

BRIDGEND COUNTY BOROUGH COUNCIL

LICENSING COMMITTEE

29 MAY 2008

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND
REGULATORY SERVICES**

LICENSING COMMITTEES AND SUB-COMMITTEES

1. Purpose of Report

- 1.1 To outline proposals for the composition of Licensing Sub-Committees.

2. Background

- 2.1 At their meeting on 21 May 2008, Council received a report relating to the size and terms of reference of the Licensing Committee and the appointment of a Chairperson and Vice-Chairperson. Council also approved that a recommendation be made to the Licensing Committee to consider approving the formation of two Sub-Committees, with the Chairperson and Vice-Chairperson being appointed to chair each of the Sub-Committees.
- 2.2 It is the responsibility of the Licensing Committee to discharge the functions of the licensing authority under the Licensing Act 2003 and Gambling Act 2005 including the delegation of functions to sub-committees and to officers, in order to carry out the decision making processes. The Committee and Sub-Committees also undertake the licensing functions outlined in the Council's Constitution.
- 2.3 The current arrangements provide for five sub-committees of three Members to be formed as and when required. This structure was approved on 7 February 2005 to facilitate two major changes in licensing legislation and an expected influx of applications. This transitional period has now ended and the opportunity has been taken to review the current structure and administration of Sub-Committees.
- 2.4 The workload or frequency of Sub-Committees will be demand-led and dependent on the number of applications received. The following proposals are considered necessary to improve the arrangements for minute approval and meeting organisation, and to ensure that a quorum can be formed in unforeseen circumstances such as illness. The proposals also make provision for meetings to proceed if Members

declare an interest in an application or wish to disqualify themselves from meetings in order to represent local residents.

2.5 It is therefore proposed that two Licensing Sub-Committees of seven Members be formed as and when required to be known as Licensing Sub-Committee A and B, with fixed membership.

2.6 It is proposed that the Chairperson and Vice-Chairperson of the Licensing Committee act as Chairperson and Vice-Chairperson of Licensing Sub-Committees A and B respectively.

2.7 Seven Members would therefore constitute a Sub-Committee, and a quorum would be formed with three out of seven Members in attendance.

2.8 It will be necessary to appoint Members to each of the Licensing Sub-Committees A and B.

3. Sub-delegation of functions to officers and conduct of meetings

3.1 No changes are proposed.

4. Authorised Persons

4.1 The Licensing Act 2003 provides that enforcement responsibilities under the Act may be undertaken by an officer who is authorised by the licensing authority. It is proposed that the Committee resolve to amend the current arrangements for the Act to designate the following officers as authorised persons:

4.2 Licensing and Registration Officer:LSLR001, Senior Licensing Assistant: LSLR005, Licensing Assistants: LSLR006, LSLR007, LSLR010 Licensing Enforcement Officers:LSLR008, LSLR009, LSLR012, LSLR013

5. Financial Implications

5.1 The proposal would result in a saving of an allowance of £6,753.

6. Recommendations

6.1 The Committee is recommended to:

6.2 Approve the formation of two Licensing Sub-Committees each comprising seven Members.

6.2 Approve that the Chairperson and Vice Chairperson of the Licensing Committee be appointed to Licensing Sub-Committees A and B respectively,

- 6.3 Receive nominations and appoint Members to Licensing Sub-Committees A and B respectively.
- 6.4 Approve that the Licensing and Registration Officer LSLR001:Senior Licensing Assistant LSLR005, Licensing Assistants LSLR006, LSLR007, LSLR010: Licensing Enforcement Officers LSLR008, LSLR009, LSLR012, LSLR013 be designated as authorised persons for the purposes of the Licensing Act 2003,
- 6.5 Note the proposals to retain the existing sub-delegation of functions to officers and meeting protocol.

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Date: 22 May 2008

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Background documents:

Council Constitution
Council Scheme of Delegation of Functions
Licensing Act 2003 and statutory guidance
Gambling Act 2005 and statutory guidance