

Report of	Meeting	Date
Director of Corporate Governance	Licensing and Safety Committee	2 April 2008

## REVIEW OF THE LICENSING COMMITTEE STRUCTURE

### PURPOSE OF REPORT

- To consider changes to the Licensing Committee structure which will be submitted to the Council meeting on 22 April 2008 for approval.

### RECOMMENDATION

- That the Licensing and Safety Committee receive the proposals and refer any comments to the full Council meeting on 22 April 2008.

### EXECUTIVE SUMMARY OF REPORT

- The proposals aim to simplify the licensing structure, combining the current Statutory Licensing and Licensing and Safety Committee functions, including taking on the determination of Alcohol Designation Orders. It is further proposed that the process on hearing licensing applications be dealt with by Licensing Sub Committees for all individual applications and reviews including hackney carriage/private hire licences.

### REASONS FOR RECOMMENDATION(S)

#### (If the recommendations are accepted)

- The proposals aim to simplify the structure and bring some parity by having Sub Committees of three members determining all individual applications/reviews, including for hackney carriage and private hire licences.

### ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- The alternative is to make no changes to the current structure for licensing decisions.

### CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances	/	Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	/

## **BACKGROUND**

7. The current structure is as follows:
  - The Licensing and Safety Committee meets 8 times a year considering monitoring, enforcement and consultative issues plus hearing applications/reviews for individual hackney carriage and private hire licences. Additional meetings are arranged as and when required to determine hackney carriage/private hire applications that occur outside the normal meetings timetable. The Licensing and Safety Committee also has responsibility for some aspects of health and safety within the Council, although no items of health and safety business have been considered for a long time. The Committee does however have a proactive role in public safety.
  - The Statutory Licensing Committee (with the same membership as the Licensing and Safety Committee) meets as and when required, to consider licensing policy.
  - Statutory Licensing Sub Committees A and B meet as and when required, with a rotating membership, to consider licensing application and reviews under the Licensing Act 2003 and the Gambling Act 2005. This is in line with the legislation, which is specific in quoting three members to hear such cases.

## **PROPOSALS FOR CHANGE**

8. It is proposed that there be one overarching Licensing Committee taking on the functions of the current Statutory Licensing Committee and Licensing and Safety Committee (except for consideration of individual licensing matters).

In addition it is suggested that the Licensing Committee also takes on responsibility for the determination of Alcohol Designation Orders and that the Committee is renamed the Licensing and Public Safety Committee to reflect its proactive role in public safety matters.

It is felt that on the basis of the revised workload for the Committee, meetings on a quarterly basis would be sufficient. It is suggested that Membership of the Committee should remain at 17 Councillors.

In terms of considering individual licensing applications and reviews, currently hackney carriage/private hire licence applicants who have been called before the Committee, appear before 17 Members. Applicants under other licensing legislation face a Sub Committee of just three members. There is an anomaly here that needs addressing as there is a potential equality issue. It is therefore suggested that parity be introduced and that all hackney carriage/private hire licensing applications/reviews be also heard by a Sub Committee of three members.

On this basis, the Licensing Sub Committee would be scheduled to meet once a month, meeting either as a Licensing Act 2003 Sub Committee (to consider personal and premises licences issued under the 2003 and 2005 Acts) or as a General Licensing Sub Committee (to consider hackney carriage/private hire or other licensing matters). The separation is required by the relevant legislation. Membership of the Licensing Sub Committee would rotate as currently and the scheduled meetings would be cancelled if there was no business for consideration. Sub Committee meetings will be scheduled to meet at 10.00am but the time may vary depending on the business required, as it does now. On occasions there may be a need for other meetings to be scheduled. The quarterly Licensing and Public Safety Committee will meet on the same date as a scheduled Sub Committee meeting.

Licensing Liaison Panel will continue as it does currently.

## IMPLICATIONS OF REPORT

9. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	/
Legal	/	No significant implications in this area	

## COMMENTS OF THE ASSISTANT CHIEF EXECUTIVE (POLICY & PERFORMANCE)

- 10.

**ANDREW DOCHERTY**  
**DIRECTOR OF CORPORATE GOVERNANCE**

Report Author	Ext	Date	Doc ID
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Background Papers			
Document	Date	File	Place of Inspection
Council's Constitution plus relevant legislation			Democratic Services Council website