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

**Meeting and Date:** Licensing Committee – 24 May 2022

**Report of:** Diane Croucher – Head of Regulatory Services

**Classification:** UNRESTRICTED

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**Purpose of the report:** To appoint Licensing sub-committees to hear applications for licences, variation of licences and applications for review of licences.

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**Recommendation:** That the Licensing Committee appoints 5 sub-committees together with a chairman for each sub-committee for the ensuing municipal year 2022/23.

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## 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 2021/22 the 5 sub-committees (and its chairmen) were as follows:

A	T A Bond (Chairman)	D G Cronk	P D Jull
B	D P Murphy (Chairman)	O C de R Richardson M F Hibbert (replaced O C de R Richardson on 20 October 2021)	M Bates
C	D Hannent (Chairman)	K Mills	C D Zosseder
D	N J Collor Chairman)	D G Beaney	S C Manion

E	P M Brivio (Chairman)	J P Haste	R S Walkden
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- 2.4 In forming the sub-committees, it should be noted that political balance requirements do not apply.
- 2.5 The Licensing Committee membership will not be set until the Annual Meeting of Council to be held on 18 May 2022.
- 2.6 The suggested sub-committees for 2022/23 will be circulated following the Annual Meeting of Council and prior to the meeting of the Licensing Committee.
- 2.7 There will be no suggestions for sub-committee chairmanships made as part of this report as this is a matter for the Licensing Committee to determine.

### **Substitute Rules**

- 2.8 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.
- 2.9 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.
- 2.10 The Democratic Services 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 2022/23 will be to follow.

### **6. Background Papers**

None.

Contact Officer: Jemma Duffield – Democratic Services Officer