
TITLE: LICENSING SUB-COMMITTEE CHANGES

Committee: Licensing Committee

Date: 13 July 2011

Author: Jeanette Thompson, Head of Legal & Democratic Services

[L61]

1.0 ISSUE

1.1 To consider potential changes to the Sub-Committee arrangements.

2.0 RECOMMENDATION(S)

That Members approve one of the following options:

2.1 Approve fixed allotted Sub-Committee Groups (named Members/dates)¹ as per Appendix A; OR

2.2 Recommend to full Council that decisions regarding Taxi Licensing hearings matters be delegated to the Head of Environmental Services, and approve fixed allotted Sub-Committee Groups for all other relevant Licensing Sub-Committee matters² as per Appendix A.

3.0 BACKGROUND/OPTIONS

3.1 Following implementation of the Licensing Act 2003, flexible Sub-Committee arrangements were approved by this Committee to consider applications and these Sub-Committees' then went on to consider Taxi Licensing matters. In the main the Sub-Committee agenda items are Taxi Licensing related and others meetings are rarely required.

3.2 Under the current arrangements, Members from Licensing Committee are selected to sit on the Sub-Committees on an alphabetical rotational basis. This involves the relevant Democratic Services Officer ringing Members before each hearing. On average 6-7 calls are made to secure the necessary 3 Members and 1 substitute (in some cases, with sufficient time this can be confirmed by email).

3.3 In recent years Democratic Services Officers have experienced some difficulties finalising these arrangements, with some Members unable/unwilling to sit (for a variety of reasons, noticeably the inability to change arrangements). With the increasing number of Taxi Licensing matters being

¹ Arrangements thereafter to be delegated to the Principal Democratic Services Officer to fix lists for any subsequent municipal year. Such Sub-Committees may consider all relevant applications under Licensing Committee Terms of Reference.

² Applications/ fit & proper in relation to Licensing Act 2003, Gambling Act 2005: 3.1(a),(b) & (f) Licensing Committee Terms of reference (betting, gaming and lotteries, permits for amusements with prizes, street collections and Street Trading Licences, or Consents).

considered by the Sub-Committees, this has become problematic. It is therefore important to ensure that the system is made more effective and improved.

- 3.4 **Option 1:** To simplify matters, and give sufficient notice to Members (and to ensure that all Members will potentially sit on at least 1-2 Sub-Committee meetings per year), recommendation 2.1 above has been proposed. The substitute arrangements should still allow for any potential conflict situation to be dealt with.
- 3.5 **Option 2:** Allows Taxi Licensing matters to be delegated to the Head of Environmental Services. Hearings would still be undertaken (with the applicant/ Driver/ Operator/ Owner present, and presentation of reports), but not in the formal Sub-Committee setting, and there would be no requirement to have an agenda/ the meeting formally minuted and this would reduce the workload for Members. This is legally acceptable under the Local Government Act 1972 provisions and would save Member time. *The fixed Sub-Committees are still recommended as part of Option 2* – as Sub-Committee arrangements have to be approved to deal with Licensing Act 2003 and Gambling Act 2005 applications³ as appropriate. In the main, however, these meetings will be infrequent. Members will nevertheless have these Sub-Committee dates in their diary and will be informed by email if these are going to take place.
- 3.6 Members may wish, however, to retain the current delegation arrangements – albeit under the more fixed Sub-Committee system.

4.0 ARGUMENTS/CONCLUSIONS

- 4.1 Other than above, none.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

- 5.1 There may be some minimal savings in terms of reductions from printing agenda papers and Member travelling costs for Option 2.
- 5.2 Equality Impact Assessment (INRA): The Initial Screening assessment indicates that a full Impact Assessment is not required.

6.0 APPENDICES

- 6.1 Appendix A Sub-Committee Group listings and dates.

³ Can still deal with applications under 3.1 (f) Licensing Terms of reference (betting, gaming and lotteries, permits for amusements with prizes, street collections and Street Trading Licences, or Consents).

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Licensing Committee Terms of Reference (Constitution 25 May 2011)	Room 113 The Grange Ely	Jeanette Thompson Head of Legal and Democratic Services, Monitoring Officer (01353) 665555 E-mail: jeanette.Thompson@eastcambs.gov.uk
Local Government Act 1972		
Local Authorities (Functions and Responsibilities)(England) Regulations 2000		
Initial Screening Assessment 24.06.11		

Sub-Committee Groups

17 Aug 2011	GROUP A	14 Sept 2011	GROUP B	19 Oct 2011	GROUP C	16 Nov 2011	GROUP D	14 Dec 2011	GROUP E
	Alderson		Edwards		Goodge		Hunt		Kerby
	Austen		Harris		Allen		Austen		Harris
	Palmer		Wright		Palmer		Wright		Palmer
	Sub Edwards		Sub Goodge		Sub Hunt		Sub Kerby		Sub Roberts
11 Jan 2012	GROUP F	8 Feb 2012	GROUP G	14 March '12	GROUP H	18 April 2012	GROUP I	16 May 2012	GROUP J
	Roberts		Willows		Allan		Alderson		Edwards
	Allen		Austen		Harris		Allen		Austen
	Wright		Palmer		Wright		Palmer		Wright
	Sub Willows		Sub Allan		Sub Alderson		Sub Edwards		Sub Goodge
Reserve	GROUP K	Reserve	GROUP L	Reserve	GROUP M	Reserve	GROUP N	Reserve	GROUP O
	Goodge		Hunt		Kerby		Roberts		Willows
	Harris		Allen		Austen		Harris		Allen
	Palmer		Wright		Palmer		Wright		Palmer
	Sub Hunt		Sub Kerby		Sub Roberts		Sub Willows		Sub Allan