this report is:

- *Risk of challenge to Council decisions; and*
- *Risk of complaints about elected members.*

7.2 These risks are being managed as follows:

- Risk Register: *Legal, Equalities and Democratic Services*
Key Objective Ref No: 3
Key Objective: *Effective ethical governance*

8. CUSTOMER IMPLICATIONS

8.1 The Hearing Procedure is enclosed within Sub-Committee reports. It is not currently displayed on the Council's website.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 None

10. VALUE FOR MONEY IMPLICATIONS

10.1 N/a

11. OTHER IMPLICATIONS

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	None
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None

Environmental	None
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12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No
Executive Director - Partnerships and Projects	No
Executive Director - Services	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

13. WARDS AFFECTED

All wards

14. APPENDICES

Appendix 1 Draft revised Hearing Procedure

15. BACKGROUND PAPERS

None

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