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Licensing Committee - 23/07/15

LICENSING COMMITTEE

Thursday, 23rd July, 2015

Present:- Mayor's Consort. Councillor Trevor Hambleton – in the Chair

Councillors Bailey, Eastwood, Frankish, Harper, Johnson, Parker, Simpson, Tagg, Wemyss and Winfield

1. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

2. MINUTES OF SUB-COMMITTEES

Resolved: That the minutes of the sub-committee meetings be noted.

3. SPECIAL SATURATION POLICY JULY 2015

A report was submitted for Members to consider whether the Special Saturation Policy - agreed at the Committee's meeting held on 30th July 2014 was still required.

Members considered the current Policy and the presentation provided by the Police Inspector. Members queried whether statistics were available that showed the age breakdown of those committing the crimes; this information was not available but could be brought to a future meeting if required.

One Member stated that they had recently been out with the police and had been very impressed with how they were able to calm people down.

Resolved:

- a) That the saturation policy should be retained
- b) That the saturation policy was adequate
- c) That the saturation policy be reviewed in 12 months time.

4. REPORT ON LICENSING POLICY

A report was submitted requesting members to consider and agree upon the consultation process for the Council's Licensing Policy.

Under Section 5 of the Licensing act 2003, the Council had a statutory duty to review its Licensing Policy every five years, the current policy is due to expire in December 2015.

Resolved:

1. That the Licensing Policy for Newcastle under Lyme be sent out for an eight week consultation period from 1st August 2015.
2. That the attached document relating to Child Sexual Exploitation and Human Trafficking / Modern Slavery be sent out as part of the consultation process.

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3. That the Consultees for the Gambling Policy be agreed.
4. That the documentation for the consultation be agreed.
5. That the responses to the consultation be brought back to the meeting of the committee on 22nd October 2015.
7. That the updated Policy be presented for approval to Full Council at its meeting on Wednesday 25th November 2015.

5. LOCAL GOVERNMENT ASSOCIATION PEER REVIEW OF DECISION MAKING ARRANGEMENTS

Members considered the proposals and recommended:

That the Public Protection Committee and the Licensing Committee should not be merged nor should meetings of the Committees run one after the other.

The Committee considered advice provided by James Button which stated that the correct approach was to have 2 licensing committees and that using one committee for both was not lawful.

Members considered that having one committee constituted of the same members would put significant pressure on those members to receive training and to be sufficiently competent in dealing with the various pieces of legislation covering the different committees. Having both meetings at the same time would also put additional pressure on officers to prepare reports.

Both Committees dealt with important issues that affected peoples' livelihoods and the safety of the residents of the Borough, to have one meeting after the other on the same day could lead to errors in judgement and very lengthy meetings.

6. URGENT BUSINESS

There was no urgent business.

MAYOR'S CONSORT. COUNCILLOR TREVOR HAMBLETON
Chair

Local Government Association Peer Review of Decision Making Arrangements

Submitted by: Chief Executive

Portfolio: Finance IT and customer

Ward(s) affected: Non-specific

Purpose of the Report

To advise Members on the recommendations of the LGA Peer Review and to request feedback on the recommendations.

Recommendations

- (a) That the Committee consider the recommendations for changes to the Council' democratic decision-making arrangements, Peer Review Recommendations 1 and 2 and draft Council report in as far as they relate to the work of the Committee.
- (b) That the Committee comment on the wider proposals made by the Peer Review recommendations 3, 4 and 5 having particular consideration of these matters in respect of the work of the Committee.
- (c) That the Committee record the summary of its responses on these matters so these can be collated with the comments of all other Committees and considered by the Finance, Resources and Partnerships Scrutiny Committee.

Reasons

Resolution by the Finance, Resources and Partnerships Scrutiny Committee on Monday 15th June 2015.

1. **Background**

- 1.1 In the autumn of 2014 an LGA Peer Review team carried out a review of the council's democratic decision-making arrangements. The team made their report in January 2015. In light of this the Group Leaders asked the Chief Executive to draft a report which could be considered by Council to give effect to the recommendations made by the Peer Review report. The draft council report sought to implement the Peer Review recommendations but also to take account of some initial comments which had been made by the Group Leaders on the Peer Review Report.

2. **Scrutiny of Peer Review recommendations**

- 2.1 In view of the fact that the proposals made by the Peer Review have implications for all of the council's Committees it has been considered prudent for the proposals to be considered by the relevant committee.
- 2.2 The attached report was considered by the Finance, Resources and Partnerships Scrutiny Committee at its meeting on 15 June. The Committee has resolved that each Committee be asked to consider the proposals made by the LGA Peer Review and the draft report to

Council in as far as they relate to that particular Committee and to feedback these comments.

Actions for the Committee

- 3.1 The Committee is asked to consider the recommendations for changes to the Council's democratic decision-making arrangements, Peer Review Recommendations 1 and 2 and draft Council report in as far as they relate to the work of the Committee.
- 3.2 To comment on the wider proposals made by the Peer Review Recommendations 3, 4 and 5 having particular consideration of these matters in respect of the work of the Committee.
- 3.3 The Committee is asked to record the summary of its responses on these matters so that they can be collated with the comments of all other Committees and considered by the Finance, Resources and Partnerships Scrutiny Committee.

4. Legal and Statutory Implications

- 4.1 There are no legal implications directly associated with this report although it may affect the Council's Primary Charter status.

4. Equality Impact Assessment

- 4.1 There are no equalities implications directly associated with this report.

5. Financial and Resource Implications

- 5.1 There are no financial or resource implications other than your officers' time at meetings.

7. Major Risks

- 7.1 There are no major risks associated with this report.

8. Key Decision Information

- 8.1 The proposals within this report are not regarded as Key Decisions in the sense that it should be included within the Forward Plan. However, as this is not regarded as a non-Executive function, a Cabinet (executive) decision is required to give effect to the proposals.

9. Appendices

Appendix 1 – Report to the Finance, Resources and Partnerships Scrutiny Committee

10. Earlier Cabinet/Committee Resolutions

Finance, Resources and Partnerships Scrutiny Committee on 15th June 2015.