

Licensing Committee

21 September 2016

Revision of Panel Covering Report

1. **Summary Statement**

- 1.1 The Licensing Committee Terms of Reference states that the Committee regulates its own procedure and that of the Licensing Panels, subject to any relevant regulations which may be issued under the 2003 Act.
- 1.2 A standard covering report which is provided at each Licensing Panel, has been updated for the Committee's approval. This can be found at appendix 1

Further details are attached for your information.

2. **Recommendations**

- 2.1 That the Licensing Committee endorse the covering report in relation to Licensing Panels.

Pardip Sharma
Service Manager – Legal/Deputy Monitoring Officer

Contact Officers

Trisha Newton
Governance Services Lead
0121 569 3193

Stewart Wright
Legal Manager
0121 569 3267

3. Strategic Resource Implications

- 3.1 The costs arising from the administration and servicing of the Licensing Panels will be met from existing budgets.

4. Legal and Statutory Implications

- 4.1 Section 3 of the Licensing Act 2003 provides that the Council is a Licensing Authority and as such the Council must carry out its functions under the Licensing Act, 2003.
- 4.2 Under Section 6 of the Licensing Act, 2003 each Licensing Authority must establish a licensing committee consisting of at least ten, but not more than fifteen, members of the authority.
- 4.3 Section 9 of the Licensing Act, 2003 states that a licensing committee may establish one or more sub-committees consisting of three members of the committee, and Section 10 provides that the committee may arrange for the discharge of any functions exercisable by it by a sub-committee established by it, or an officer of the licensing authority.
- 4.4 The 2003 Act and the 2005 Act allow the Licensing Committee to arrange for the discharge of any of its functions by a Sub-Committee or by an Officer of the Licensing Authority. Arrangements may provide for more than one sub-committee or officer to discharge the same functions concurrently.
- 4.5 The Licensing Committee has already delegated the majority of its licensing functions to the Licensing Panels and/or officers.
- 4.6 The Licensing Committee reviews the membership of the Panels each year following the appointment of members to the Licensing Committee at the Annual Council meeting.

5. Implications for the Council's Scorecard Priorities

- 5.1 The Licensing Act 2003 has four licensing objectives which are highly pertinent to the Council's Scorecard priorities, these being:-
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance;
 - (d) the protection of children from harm.

5.2 The proposals contained within the report have implications on the following Scorecard priorities:-

- (i) A safe and clean place to live - the licensing function under the 2003 Act relating to activities associated with public entertainment and alcohol is key to partnership working with “responsible Authorities” such as the police, fire, child protection, planning, and other agencies dealing with issues of safety, crime or disorder, anti-social behaviour, protecting the young and vulnerable in the community. .
- (ii) Active and Well People - Support for vulnerable children as there is always the potential for children to gain access to inappropriate public entertainment, and for under-age sales from premises targeted by the Licensing Act 2003. The licensing function and associated test purchasing regarding under-age sales will strengthen the existing protection.

5.4 Trading Standards and Licensing is a member of the Sandwell Drug and Alcohol Policy group, which reports to the Safer Sandwell Partnership.

6. **Background Details**

6.1 There are no further background details to add to this report.

Source Documents
Licensing Act 2003