

# LICENSING ACT COMMITTEE

## CHAIRMEN OF LICENSING SUB-COMMITTEES 28th May 2009

### Report of Licensing Manager

#### PURPOSE OF REPORT

To enable the Committee to make arrangements for the chairing of Licensing Act Sub-Committees during the forthcoming Municipal Year.

**This report is public**

#### RECOMMENDATIONS

- (1) That the Committee appoint a number of Members for the Municipal Year 2009/10 to chair the ad hoc Sub-Committees which are established to hear individual applications under the Licensing Act 2003 and the Gambling Act 2005.

#### 1.0 Introduction

- 1.1 At the Committee's meeting on the 14th February 2005, the procedure for establishing Sub-Committees to deal with hearings under the Licensing Act 2003 was agreed. As Members are aware, each Sub-Committee must comprise three Members of the Committee, and it was agreed that the Head of Democratic Services be authorised to establish Sub-Committees as and when required from the fifteen Committee members.
- 1.2 It was further agreed, that the then Chairman, Vice-Chairman and three other named members be appointed as Chairmen of the Sub-Committees, and that each ad hoc Sub-Committee would include one of these Members, who would act as the Chairman.
- 1.3 This arrangement was reaffirmed for the municipal year 2005/06, but at its meeting on the 25th May 2006, the Committee agreed that for the year 2006/07, there would be four Sub-Committee Chairmen – the Chairman and Vice-Chairman of the Committee and two other named Members of the Committee. This arrangement was then reaffirmed for the Municipal Year 2007/2008 at its meeting on 7<sup>th</sup> June 2007. For the Municipal Year 2008/09, Members agreed to revert back to naming 5 Committee Members as Chairmen.

## 2.0 Proposal Details

2.1 The Committee is now requested to consider the arrangements for the Municipal Year 2009/10 and to decide how many and which Members to appoint to chair the hearings Sub-Committees.

## 3.0 Options and Options Analysis (including risk assessment)

3.1 It is necessary to make arrangements for the chairing of the Sub-Committees. The current arrangements have worked well, and the officer recommendation is that they should continue, although it would be open to the Committee to nominate a different number of Chairmen. At the time of implementation of the Licensing Act 2003, in 2005, there were very many hearings. However, now that the new provisions are established, there are far fewer hearings, and from the officers' perspective, five Chairmen have been sufficient to deal with the workload.

## 5.0 Conclusion

5.1 The Committee is recommended to appoint a number of its members to chair the Sub-Committee hearings.

### CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None

### FINANCIAL IMPLICATIONS

There are no financial implications, save that the Independent Remuneration Panel has made provision for special responsibility allowances to be paid to the Chairman, and four other Licensing Act Sub-Committee hearings chairmen.

### LEGAL IMPLICATIONS

The proposal is in accordance with the provisions of the Licensing Act 2003, which provides for the establishment of one or more sub-committees consisting of three members of the committee, but makes no further provision as to how this should be arranged.

### BACKGROUND PAPERS

None

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