



## REPORT TO LICENSING COMMITTEE

01 June 2018

<b>Subject:</b>	Establishment of Licensing Sub-Committees
<b>Director:</b>	Director – Prevention and Protection – Stuart Lackenby
<b>Contribution towards Vision 2030:</b>	 
<b>Contact Officer(s):</b>	Shane Parkes, Governance Lead, Democratic Services. <a href="mailto:Shane_parkes@sandwell.gov.uk">Shane_parkes@sandwell.gov.uk</a>

### DECISION RECOMMENDATIONS

**That Licensing Committee:**

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 2.1 above, each comprising three members of the Licensing Committee when considering matters in relation to the Licensing Act 2003/Gambling Act 2005 and five members of the Licensing Committee when considering matters affecting applications for licences and licences previously granted under the terms of the Local Government (Miscellaneous Provisions) Act 1976, and that the Committee make appointments to those Sub Committees.
3. 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.

4. 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.

## **1 PURPOSE OF THE REPORT**

- 1.1 At its annual meeting on 22 May 2018, the Council appointed a statutory Licensing Committee which the Council also declared would also sit as the Council Committee to carry out other licensing functions.
- 1.2 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.
- 1.3 The Committee is invited to establish Licensing Sub Committees for the municipal year 2018/2019.
- 1.4 The Licensing Act 2003 specifies that each Sub Committee shall consist of three members of the Licensing Committee. The Council at its meeting on 22 May 2018 appointed a Licensing Committee comprising 15 members, including one Chair and two Vice Chairs.

## **2 IMPLICATIONS FOR SANDWELL'S VISION**

- 2.1 The Licensing Committee outlines a range of activity being undertaken which contributes to the delivery of the 2030 Vision, in particular the following ambitions.
- 2.2 Ambition 5: our communities are built on mutual respect and taking care of each other, supported by all agencies that ensure we feel safe and protected in our homes and local neighbourhoods.
- 2.3 Ambition 8: our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.
- 2.4 The work of the Licensing Committee enforces key council policies and provides an effective response to local issues as they arise.

### **3 BACKGROUND AND MAIN CONSIDERATIONS**

- 3.1 It is proposed that three Sub Committees, consisting of five members, with a Chair/Vice Chair each sitting on a Sub Committee, be appointed for 2018/19. 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.
- 3.2 It is recommended that the Director – Monitoring Officer, in consultation with the Chair of the Licensing Committee, be authorised 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.
- 3.3 Approval is also sought to the proposed terms of reference for the Sub Committees, as set out in Appendix 1.

### **4 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)**

Consultation is not required on this matter as the Licensing Committee establish the Sub Committees.

### **5 STRATEGIC RESOURCE IMPLICATIONS**

There are no strategic resource implications arising for this report.

### **6 EQUALITY IMPACT ASSESSMENT**

There is no need for an Equality Impact Assessment

### **7 CRIME AND DISORDER AND RISK ASSESSMENT**

All activity undertaken by Licensing Committee seeks to reduce instances of crime and disorder that may impact on all residents of the borough.

### **8 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

The Committee is invited to establish Licensing Sub Committees for the municipal year 2018/2019.

## **9 APPENDICES:**

Terms of Reference  
Licensing Sub Committee Members.

**Stuart Lackenby**  
**Director – Prevention and Protection**