

Minutes of Licensing Committee

**Wednesday 14 June 2023 at 10.07am
in the Council Chamber, Sandwell Council House, Oldbury**

Present: Councillor J Giles (Chair);
Councillors Fenton (Vice- Chair), Lewis (Vice- Chair), E
Giles, Hussain, Jalil, Khan, Loan and Tromans.

Also present: Councillor Randhawa.

Officers: Liz Nembhard (Operations manager – Citizen and Consumer Protection), Alasdair Morrison (Operations Manager - Regulatory Services), David Elliot (Legal Advisor), Fiona Gee (Taxi Licensing Supervisor), Trisha Newton (Deputy Democratic Services Manager), Johane Gandiwa (Committee and Constitutional Services Lead Officer), Connor Robinson (Democratic Services Officer); and John Swann (Democratic Services Officer).

4/23 **Apologies for Absence**

Apologies for absence were received from Councillor Kausar.

5/23 **Declarations of Interest**

There were no interests declared at the meeting.

6/23 **Minutes**

Resolved that the minutes of the meetings held on 16 August 2022 be confirmed as a correct record.



Establishment of Licensing Sub Committees

Approval was sought to establish and appoint Members to the Licensing Sub-Committees for the Municipal Year 2023/ 24.

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 23 May 2023 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 2023/24. 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 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.

8/23

Annual Report of the Licensing Committee

The Committee considered the proposed Annual Report of the Licensing Committee for the 2022/23 Municipal Year.



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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 10.14am

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