

LICENSING COMMITTEE - MEMBERSHIP

Members gave consideration to the appropriate size and composition of the Licensing Committee in preparation for the forthcoming introduction of the new alcohol licensing regime.

In accordance with the provisions of the Licensing Act 2003, responsibility for alcohol licensing in England and Wales was to be transferred to local authorities, alongside the introduction of a revised system for public entertainment licensing. All the existing liquor licensees in the borough, numbering more than 300, were to be required to apply to the Council for a new licence in the six-month period from 7 February 2005. Although Officers would determine many of these applications, those that had attracted objections would be dealt with by the Licensing Sub-Committee. It was difficult at this stage to predict the likely workload of the Sub-Committee since it was not known how many applications would be the subject of representations. Meetings of the Sub-Committee had, however, been scheduled for several days each week from late March to late July in case the workload proved to be heavy. It would be necessary to constitute Sub-Committees with as many different permutations of membership as possible in order to provide the maximum flexibility and Member availability.

Members, mindful also that changes to the membership of the Licensing Committee could only be effected by full Council and not as substitutions at the request of political groups, were of the opinion that the membership of the Committee should be increased from 10 to the legal maximum of 15. This would not only reduce the call on the time of the individual Members but also give the greatest chance of convening appropriate Sub-Committees for all the required hearing days. The increase in membership could be reviewed at the end of the 2005/06 municipal year since by that stage the authority would only be dealing with applications for the renewal and transfer of licences.

Although there was no legislative requirement for a political balance on the enlarged Licensing Committee, Members felt that the seats should continue to be allocated in proportion to the political representation on the Council as a whole, consistent with the normal practice. The Sub-Committee would be constituted with minority group representation wherever possible, but the practicalities of arranging hearings, and limitations on Member availability, meant that this would not always be feasible. Decisions on licences were, in any case, subject to legal and procedural requirements, including a duty to act fairly and impartially, and it was recognised that the political affiliations of individual Members would play little or no part in the deliberations.

RECOMMEND that -

- i) the membership of the Licensing Committee be increased to fifteen with effect from the meeting of the Council in February 2005, and Council nominate Members for the additional places; and**
- ii) the membership of the enlarged Committee, so far as is practicable, reflect the position which would exist if the political balance rules applied to it.**