

WIRRAL COUNCIL

LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

23 MAY 2012

SUBJECT:	APPOINTMENT OF THE LICENSING PANEL
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to enable the Committee to undertake a review of the Licensing Panel and to appoint Members to serve on that Panel if it is to be retained in 2012-2013. Members of panels must be appointed by the parent Committee and appointments cannot be made by the Council.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 Standing Order 33(1) requires that Committees should keep the need for panels under review and, in particular, the position must be reviewed at the first meeting of a Committee in each municipal year.

As a result of a High Court judgement, only named deputies may attend panel meetings in place of a permanent member. Standing Order 25(6)(a) permits appointment of up to a maximum of eight deputies for each political group. It should be noted that deputies are normally called to serve in the order in which they are nominated.

Unless appointed as full members, the Leaders and Deputy Leaders of the three largest political groups represented on the Council are entitled to attend meetings of all Committees, Sub-Committees and Panels, with the right to speak at the Chair's invitation, but not to vote (Standing Order 25(5) refers).

2.2 Licensing Panel

(a) Terms of Reference

- (1) To consider and determine licensing/registration applications (except those dealt with by the Licensing Act 2003 Committee, or delegated to and granted by the Director of Law, HR and Asset Management), and to exercise the powers of the Council in relation to the suspension and revocation of licences, including the power to impose, vary or suspend conditions relating to such applications.
- (2) To consider and determine applications for stage hypnotic performances where the performer has not previously received approval.

- (3) To review cases involving the refusal or revocation of registration of civil marriage venues.
- (4) To exercise the powers and duties of the Council under the provisions of the Safety At Sports Grounds Act 1975 as regards the issue, monitoring, enforcement, review, amendment and renewal of safety certificates and the review of arrangements relating thereto.
- (5) Power to license persons to collect for charitable and other causes.
- (b) Membership

If the Licensing Panel was to continue with seven members as in 2011-2012, the allocation of those places has to be politically proportionate. The Membership of the Licensing Panel (including deputies) for 2011-2012 consisted of seven members in the ratio 3:3:1 as shown below:-

	<u>Members</u>	<u>Deputies</u>
3 Conservative Councillors	Sue Taylor (s) Kate Wood Ian Lewis	Paul Hayes Peter Johnson Chris Blakeley Geoffrey Watt John Hale Peter Kearney Cherry Povall Wendy Clements
3 Labour Councillors	Bill Davies (Chair) Steve Niblock Pat Glasman	Ron Abbey John Salter Chris Meaden Brian Kenny George Davies Jim Crabtree Harry Smith Denise Roberts
1 Liberal Democrat Councillor	Bob Wilkins (s)	Ann Bridson Alan Brighthouse Phil Gilchrist Tom Harney Mark Johnston Dave Mitchell Stuart Kelly Pat Williams

2.3 If the Membership of the Licensing Panel is to continue with seven Members, the ratio would be 4:2:1.

3.0 RELEVANT RISKS

3.1 There is a requirement under the Council's Constitution that a Licensing Panel is appointed.

4.0 OTHER OPTIONS CONSIDERED

4.1 No other options were considered beyond those outlined in the report.

5.0 CONSULTATION

5.1 It is for political groups to decide how they wish to allocate their Licensing Panel places.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 There are no implications for voluntary, community and faith groups

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 There are no implications arising directly from this report.

8.0 LEGAL IMPLICATIONS

8.1 There are no implications arising directly from this report.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(b) No because there is no relevance to equality.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 There are no implications arising directly from this report.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 There are no planning or community safety implications.

12.0 RECOMMENDATION/S

12.1 The Committee is requested:

(i) to confirm that the Licensing Panel be re-appointed for 2012-2013 with the terms of reference identified.

(ii) to appoint members to serve on the Licensing Panel in 2012-2013, including the appointment of the Chair, Vice-Chair, Spokespersons and named deputies.

13.0 REASON/S FOR RECOMMENDATION/S

13.1 The Committee is required to appoint members to serve on the Licensing Panel.

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REFERENCE MATERIAL

Previous reports on the appointment of Licensing Panel Membership and the Council's Constitution.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing, Health & Safety & General Purposes Committee	25 May 2011
Licensing, Health & Safety & General Purposes Committee	25 May 2010
Licensing, Health & Safety & General Purposes Committee	19 May 2009
Licensing, Health & Safety & General Purposes Committee	16 June 2008