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

Meeting and Date: Licensing Committee – 17 May 2017

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: That the Licensing Committee appoints 5 Sub-Committees together with a Chairman for each Sub-Committee for the ensuing municipal year 2017/18.

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 are 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 2016/17 the 5 sub-committees were as follows:

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

- 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 2017/18 will be circulated at the meeting of the Licensing Committee as the membership will not be set until the Annual Meeting of Council to be held on 17 May 2017.
- 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 at its meeting held on 25 May 2016 adopted arrangements for the appointment of substitutes. These arrangements reflect the lack of political balance requirements for the Licensing Sub-Committees and have operated effectively over the last 12 months.
- 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.

4. Resource Implications

There are no resource implications arising from this report.

5. Appendices

Appendix 1 – The suggested sub-committees for 2017/18 will be to follow.

6. Background Papers

None.

Contact Officer: Jemma Duffield – Democratic Support Officer