

	Item no: 7
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SUBJECT:	MEMBERSHIP OF THE LICENSING (GENERAL) SUB-COMMITTEE COMMITTEE
DECISION-MAKER:	LICENSING COMMITTEE
DATE OF DECISION:	2 ND FEBRUARY 2006
REPORT VERSION No:	1

FORWARD PLAN No: N/A

KEY DECISION? NO

STATEMENT OF CONFIDENTIALITY

N/A

WARDS/COMMUNITIES AFFECTED:

NONE

SUMMARY

The report outlines the case for reducing the membership of the General Sub-Committee from six to three members and recommends that it is administered on the same lines as the 2003 Act Sub-Committee.

RECOMMENDATIONS:

- (i) That the membership of the Licensing (General) Sub-Committee be reduced from six to three members, with a quorum of 2;
- (ii) That the membership continue to be drawn from the membership of the Licensing Committee with the Chair to be elected at the commencement of each meeting for the purposes of that meeting only;
- (iii) That the General Sub-Committee be administered on the same lines as the 2003 Act Sub-Committee utilising the meeting dates scheduled for Tuesdays and/or Thursdays as required;
- (iv) That the Solicitor to the Council be requested to instigate the above with affect from the Annual Council meeting on 17th May, 2006.

REASONS FOR REPORT RECOMMENDATIONS

1. To bring the membership the General Sub-Committee in line with the membership of the 2003 Act Sub-Committee.
2. To promote administrative efficiency and minimize inconvenience to members by enabling the Solicitor to the Council to utilise and share the dates on the schedule in place for the 2003 Act Sub-Committee. Convening meetings of the General Sub-Committee on the same days would facilitate a quicker and more flexible response to the remaining licensing functions outside the Licensing Act 2003.

- 3 To enable the Solicitor to the Council to dispense with the dates and room bookings currently held on Wednesdays for the General Sub-Committee.

BACKGROUND

- 4 The first meeting of the Licensing (2003 Act) Sub-Committee took place on 7th June 2006 and since that date there have been over thirty meetings scheduled to hear applications in respect of premises licences and variations to premises licences up to the end of December, 2005. To accommodate the workload, meetings were scheduled every week for most Tuesdays and Thursdays. In addition, meetings of the General Sub-Committee were scheduled on a five/six weekly basis to consider the remaining licensing functions under all other legislation including public entertainment licences.
- 5 It soon became apparent that the schedule for the 2003 Act Sub-Committee of having a Licensing Sub-Committee scheduled for every Tuesday and Thursday enabled the City to discharge its' obligations under the 2003 Licensing Act efficiently. It also became apparent that should the membership of the General Sub-Committee be reduced from six (ratio 2:2:2) to three (ratio 1:1:1) while the two Sub-Committees could not be combined, they could share the same schedule. With the members listed sitting as either the 2003 Act Sub-Committee or as the General Sub-Committee as business demands
- 6 Owing to the allocation of seats among the political groups it would be most practical, should members approve the officers' recommendations, to instigate the changes at the commencement of the 2006/07 Municipal Year.

CONSULTATION

- 7 There has been some consultation between group spokespersons by email and discussion with officers.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 8 The option of leaving the membership of the General Sub-Committee at the current level of six with meetings scheduled for Wednesdays was discounted as the functions contained in the terms of reference for the Sub Committee have been reduced by the coming into force of the Licensing Act 2003. Accordingly the number of matters falling to be considered by the Sub Committee has reduced significantly. In addition contested applications for premises licences and variations under the 2003 Act will reduce now that the Act is fully in force and it will therefore be easier to dovetail the two sub committee meetings together. The opportunity to 'streamline and rationalise' the City's licensing hearing process with a view to facilitating quicker response times is the recommended option.

DETAIL

- 9 The membership of the Licensing (General) Sub-Committee was agreed by the political Groups as being six members to be drawn from the membership of the Licensing Committee (ratio 2:2:2 to comply with the political balance) consisting of a permanent Chair and Vice-Chair together with four other members of the parent Committee nominated on a meeting by meeting basis.
- 10 The membership of the Licensing (2003 Act) Sub-Committee consists of three members drawn from the fifteen members of the Licensing Committee as

prescribed by the 2003 Act and to date has worked well, hence the proposal to extend this to the General Sub Committee. Although there is no requirement for the main Committee or the Sub-Committee to be politically balanced under the Act the City Council has nevertheless ensured that that membership of both accurately reflects the political makeup of the Council where possible.

- 11 Currently the Solicitor to the Council maintains in consultation with group spokespersons a schedule of dates for meetings of the 2003 Act Sub-Committee for every Tuesday and Thursday. By reducing the number of members on the General Sub-Committee it would be possible to utilise the 2003 Act schedule to hold either Sub-Committee on any of these dates allowing greater flexibility and quicker response times to licensing applications and matters that arise under the 1972 Act.

FINANCIAL/RESOURCE IMPLICATIONS

Capital

- 12 There are no capital implications arising from the proposals in the report.

Revenue

- 13 There is a special responsibility allowance of £2,901 payable to the Chair of the Licensing Committee and the Chair of the General Sub-Committee. As currently the Chair of the Licensing Committee and the Chair of the General Sub-Committee are held by the same member there would be no reduction at this time in expenditure on Member allowances.

Property

- 14 There are no property implications arising from the proposals in the report

Other

- 15 Not applicable.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

- 16 Section 102 Local Government Act 1972 provides the authority to appoint committees to discharge functions. The discharge of the powers delegated to the Licensing Committee by statute or Council are solely vested in it and it is therefore for the Licensing Committee to decide how to best discharge these functions.

Other Legal Implications:

None

POLICY FRAMEWORK IMPLICATIONS

- 17 The proposals in the report do not conflict with any policy framework documents.

SUPPORTING DOCUMENTATION

Appendices

1.	None.
2.	

Documents In Members' Rooms

1.	None.
2.	

Background Documents

Title of Background Paper(s)

Relevant Paragraph of the
Access to Information
Procedure Rules / Schedule
12A allowing document to be
Exempt/Confidential (if
applicable)

1.	None.	
2.		

Background documents available for inspection at: Not applicable.

REPORT OF: Solicitor to the Council

AUTHOR: Name: Richard Ivory Tel: 023 80 832794
E-mail: richard.ivory@southampton.gov.uk

File Name: