

# LICENSING ACT COMMITTEE

## Protocol on Licensing Procedure 4<sup>th</sup> December 2014

### Report of the Monitoring Officer

#### PURPOSE OF REPORT

To enable the Committee to consider a draft Protocol on Licensing Procedure for inclusion in the Council's Constitution.

**This report is public**

#### RECOMMENDATIONS

- (1) **That the draft Protocol on Licensing Procedure appended to this report be referred to the Standards Committee, as the body responsible for advising the Council on local protocols regarding the conduct of members**

#### 1.0 Introduction

- 1.1 Members will be aware that Part 7 of the Council's Constitution contains a Protocol on Planning Procedure which gives guidance to members of the Planning and Highways Regulatory Committee on their role in determining planning applications and guidance to other members who may be contacted by applicants and objectors on planning matters.
- 1.2 In reviewing the Constitution, the Monitoring Officer felt that it would be helpful to members to have a similar protocol to deal with licensing matters, both those that fall within the terms of reference of this Committee, and those that are dealt with by the Licensing Regulatory Committee. It is considered that it will be particularly helpful to have such a Protocol in place to assist new members following the elections in May 2015

#### 2.0 Proposal Details

- 2.1 Accordingly, a draft Protocol has been prepared and is appended to this report. The draft was considered and noted by the Licensing Regulatory Committee at its meeting in November. It is intended that the draft will be referred to the Standards Committee, which is the body responsible for advising the Council on local protocols regarding the conduct of members.

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

It is intended that the Standards Committee will make a recommendation to Council Business Committee on the inclusion of the Protocol in the

Constitution. At this stage the views of this Committee are sought on the draft appended to this report, which will then be referred to the Standards Committee.

**CONCLUSION OF IMPACT ASSESSMENT**

**(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

None directly arising from this report.

**LEGAL IMPLICATIONS**

The Protocol will provide guidance to members, and minimise the risk of legal challenge to licensing decisions.

**FINANCIAL IMPLICATIONS**

None directly arising from this report.

**OTHER RESOURCE IMPLICATIONS**

**Human Resources:**

None

**Information Services:**

None

**Property:**

None

**Open Spaces:**

None

**SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no further comments.

**MONITORING OFFICER'S COMMENTS**

The report has been prepared by the Monitoring Officer

**BACKGROUND PAPERS**

None

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