
Subject: LICENSING ACT 2003 AND GAMBLING ACT 2005 –
APPOINTMENT OF LICENSING SUB-COMMITTEES AND
CHAIRMEN OF SUB-COMMITTEES

Meeting and Date: Licensing Committee – 25 May 2016

Report of: David Randall – Director of Governance

Classification: UNRESTRICTED

Purpose of the report: To appoint Licensing Sub-Committees to hear applications for licences, variation of licences and applications for review of licences.

Recommendation:

- (a) That the Licensing Committee appoints 5 Sub-Committees together with a Chairman for each Sub-Committee for the ensuing municipal year 2016/17.
- (b) That the Licensing Committee adopt the procedure for the appointment of Substitute Members as set out in Appendix 1 of this report.

1. Summary

The Licensing Act 2003 makes provision (under section 9) for the establishment by the Licensing Committee of sub-committees consisting of 3 Members to discharge its functions.

2. Introduction and Background

2.1 As in previous years and in accordance with the Licensing Act 2003 and the Gambling Act 2005 this Council, as the Licensing Authority, is required to appoint sub-committees to hear applications for licences, variation of licences and applications for review of licences. As the Licensing Committee is composed of 15 Members, this requires the establishment of 5 Sub-Committees if all members of the Licensing Committee are to be allocated a seat on a sub-committee.

2.2 The sub-committees have been set up in such a way as to ensure that licence applications are not considered by Members representing the Ward in question and thereby to avoid any conflict of interests. In addition, married couples will not be appointed to serve on the same sub-committee in accordance with advice previously given by the Solicitor to the Council.

2.3 In the year 2015/16 the 5 sub-committees were as follows:

A	B W Butcher (CH)	L A Keen	M J Ovenden
B	M R Eddy	B Gardner (CH)	P S Le Chevalier
C	D G Cronk	S M Le Chevalier (CH)	D P Murphy
D	D Hannent (CH)	S C Manion	D A Sargent

E P M Brivio (CH) B Glayzer M Rose

2.4 In forming the sub-committees it should be noted that political balance requirements do not apply.

2.5 The suggested sub-committees for 2016/17 are:

A	B W Butcher	L A Keen	M J Ovenden
B	B Gardner	S M Le Chevalier	D P Murphy
C	S F Bannister	D G Cronk	P S Le Chevalier
D	D Hannent	M J Holloway	M Rose
E	P M Brivio	B Glayzer	D A Sargent

2.6 There have been no suggestions for sub-committee chairmanships made as part of this report and this is a matter for the Licensing Committee to determine.

Substitute Rules

2.7 The Licensing Committee is responsible for making its own operating arrangements (within the confines of the Licensing Act) and it is proposed that to formalise arrangements for substitute members the Licensing Committee adopt the provisions of Council Procedure Rule 4 (Appointment of Substitute Members of Committees, Sub-Committees and Panels/Group) with the amendments outlined in the Appendix 1. The purpose of the amendments is to reflect the lack of political balance requirements for the Licensing Sub-Committees.

2.8 The substitute members for the Licensing Sub-Committees must be drawn from the 15 Members of the Licensing Committee as appointed by the full Council.

2.9 The Democratic Support Officer will work with Members where substitutes are required to ensure that a quorum of Members is present at a Licensing Sub-Committee meeting.

3. Identification of Options

3.1 The appointment of Sub-Committees by the Licensing Committee as specified in the Licensing Act 2003 provides for the efficient and effective discharge of its functions. The size of the Licensing Sub-Committees (3 members) is specified in s.9 of the Act. This is the recommended option.

3.2 The formalisation of rules for the appointment of substitute members provides clarity over the procedure to be followed and codifies existing processes.

4. Resource Implications

There are no resource implications arising from this report.

5. **Appendices**

Appendix 1 – Procedure Rules for the Appointment of Substitute Members

6. **Background Papers**

None.

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