

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

30TH OCTOBER 2009

LICENSING (MISCELLANEOUS) SUB-COMMITTEES

Responsible Portfolio Holder	Councillor Geoff Denaro
Responsible Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services

1. SUMMARY

- 1.1 To agree the quorum for the recently created Licensing (Miscellaneous) Sub Committees A and B.

2. RECOMMENDATION

It is recommended that:

- 2.1 The quorum for the Licensing (Miscellaneous) Sub Committees A and B be three.

3. BACKGROUND

- 3.1 Members agreed at the meeting of the Licensing Committee held on 7th September 2009 that the Taxi Licensing Sub-Committee be restructured and renamed to the Licensing (Miscellaneous) Sub-Committees A and B.

- 3.2 The two new sub-committees structure consists of a fixed membership, politically balanced with 7 members, each sub-committee chaired by the Chairman (or in his or her absence the Vice-Chairman) of the Licensing Committee to sit in strict rotation. Its terms of reference are: "To determine applications relating to:

- private hire and hackney carriage driver, operator and vehicle licensing;
- street trading consents;
- sex shop applications;
- pet shop licences;
- animal boarding licences;
- riding establishment licences; and
- charitable collections".

- 3.3 The quorum for the new sub-committees was not addressed at the meeting on 7th September 2009, and in the absence of any specifically agreed quorum, the default position under the Council Procedure Rules is that one quarter of the membership of the sub-committee would constitute a quorum.

In the case of the new sub-committees this makes the quorum as 2. It is suggested that this is too low and that the quorum should be at least 3.

- 3.4 Members will recall that the quorum for Licensing Sub-Committees (which deal with applications relating to premises licences and other issues arising under the Licensing Act 2003 and the Gambling Act 2005) is currently 3.

4. **FINANCIAL IMPLICATIONS**

- 4.1 None

5. **LEGAL IMPLICATIONS**

- 5.1 Section 102 of the Local Government Act 1972 as amended gives local authorities the power to appoint committees, and to committees to appoint sub-committees.

6. **COUNCIL OBJECTIVES**

- 6.1 N/A

7. **RISK MANAGEMENT**

- 7.1 No significant risks arising from this report have been identified, but any minor risks arising are being managed as follows:

Risk Register: Legal, Equalities and Democratic Services
Key Objective Ref No: 2
Key Objective: Effective ethical governance

8. **CUSTOMER IMPLICATIONS**

- 8.1 The recommendations will have little impact on customers.

9. **EQUALITIES AND DIVERSITY IMPLICATIONS**

- 9.1 None

10. **VALUE FOR MONEY IMPLICATIONS**

- 10.1 None

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

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
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

None

15. BACKGROUND PAPERS

None

CONTACT OFFICER

Name: Debbie Warren (on behalf of Claire Felton)
E Mail: d.warren@bromsgrove.gov.uk
Tel: (01527) 881609