

WIRRAL COUNCIL

LICENSING, HEALTH AND SAFETY, AND GENERAL PURPOSES COMMITTEE

25 MAY 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

APPOINTMENT OF THE LICENSING PANEL

1. Executive Summary

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 2010-2011. Members of panels must be appointed by the parent Committee; and appointments cannot be made by the Council.

2. Background

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).

3. 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 or 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 2009-2010, the allocation of those places would remain as 3 Conservative; 2 Labour; and 2 Liberal Democrat. The membership of the Licensing Panel in 2009-2010 (including deputies) is shown below:

	<u>Members</u>	<u>Deputies</u>
3 Conservative Councillors:	S Taylor (Chair) D Knowles C Povall	WA Duffey Mrs SL Clarke T Anderson Leah Fraser P Hayes D Elderton PSC Johnston Mrs K Wood
2 Labour Councillors:	W J Davies* JJ Salter	DE Roberts RL Abbey I Coates Mrs C Meaden H Smith WW Smith B Kenny
2 Liberal Democrat Councillors	A Taylor* S Niblock	T Harney A Jennings D Mitchell P Reisdorf C Teggin R Wilkins

4. Financial and Staffing Implications

None

5. Other Implications

There are no implications arising out of this report in terms of equal opportunities, planning, community safety, human rights, Local Agenda 21 and local member support.

6. Access to Information

The only background papers used in the preparation of this report were departmental records on panel membership and the Constitution of the Council.

7. Recommendation

The Committee is requested:

(i) to confirm that the Licensing Panel be re-appointed for 2010-2011 with the terms of reference identified.

(ii) to appoint members to serve on the Licensing Panel in 2010-2011, including the appointment of the Chair, Vice-Chair, Spokespersons and named deputies.

BILL NORMAN
Director of Law, HR and Asset Management

25 May 2010