



Haringey Council

Agenda item:

Special Regulatory Committee

on 12 September 2011

Report Title: **Membership of Licensing Sub-Committees and Planning Sub-Committee**

Joint Report of: **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 two Licensing Sub-Committees and the Planning Sub-Committee.

2. Recommendations

2.1 That Members note that Cllr Reid has replaced Cllr Reece as Member of the Regulatory Committee as confirmed by Full Council on 18 July 2011.

2.2 That Members agree to the variation of the Membership of the Planning Sub Committee by the appointment of Cllr Reid to fill the vacancy arising from Cllr Reece no longer sitting on the Regulatory Committee, and by Cllr Erskine replacing Cllr Scott on the Planning Sub Committee.

2.3 That Members agree to the variation of the Membership of Licensing Sub Committee B by Cllr Beacham replacing Cllr Erskine on this Sub Committee.

Report Authorised by:

David McNulty, Head of Local Democracy and Member Services & Bernie Ryan, Head of Legal Services

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3. Executive Summary

- 3.1 Members are asked to agree to the variation of the Membership of the Planning Sub Committee and Licensing Sub-Committee B as set out in the attached schedule, further to the change in Membership of the Regulatory Committee, as effected by Full Council on 18 July 2011.

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:

The Council's Constitution

6. Regulatory Committee

- 6.1 The full Council appoints the membership of the Regulatory 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.

7. Establishing the Licensing Sub-Committees and Planning Sub-Committee

- 7.1 The Regulatory Committee may establish Sub-Committees to assist with holding hearings. Although the membership for these has been reported to Annual Council, legally it is the Regulatory Committee that fixes the Sub-Committees' membership.
- 7.2 In May 2011 there were two Licensing Sub-Committees established to deal with 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 Licensing Sub-Committees and Planning Sub-Committee having been established in May 2011, it is now necessary in light of the change in Membership of the Regulatory Committee made at Full Council on 18 July 2011, to vary the Membership of the Planning Sub Committee in order to fill the resultant vacancy. A further variation to the Membership of the Planning Sub-Committee, and a variation to the Membership of Licensing Sub Committee B, are also proposed, as set out in Appendix 1.
- 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. Any such substitution will be made in accordance with the provisions of Appendix E, Section 9, Paragraph 1.4(k) and 1.4(l) of the Constitution. The Members appointed as substitutes would always be trained Members of the main Committee who were able to make themselves available.

8 Recommendations

- 8.1 That Members note that Cllr Reid has replaced Cllr Reece as Member of the Regulatory Committee as confirmed by Full Council on 18 July 2011.
- 8.2 That Members agree to the variation of the Membership of the Planning Sub Committee by the appointment of Cllr Reid to fill the vacancy arising from Cllr Reece no longer sitting on the Regulatory Committee, and by Cllr Erskine replacing Cllr Scott on the Planning Sub Committee.
- 8.3 That Members agree to the variation of the Membership of Licensing Sub Committee B by Cllr Beacham replacing Cllr Erskine on this Sub Committee.

9 Comments of the Chief Financial Officer

- 9.1 The Chief Financial Officer has been consulted on the preparation of this report and has no specific comment to make, other than to note that there are no direct financial implications associated with the approval of the recommendations proposed.

10. Comments of the Head of Legal Services

- 10.1 The Head of Legal Services has noted the contents of this report. No legal implications arise from this report.

11. Use of Appendices / Tables / Photographs.

- 11.1 Appendix 1 to this report is the proposed membership of the two Licensing Sub-Committees B the membership of the Planning Sub-Committee