

LICENSING COMMITTEE

AGENDA



Tuesday 21 May 2024

at the Adjournment of Annual Council

**in the Council Chamber,
Civic Centre, Hartlepool.**

MEMBERS: LICENSING COMMITTEE:

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **MINUTES**
 - 3.1 To approve the minutes of the Licensing Committee meeting held on 2 June 2023
4. **ITEMS REQUIRING DECISION**
 - 4.1 Licensing Sub-Committee and Regulatory Sub-Committee Memberships –
Director of Legal, Governance and Human Resources
5. **ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone. The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

LICENSING COMMITTEE

MINUTES AND DECISION RECORD

2 June 2023

The meeting commenced at 9.00 a.m. in the Civic Centre, Hartlepool

Present:

Councillor Smith (In the Chair)

Councillors Allen, Buchan, Cassidy, Clayton, Cowie, Darby, Dunbar, Feeney, Hall, Little and Thompson.

Officers: Ian Harrison, Trading Standards and Licensing Manager
Tony Macnab, Solicitor
Amanda Whitaker, Democratic Services Officer

1. Apologies for Absence

None

2. Declarations of interest by Members

None

3. Minutes

- (i) The minutes of the Licensing Committee meeting held on 10 March, 2023 were confirmed.
- (ii) The minutes of the Licensing Sub-Committee meetings held on 16 March, 27 March and 29 March, 2023 were received.

4. Licensing Sub-Committee and Regulatory Sub-Committee Memberships – *Chief Solicitor*

The Committee was advised that the purpose of the report was to appoint members of the Committee to the Licensing Sub-Committees and Regulatory Sub-Committees. The proposed sub committee memberships were set out in the report for Members consideration / discussion. The requirements of the Local Government and Housing Act, 1989, were highlighted. While it was accepted that political balance is difficult to maintain on sub committees of three, it was noted that there should at least be two groups represented on each sub committee. The proposals put forward meet that requirement as far as is practicable. Following

consideration of the suggested sub committee memberships, the Committee appointed the sub committees detailed in the decision below.

Decision

The Committee approved the Sub Committee memberships set out in the report as follows:-

Licensing Sub-Committees: -

1. Leisa Smith (Chair), Rob Darby and Martin Dunbar.
2. Bob Buchan (Chair), Carole Thompson, Ged Hall.
3. Sue Little (Chair), Gary Allen, Tom Feeney.
4. Brian Cowie (Chair), Ben Clayton, Tom Cassidy.

Regulatory Sub Committees: -

1. Ged Hall (Chair), Ben Clayton, Leisa Smith and Rob Darby.
2. Tom Cassidy (Chair), Brian Cowie, Carole Thompson and Martin Dunbar.
3. Tom Feeney (Chair), Sue Little, Gary Allen and Bob Buchan.

Prior to closing the meeting, the Chair referred members to the dates and times of forthcoming meetings of the Committee. The Chair also paid tribute and conveyed best wishes to Ian Harrison, Trading Standards and Licensing Manager, who was leaving the Authority after 27 years for a new job.

The meeting concluded at 9.10 a.m.

CHAIR

LICENSING COMMITTEE

21 MAY 2024



Report of: Director of Legal, Governance and Human Resources

Subject: LICENSING SUB-COMMITTEE AND REGULATORY SUB-COMMITTEE MEMBERSHIPS

1. PURPOSE OF REPORT

1.1 To appoint the Licensing Sub-Committees and Regulatory Sub-Committees.

2. BACKGROUND

2.1 The Committee has four Licensing Sub Committees of three members dedicated to considering licences for premises and three Regulatory Sub Committees of four members primarily dedicated to considering licences for hackney carriage and private hire drivers. Licensing Sub Committees require a minimum of three members present as a statutory requirement.

2.2 There is a need this year to determine the Sub Committee memberships at the very earliest opportunity as there is already an application for a premises licence that has to be determined. Normally there would be a proposed list of Sub Committee memberships for the Committee to consider but in light of the timescales these will be presented at the meeting.

3. LEGAL CONSIDERATIONS

3.1 The Local Government and Housing Act, 1989, requires 'as far as practicable' that a local authority allocates seats on Committees and Sub Committees in the same proportion to reflect the number of Members in each political group to the overall membership of the authority. It is therefore open to the Licensing Committee to agree the composition (in this case) of its Sub Committees which departs from the principle, where it is appropriate and practicable to do so. This would apply where the nominations received required the various Sub Committees to have a 'disproportionate' number of Members from the same political group, in order to allow its business to be transacted.

4. RECOMMENDATION

The Committee is requested to consider and approve the Sub Committee memberships.

5. REASONS FOR RECOMMENDATIONS

Without the Sub Committees being appointed, the Licensing Committee cannot operate properly in fulfilling its statutory and Constitutional obligations.

6. BACKGROUND PAPERS

Licensing Act Committee Minutes 7 January 2005
Licensing Committee Minutes 15 March 2006
Extraordinary Council Minutes 6 March 2013
Annual Council 21 May 2024

7. CONTACT OFFICER

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