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

Meeting and Date: Licensing Committee – 22 May 2024

Report of: Head of Corporate Services and Democracy

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 2024/25.

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, whenever possible, 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 2023/24 the 5 sub-committees (and its chairmen) were as follows:

A	J P Loffman (Chairman)	H M Williams	D P Muprhy
B	D G Cronk	S B Blair (Chairman)	D J Parks
C	P M Brivio	S Hill (Chairman)	M F Hibbert
D	D G Beaney (Chairman)	O C de R Richardson	J S Back
E	M P Porter	S C Manion	M W Moorhouse (Chairman)

- 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 General Meeting (AGM) of the Council to be held on 22 May 2024.
- 2.6 The suggested sub-committees for 2024/25 (Appendix A) will be circulated to Members immediately following the AGM (once the committee membership has been established) to then be considered at the Licensing Committee meeting upon the rising of the AGM of the Council.
- 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 A – Suggested sub-committees for 2024/25 (to follow).

6. Background Papers

Agenda papers of the Council meeting to be held on 22 May 2024.

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