

North East Derbyshire District Council

General Licensing Committee

20 June 2019

Membership of the General Licensing Sub-Committee 2019-20
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Report of the Monitoring Officer

This report is public

Purpose of the Report

- To set out the membership of the scheduled General Licensing Sub Committee meetings for the 2019/20 Municipal years

1 Report Details

General Licensing Committee

1.1 The Council has agreed to new governance arrangements for discharging its' licensing responsibilities. The General Licensing Committee forms part of these arrangement. The functions of the General Licensing Committee include:

- All licensing matters not covered by the Licensing Act 2003 and the Gambling Act 2005, including Private Hire and Hackney Carriage Drivers, Vehicles and Operators;
- Recommending to Council any policies, except the Licensing Act 2003 and Gambling Act 2005 policies;
- To make any minor changes and updates to other relevant licensing policies as required.

1.2 Specific aspects of the Committee's responsibilities will be discharged by the General Licensing Sub Committees. In particular, they will:

- Consider all hackney carriage and private hire licensing issues which are referred to it in accordance with the Hackney Carriages and Private Hire Vehicles, Drivers and Operators Policy.
- Determine applications for sexual establishments (including sexual entertainment venues, sex shops and sex cinemas) under the Local Government (Miscellaneous Provisions) Act 1982 (as amended) where representations have been received and not withdrawn.
- Determine applications for house-to-house collections under the House to House Collections Act 1939 (as amended) where representations are received

from Police and not withdrawn or where officers have reasonable grounds for referral to Committee.

- Determine applications and revocations under the Scrap Metal Dealers Act 2013 where representations have been received and not withdrawn

- 1.3 However, the Sub Committee cannot consider these different issues at the same meeting.
- 1.4 Each Sub Committee will consist of five members. A quorum of three Members of the Sub Committee will be required for the meeting to be held. The Chair for the meeting will be determined by the Members present at the meeting.
- 1.5 It is likely that most of the Licensing Sub-Committee meetings will deal with taxi driver related issues. As these issues are not known in advance, some of the scheduled meetings may have to be cancelled, if there are no taxi driver or other relevant issues to consider. Additional meetings may have to be arranged by the Monitoring Officer at short notice when relevant issues do arise; for example to deal with an application involving licenced premises.
- 1.6 The Monitoring Officer has determined the membership for the General Licensing Sub-Committee meetings during the 2019/20 Municipal Year. This will help to ensure that Members know in advance when they are required to attend a Sub-Committee and so avoid potential diary clashes.
- 1.7 Members and officers will be informed of any cancellations of General Licensing Sub-Committee Meetings or when additional meetings are arranged. This information will also be published on the Council's web site. The Monitoring Officer will determine the membership for additional Sub-Committee meetings, as appropriate.
- 1.8 The schedule of General Licensing Sub-Committee meetings and the members who will serve at them is set out below.

Date of Licensing Sub-Committee (all meetings are at 2pm unless otherwise stated)	Members for the Sub-Committee Meeting
Thursday 6 June 2019	Welton, Emmens, Huckerby, Reader, Holmes
Thursday 4 July 2019	Antcliff, P Bone, P Wright, Kerry Pickering
Thursday 1 August 2019	Liggett, Roe, Welton, Windley, Stone
Thursday 5 September 2019	Emmens, Antcliff, Huckerby, Reader, Holmes
Thursday 3 October 2019	Welton, Roe, P Wright, Kerry, Pickering
Thursday 7 November 2019	Emmens, Huckerby, P Bone, Windley, Kerry
Thursday 5 December 2019	Welton, Liggett, P Wright, Reader, Holmes
Thursday 9 January 2020	Antcliff, P Bone, Huckerby, Pickering, Stone
Thursday 13 February 2020	Liggett, Roe, Welton, Windley, Kerry
Thursday 19 March 2020	Emmens, Antcliff, Huckerby, Kerry, Pickering
Thursday 23 April 2020	Welton, Emmens, Huckerby, Reader, Holmes

2 Conclusions and Reasons for Recommendation

- 2.1 This approach will provide greater clarity for Members of the General Licensing Committee about when they will be required to attend Licensing Sub-Committee meetings. Those Members who are scheduled to attend specific General Licensing Sub-Committees will have more time to prepare for them, which in turn will help to improve the operation of this important part of the Council's governance arrangements.

3 Consultation and Equality Impact

- 3.1 Political Group Leaders have been consulted.

4 Alternative Options and Reasons for Rejection

- 4.1 The approach of canvassing Members on an ad-hoc basis to serve at specific General Licensing Sub Committee meetings was considered but rejected. The proposed approach will continue the practice adopted in 2018-19, which helped to improve the opportunity for Members to prepare and participate in Licensing Sub-Committee meetings. By giving them greater notice of the Sub-Committee meetings which they are required to attend, they will be able to avoid diary clashes and so be better able to participate in them.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 None

5.2 Legal Implications including Data Protection

- 5.2.1 None

5.3 Human Resources Implications

- 5.3.1 None

6 Recommendations

- 6.1 That the Committee considers and amends as appropriate the membership of the scheduled General Licensing Sub Committee meetings for the 2019-20 Municipal Year as determined by the Monitoring Officer.
- 6.2 That Council notes that this schedule of General Licensing Sub Committee meetings is subject to change by the Monitoring Officer.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes/No
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title	
NONE		
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)		
NONE		
Report Author		Contact Number
Nicola Calver Governance Manager		01246 217753