

Cheltenham Borough Council

Licensing Committee – 6 September 2017

Licensing Committee Structure and Operation

Report of the Licensing Officer

1. Background

- 1.1 In 2016 Council passed a resolution directing officers, in consultation with the Licensing Committee, to carry out a review of the committee's structure and meeting arrangements.
- 1.2 On 12 April 2017 the Licensing Committee approved a revised committee structure as set out in **Appendix 1**, to become effective from September 2017.
- 1.3 Under the committee's revised structure, two sub-committees, each of five members, will be established to discharge the committee's substantive business such as individual applications, reviews and other relevant matters. The full committee will meet quarterly, acting as consultee to Cabinet / Lead Member on policy matters, establishing sub-committees and dealing with relevant briefings, training, updates and policies and reviewing performance.
- 1.4 The intention is that the membership of the sub-committees will rotate on an annual basis to maintain competency, experience and balance attendance requirements.
- 1.5 **The Committee is recommended to:**
 - 1.5.1 Select 5 members to form each sub-committee; and
 - 1.5.2 Select a chair and vice-chair for each sub-committee.

1.6 Summary of implications

Legal As outlined in the report.

Contact officer: One Legal
E-mail: legalservices@tewkesbury.gov.uk
Tel no: 01684 272693

2. Licensing Committee

- 2.1 The Licensing Committee is one of two regulatory committees with a broad range of responsibilities and delegated powers. Its primary role is to determine contentious licensing applications, deal with all licence holder disciplinary issues, to suspend and/or revoke licences, to act as lead consultee to the Cabinet on all licensing matters and to establish licensing sub-committees. An exhaustive list of the committee's delegated functions is set out in part 3C of the Council's constitution.
- 2.2 The committee is made up of 10 cross-party Members with a further 5 additional reserve Members.
- 2.3 The full committee has hitherto met once a month, whilst licensing sub-committees – responsible for determining all contentious applications relating to the licensing of alcohol, regulated entertainment and late night refreshment – have been scheduled as and when required when applications are received.

- 2.4 In the 12 months to and including April 2017, the full licensing committee met on 7 occasions and sub-committees met on 4 occasions.

3. Review, structure and meeting arrangements

- 3.1 In April 2017 the Licensing Committee approved a revised structure and operation which is shown at **Appendix 1**.
- 3.2 Under the revised structure, the full licensing committee will meet up to 4 times a year, acting as consultee to Cabinet / Lead Member on policy matters, establishing sub-committees and dealing with relevant briefings, training, updates and policies and reviewing performance.
- 3.3 Established by the full committee will be 2 licensing sub-committees to deal with the substantive business of the committee such as licence applications and reviews. Each sub-committee will comprise 5 members with a specified chair and vice chair.
- 3.4 Sub-committee (1) will have responsibility for hackney carriage, private hire and miscellaneous licensing functions, which will include but not be limited to street trading, objects on the highway, scrap metal dealers, charitable collections and animal establishments. This sub-committee will normally meet monthly and the dates of the meetings have been set in advance.
- 3.5 Sub-committee (2) will have responsibility for functions under the Licensing Act 2003 (alcohol, regulated entertainment and late night refreshment), Gambling Act 2005 and sex establishments / sexual entertainment venues. Due to statutory requirements this sub-committee will meet on a case-by-case basis on dates that cannot be set in advance. Also due to statutory requirements, when dealing with individual applications and reviews under the Licensing Act 2003, 3 members (plus one reserve) will determine the application.

4. Performance management – monitoring and review

- 4.1 The effectiveness of the new meeting arrangements and committee structure will be measured against its success in addressing the issues identified under the review's rationale.

Background Papers

Service Records

Case Officer

Contact officer: Philip Cooper
E-mail: phil.cooper@cheltenham.gov.uk
Tel no: 01242 775200