

Minutes of the Licensing Committee

23rd May, 2008 at 12.00 noon
at the Sandwell Council House, Oldbury

Present: Councillor Silvester (Chair);
Councillor Rouf (Vice-Chair);
Councillors Allen, Dr Crumpton, Dhallu, Edis, Frear, E. M. Giles, Grainger, R L Horton, Mrs A Hughes, Mchard, Mrs M Hughes, Sidhu, Tagger, and A Underhill.

01/08 **Establishment of Licensing Panels**

The Committee considered a report on the establishment of Licensing Panels. The Licensing Act 2003 permitted the establishment of one or more Licensing Sub-Committee or Panels consisting of 3 members to assist in the discharge of the licensing functions under the Licensing Act 2003 and the Gambling Act 2005. The terms of reference for the Licensing Panels were submitted.

It was proposed to establish three Panels (Panels 1, 2 and 3) drawn from the 15 members of the Licensing Committee and that Chairs be appointed in respect of each of the three Panels.

Panel 1 would meet in the evenings commencing at 5.30 p.m.; Panels 2 commencing at 2.30 p.m. and Panel 3 commencing at 10.00 a.m.

In order to allow for illness or instances where it would be inappropriate for a member to hear a case, for each Panel a pool of four members would be appointed to be available to serve on each occasion.

In order to comply with the provisions regarding the sub-delegation of functions contained in the Licensing Act 2003, the Head of Governance Services would be given authority, in consultation with the Chair of the Panel, to determine which members would constitute the Panel on the day. The fourth member would remain if they wished as an observer.

In order to ensure that Panels would be able to meet on published hearing dates, it was further proposed that members of the Licensing Committee who were not appointed to a Panel would be appointed as reserve members of the Panels.

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Resolved that:

- (1) three Licensing Panels be established, each comprising three members of the Licensing Committee, to undertake those functions set out in the terms of reference;
- (2) the following members be appointed as Chairs of the Panel indicated:-

Panel 1 – Councillor Rouf;
Panel 2 – Councillor Silvester;
Panel 3 – Councillor Rouf;
- (3) the following members be appointed as a pool of three members excluding the chair for each of the Panels indicated, and the Head of Governance Services be authorised to determine, in consultation with the Chair of the Panel, which members will constitute the Panel of three members to hear applications on any particular occasion:-

Panel 1 - Councillors Allen, Mrs E Giles, and Mchard;
Panel 2 - Councillors Mrs Edis, Grainger, and Tagger;
Panel 3 - Councillors R L Horton, Sidhu and A Underhill.
- (4) that those members of the Licensing Committee who are not appointed to a Licensing Panel be appointed as reserves for any member on a Panel and that authority be delegated to the Head of Governance Services to call them to meetings of a Panel when necessary.

(The meeting ended at 12.15 p.m.)

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