Minutes of Licensing Committee

**Tuesday 14 June 2022 at 10.00am
in the Council Chamber, Sandwell Council House, Oldbury**

Present: Councillor Allen (Chair);
Councillors Akpoteni, Dunn, Fenton, Gavan, M Gill, J Giles,
A Hussain, Z Hussain, Jalil, N Singh and Wilkes.

Also present: Tracy Hubball (Licensing Operations Manager);
Fiona Gee (Taxi Licensing Supervisor);
David Elliott (Legal Advisor);
Trisha Newton (Senior Democratic Services Officer);
Connor Robinson (Democratic Services Officer);
Mateusz Sliwinski (Democratic Services Officer).

12/22   Apologies for Absence

Apologies for absence were received from Councillor Kausar.

13/22   Declarations of Interest

There were no interests declared at the meeting.

14/22   Minutes

Resolved that the minutes of the meetings held on 17 and
24 February and 24 March 2022 be confirmed as a correct
record.

15/22   **Establishment of Licensing Sub Committees**

Approval was sought to establish, and appoint members to, the Licensing Sub-Committees for the municipal year 2022/23.

Under the provisions of the Licensing Act 2003, the Licensing Committee could 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 could also be discharged by those sub-committees.

The Council at its meeting on 24 May 2022 had appointed a Licensing Committee comprising 15 members, including one Chair and two vice-chairs. It was proposed that three Sub-Committees, consisting of five members, with a Chair/Vice Chair each sitting on a sub-committee, be appointed for 2022/23. However, in accordance with the provisions of the Act, Sub-Committees sitting to consider Licensing Act 2003/Gambling Act 2005 functions would consist of only three members.

The Director - Law and Governance and Monitoring Officer, in consultation with the Chair of the Licensing Committee, was authorised to select members from the Licensing Committee to serve on sub-committees as necessary 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.

Approval was also sought to the terms of reference for the sub-committees.

Resolved:-

(1)   that the Terms of Reference for the Licensing Sub Committees, as set out in Appendix 1 of the report, 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 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 of Law and Governance - 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 Director of Law and Governance - Monitoring Officer 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.

16/22   **Annual Report of the Licensing Committee**

The Committee considered the proposed Annual Report of the Licensing Committee for the 2022/23 municipal year.

Resolved that the Annual Report of the Licensing Committee for the 2022/23 municipal year be approved and submitted to the next meeting of Full Council.

Meeting ended at 10.15pm

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