

## **Minutes of the Licensing Committee**

**26<sup>th</sup> May, 2017 at 10.00am**  
**at the Sandwell Council House, Oldbury**

**Present:** Councillor Piper (Chair);  
Councillors Dr Crumpton, S Davies, Downing,  
Eaves, Edis, Frear, Goult, Lewis, Tranter and  
White.

**Apologies:** Councillor K Davies, P Davies and Gavan.

1/17

### **Minutes**

**Resolved** that the minutes of the meeting of the former Licensing Committee, held on 10<sup>th</sup> March, 2017 be confirmed as a correct record.

2/17

### **Establishment of Licensing Sub Committees**

At its annual meeting on 16<sup>th</sup> May 2017, the Council appointed a statutory Licensing Committee, comprising fifteen members, including one Chair and two Vice Chairs. The Council also declared that this Committee would sit as the Council Committee to carry out other licensing functions.

Under the provisions of the Licensing Act 2003, the Licensing Committee may establish one or more Licensing Sub Committees to assist in the discharge of the licensing functions under the Licensing Act, 2003. Further such functions of the Gambling Act, 2005 may also be discharged by those Sub Committees. The Licensing Act 2003 specified that each Sub Committee should consist of three members of the Licensing Committee.

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Three Sub Committees, each consisting of five members, with a Chair/Vice Chair each sitting on a Sub Committee, were established for 2017/18. However, in accordance with the provisions of the Act, Sub Committees sitting to consider Licensing Act 2003/Gambling Act 2005 functions must consist of only three members.

The Director – Monitoring Officer, in consultation with the Chair of the Licensing Committee, had been authorised under delegated powers to select members from the Licensing Committee to serve on Sub Committees as necessary and to ensure a quorum should a named member not be available for a meeting or unable to consider a particular case due to a conflict of interest.

The terms of reference for the Licensing Sub Committees were also considered and approved.

### **Resolved:-**

- (1) that the Terms of Reference for the Licensing Sub Committees, as set out in Appendix 1, be approved;
- (2) that three Sub Committees be established, to undertake those functions set out in the terms of reference referred to in (1) above, each comprising three members of the Licensing Committee when considering matters in relation to the Licensing Act 2003/Gambling Act 2005 and up to five members of the Licensing Committee when considering matters for other licences;
- (3) that, in connection with (1) and (2) above, members be appointed to the Sub Committees, as set out in Appendix 2;
- (4) that the Director – Monitoring Officer, in consultation with the Chair of the Licensing Committee, be authorised to select members from the Licensing Committee as necessary to serve on Licensing Sub Committees to ensure a quorum should a named member not be available for a meeting or unable to consider a particular case due to a conflict of interest;
- (5) that the Head of Governance be authorised to make the necessary changes to the Council's Constitution in order to reflect the decisions of the Committee on the above recommendations.

3/17

**Annual Report of the former Licensing Miscellaneous Committee 2016/17**

The Committee considered the proposed Annual Report of the former Licensing Miscellaneous for the 2016/2017 municipal year.

Members discussed the annual report and concluded that it included the pertinent points required to enable Council to gain an understanding of the business conducted.

**Resolved** that the Annual Report of the former Licensing Miscellaneous Committee for the 2016/2017 municipal year be approved and submitted to Council on 18<sup>th</sup> July, 2017.

4/17

**Annual Report of the former Licensing Committee/Licensing Panels 2016/17**

The Committee considered the proposed Annual Report of the former Licensing Committee and Licensing Panels for the 2016/2017 municipal year.

Members discussed the annual report and concluded that it included the pertinent points required to enable Council to gain an understanding of the business conducted.

**Resolved** that the Licensing Committee/Licensing Panel Annual Report for the 2016/2017 municipal year be approved and submitted to Council on 18<sup>th</sup> July, 2016.

(The meeting ended at 10.19am)

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