

**BROMSGROVE DISTRICT COUNCIL**

**LICENSING COMMITTEE**

11th OCTOBER 2010

**REVIEW OF THE LICENSING (MISCELLANEOUS) SUB-COMMITTEES A & B**

Relevant Portfolio Holder	Councillor Peter Whittaker
Relevant Head of Service	Steve Jorden, Head of Worcestershire Regulatory Services
Key Decision / Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

- 1.1 The Licensing Committee agreed at its meeting held on 7th September 2009 changes proposed to the sub-committees of the Licensing Committee and that the new sub-committees be trialed for a period of twelve months. This report reviews the last twelve months and suggests proposed changes to the Licensing (Miscellaneous) Sub-Committees A and B structure.

**2. RECOMMENDATIONS**

It is recommended that:

- 2.1 The Licensing (Miscellaneous) Sub-Committees A and B be restructured as follows -
- (a) That membership for both Sub-Committees consists of three Members to be selected from the Licensing Committee including the Chairman or Vice-Chairman who will chair the Sub-Committee. The Sub-Committee are not required to be politically balanced, but where possible will include one opposition Member.
  - (b) That the quorum for both Sub-Committees be three Members with a fourth substitute Member on standby for each meeting.
- 2.2 That the Sub-Committees continue to be called the Licensing (Miscellaneous) Sub-Committees A and B.
- 2.3 That the Licensing (Miscellaneous) Sub-Committees A and B sit in strict rotation with meetings times as follows:
- Licensing (Miscellaneous) Sub-Committee A meetings to be held during office working hours with the times of hearings being determined in consultation with applicant(s) represented by a legal representative.

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- Licensing (Miscellaneous) Sub-Committee B meetings to be held at 6:00pm for applicant(s) and Licensing Committee Members who are committed during office working hours.

2.4 That substitutes must have met the training requirements determined by the Member Development Steering Group.

#### **BACKGROUND**

3.1 At its meeting held on 7th September 2009 the Licensing Committee restructured and renamed the Sub-Committees of the Licensing Committee as the Licensing (Miscellaneous) Sub-Committees A and B. The new Sub-Committees included fixed memberships (6 Members drawn from the Licensing Committee plus either the Chairman or Vice-Chairman of that Committee). It was agreed that the position should be reviewed once the new Sub-Committees had been in operation for a period of 12 months.

3.2 Reviewing the general operation of the Sub-Committees is beneficial as it provides Members and officers with an opportunity to reflect on the work carried out over the last twelve months and to consider whether any changes are required to the practices or procedures currently in place to facilitate that work.

#### **4. KEY ISSUES**

4.1 Following the introduction of the Worcestershire Regulatory Shared Services on the 1st June 2010 it was noted that the authorities within the shared services operated sub-committees that consisted of three Members and a substitute Member from the main Licensing Committee.

4.2 It should also be noted that during the recent mandatory Licensing training undertaken by Licensing Committee Members on 28th and 29th July 2010, the external trainer highlighted that it was best practice for Sub-Committees to consist of three Members and a substitute Member from the Licensing Committee, with a required quorum of three.

4.3 On reflection it is now considered that in practice the current Sub-Committee membership of 7 Members is rather unwieldy and unnecessarily daunting for hearings with applicants and that smaller Sub-Committees would be more desirable.

4.4 For the above reasons it is therefore proposed that the Licensing (Miscellaneous) Sub-Committees A and B be restructured to each comprise three Members selected from the main Licensing Committee, including the Chairman or Vice-Chairman of that Committee to chair the Sub-Committee.

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- 4.5 The proposed changes would not only follow best practice and be consistent with other authorities within the Worcestershire Regulatory Shared Services, but would also be consistent with the current approach used by the Licensing Committee for determining Premises Licenses Hearings.

**5. FINANCIAL IMPLICATIONS**

- 5.1 None

**6. LEGAL IMPLICATIONS**

- 6.1 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.

**7. POLICY IMPLICATIONS**

- 7.1 There are no direct policy implications.

**8. COUNCIL OBJECTIVES**

- 8.1 CO2 - Improvement.

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

- 9.1 No significant risk 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

**10. CUSTOMER IMPLICATIONS**

- 10.1 N/a

**11. EQUALITIES AND DIVERSITY IMPLICATIONS**

- 11.1 None

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**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

12.1 N/a

**13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

13.1 N/a

**14. HUMAN RESOURCES IMPLICATIONS**

14.1 None

**15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

15.1

**16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998**

16.1 N/a

**17. HEALTH INEQUALITIES IMPLICATIONS**

17.1 None

**18. LESSONS LEARNT**

N/a

**19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

19.1 N/a

**20. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	Yes
Chief Executive	No
Executive Director (S151 Officer)	No
Executive Director – Leisure, Cultural, Environmental and Community Services	No

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Executive Director – Planning & Regeneration, Regulatory and Housing Services	Yes
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	No

**21. WARDS AFFECTED**

All wards

**22. APPENDICES**

None

**23. BACKGROUND PAPERS**

None

**24. KEY**

**AUTHOR OF REPORT**

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