



Haringey Council

Agenda item:

**Special Licensing Committee**

on

**4 March 2010**

Report Title: **Establishment of Licensing Sub-Committees**

Joint Report of: **Deputy Head of Local Democracy & Member Services and Head of Legal Services**

Forward Plan ref. no. **N/A**

Wards Affected: **All**

Report: **Non-Key Decision**

**1. Purpose**

1.1 To vary the membership of the established three Licensing Sub-Committees to conduct the majority of licensing hearings, and to note the provisions for the appointment of substitutes.

**2. Recommendations**

2.1 That Members note the resignation of Councillor Sheik Thompson as Member of the Licensing Committee, and the subsequent vacancy on the Licensing Sub-Committee B, and the appointment of Councillor Sheila Peacock to fill the resultant vacancy on the Licensing Committee, as confirmed by Full Council on 22 February 2010 in accordance with the Council's Constitution;

2.2 That Members agree the to the variation of the Membership of the existing Licensing Sub-Committee B by the inclusion of Councillor Peacock to fill the vacancy arising from Councillor Thompson 's resignation from the Licensing Committee;

Report Authorised by:

**Ken Pryor, Deputy Head of Local Democracy and Member Services – John Suddaby, Head of Legal Services**

Contact Officer: **Clifford Hart , Committees Manager**  
(x 2920) [clifford.hart@haringey.gov.uk](mailto:clifford.hart@haringey.gov.uk)

### **3. Executive Summary**

- 3.1 Members are requested to note the resignation of Councillor Sheik Thompson as Member of the Licensing Committee, and the subsequent vacancy on the Licensing Sub-Committee B, and the appointment of Councillor Sheila Peacock to fill the resultant vacancy on the Licensing Committee, as confirmed by Full Council on 22 February 2010 in accordance with the Council's Constitution.
- 3.2 Members are asked to agree to the variation of the Membership of the existing Licensing Sub-Committee B by the inclusion of Councillor Peacock to fill the vacancy arising from Councillor Thompson 's resignation from the Licensing Committee

### **4. Reasons for any change in policy or for new policy development (if applicable)**

N/A

### **5. Local Government (Access to Information) Act 1985**

- 5.1 The following background papers were used in the preparation of this report:
- (i) the Council's Constitution and (ii) Local Licensing Procedure Rules

### **6. Licensing Committee**

- 6.1 The full Council appoints the membership of the Licensing Committee including its Chair and Vice-Chair. By law there must be at least 10 but no more than 15 appointed Members. The Committee can still meet and undertake its business with a quorum of 4 Members.
- 6.2 The Council can determine the terms of reference of the Committee. These are currently set out in Part 3 C of the Council's Constitution and attached as Appendix 1 to this report. Members are invited to note the Committee's terms of reference and, in particular, the reference to the Committee of all premises sites or events where 500 or more persons are expected to be present.

### **7. Establishing the Licensing Sub-Committees**

- 7.1 The Licensing Committee may establish Sub-Committees to assist with holding hearings for the less major cases. Although the membership for these has been reported to Annual Council, legally it is the Licensing Committee that fixes the Sub-Committees' membership and confirms their terms of reference.
- 7.2 In May 2009 there were three Licensing Sub-Committees established by this Committee to deal with the very large number of contested applications. The appointed membership of the Sub-Committees is fixed by law at 3 Members. The Council's own Local Licensing Procedure Rules set the quorum for hearings at 3 Members since this promotes better decision-making.

- 7.3 With membership of the 3 Licensing Sub-Committees established in May 2009 and set out in Appendix 2 to this report, it is now necessary, in the light of the resignation of Councillor Thompson as Member of the Licensing Committee, and subsequently Licensing Sub-Committee B , to consider filling the vacancy on the Sub-Committee B. Councillor Sheila Peacock was appointed at Full Council on 22 February 2010 fill the resultant vacancy, and it is for this Committee to consider her appointment to the resulting vacancy on the Licensing Sub-Committee B.
- 7.4 The Committee is also reminded that on occasions an appointed Member of a Licensing Sub-Committee cannot take part in the decision on a particular case because of a conflict of interest or because the premises in question lie in the Member's own Ward. In such cases, and any other case where a Member is unexpectedly absent or seriously late, it will be necessary to appoint a substitute Member often at short notice. The Members appointed as substitutes would always be trained Members of the main Committee who were able to make themselves available.
- 7.5 Members of the Committee are asked to note the existing terms of reference of the Licensing Sub-Committees. These are currently set out in Part 3 C of the Constitution and attached as Appendix 3 to this report. Members will note that the great majority of hearings will fall to the Sub-Committees but any case of special significance or difficulty can be called up to the parent Committee to decide. Reports on matters of general concern and decisions on general procedural issues will come to the Committee.

## **8 Recommendations**

- 8.1 That Members note the resignation of Councillor Sheik Thompson as Member of the Licensing Committee, and the subsequent vacancy on the Licensing Sub-Committee B, and the appointment of Councillor Sheila Peacock to fill the resultant vacancy on the Licensing Committee, as confirmed by Full Council on 22 February 2010 in accordance with the Council's Constitution;
- 8.2 That Members agree the to the variation of the Membership of the existing Licensing Sub-Committee B by the inclusion of Councillor Peacock to fill the vacancy arising from Councillor Thompson 's resignation from the Licensing Committee.;

## **9 Comments of the Chief Financial Officer**

- 9.1 There are no specific financial implications.

## **10. Comments of the Head of Legal Services**

- 10.1 The legal implications are set out in the body of this report.

## **11. Use of Appendices / Tables / Photographs.**

- 11.1 Appendix 1 to this report is the terms of reference of the Licensing Committee
- 11.2 Appendix 2 to this report is the proposed variation to membership of the Licensing Sub-Committee B, and the membership of the Sub-Committees A & C
- 11.3 Appendix 3 to this report is the terms of reference of the Licensing Sub-Committees