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REGULATORY AND GENERAL PURPOSES COMMITTEE

Thursday, 17 June 2021

Present: Councillor A Hodson (Chair)

Councillors C Jones C O'Hagan
D Mitchell C Spriggs
J Bird I Williams
D Burgess-Joyce KJ Williams
M Collins S Williams
E Gleaves A Wright
S Jones

1 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary and non-pecuniary interests, in connection with any item on the agenda and state the nature of the interest.

Councillor Sharon Jones declared a personal interest by virtue of her partner being a Private Hire Driver.

2 MINUTES

Resolved – That the accuracy of the minutes of the meeting held on 23 March 2021 be approved.

3 MINUTES OF THE REGULATORY PANEL

Resolved – That the accuracy of the minutes of the meetings of the Regulatory Panel held on 5 March and 16 April 2021 be approved.

4 APPOINTMENT OF MEMBERS TO THE REGULATORY PANEL AND THE CHARITABLE TRUSTS SUB-COMMITTEE

The Director of Law and Governance submitted a report in respect of the appointment of Members to the Regulatory Panel and the Charitable Trusts Sub-Committee.

It was reported that the Terms of Reference of the Regulatory and General Purposes Committee as contained in the Council's Constitution required this Committee to appoint five of its members, politically balanced, to the Charitable Trusts Sub-Committee which has responsibility for discharging the

Council's functions as corporate trustee of E F Callister Youth Club and Wirral Mayor's Charity.

It was further reported that the Terms of Reference also allowed for the convening of Sub-Committees (Licensing Panels – Regulatory) of between three and five Members of the Regulatory and General Purposes Committee, politically balanced, with the responsibility for the Council's functions to deal with applications, determinations and reviews of licences or registrations and any related matter, in respect of any licensed activity that is the responsibility of the Authority (other than under the Licensing Act 2003 or the Gambling Act 2005).

Members were advised that Panels of three or four Members had been considered but had been judged to be restrictive in terms of achieving sufficient political balance for decision making purposes, therefore a Panel of five Members would be more representative. The allocation of five seats on both the Charitable Trusts Sub-Committee and Licensing Panels (Regulatory) would be 2 Labour, 2 Conservative and 1 Liberal Democrat and it would be for the political groups to decide who they wished to nominate to the places on the Regulatory Panel and the Charitable Trusts Sub-Committee allocated to their group.

Members expressed concerns that they had on occasions been required to withdraw from the Regulatory Panel due to an unexpected conflict of interest and that if the Panel had to be politically balanced, the remaining Members would be unable to consider the application before them. Members highlighted the fact that there was cross-party agreement that they would act in a non-political manner when considering applications and therefore requested that the Director of Law and Governance consider how Regulatory Panels could operate without political proportionality.

On a motion by the Chair and seconded by Councillor Mike Collins it was –

Resolved –

- (1) That the Terms of Reference of the Regulatory Panel and the Charitable Trusts Sub-Committee, as referred to in paragraphs 1.1 and 1.3 of this report be noted.**
- (2) That the Director of Law and Governance (Monitoring Officer) be authorised to carry out the wishes of the Group Leaders in allocating Members to membership of the Charitable Trusts Sub-Committee and to appoint those Members with effect from the date at which the proper officer is advised of the names of such Members.**

- (3) That the Director of Law and Governance (Monitoring Officer) be delegated authority, in consultation with the Chair and Spokespersons, to convene Licensing Panels (Regulatory) as and when required for the purposes of carrying out the Council's functions to deal with applications, determinations and reviews of licences or registrations, and any related matter, in respect of any licensed activity that is the responsibility of the Authority (other than under the Licensing Act 2003 or the Gambling Act 2005).**
- (4) That the Director of Law and Governance be requested to consider how Regulatory Panels could operate without political proportionality.**

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