

WIRRAL COUNCIL

LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

22 MAY 2013

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|-------------------------|---|
| SUBJECT: | APPOINTMENT OF THE LICENSING PANEL |
| WARD/S AFFECTED: | ALL |
| REPORT OF: | HEAD OF LEGAL AND MEMBER SERVICES |
| 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 2013-2014. 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 matters except those dealt with by this Committee, the Licensing Act 2003 Committee, or matters delegated to the Strategic Director of Regeneration and Environment.
- (2) 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.
- (3) 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 2012-2013, the allocation of those places has to be politically proportionate. The Membership of the Licensing Panel (including deputies) for 2012-2013 consisted of seven members in the ratio 4:2:1 as shown below:-

| | <u>Members</u> | <u>Deputies</u> |
|-------------------------------|--|---|
| 4 Labour Councillors | Bill Davies (Chair) Steve Niblock Pat Glasman John Salter | Jim Crabtree George Davies Christina Muspratt Anita Leech Bernie Mooney Denise Roberts Sylvia Hodrien Janette Williamson |
| 2 Conservative Councillors | Cherry Povall (s) Leah Fraser | Eddie Boulton Adam Sykes Steve Williams Paul Hayes Chris Blakeley John Hale Peter Kearney Wendy Clements |
| 1 Liberal Democrat Councillor | Pat Williams (s) | Alan Brighthouse Phil Gilchrist Tom Harney Mark Johnston Stuart Kelly Dave Mitchell |

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?

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 2013-2014 with the terms of reference identified.

(ii) to appoint members to serve on the Licensing Panel in 2013-2014, 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 | 23 May 2012 |
| Licensing, Health & Safety & General Purposes Committee | 25 May 2011 |
| Licensing, Health & Safety & General Purposes Committee | 25 May 2010 |