

**MINUTES OF THE SPECIAL LICENSING COMMITTEE  
MONDAY, 14 APRIL 2008**

Councillors \*Patel (Chair), Peacock (Vice-Chair), \*Baker, \*Beacham, \*Demirci, Dodds, \*Edge, Lister, \*Reid and \*Vanier

\* Denotes Members present

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>	<b>ACTION BY</b>
LSCO01.	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>Apologies for absence were received from Cllrs, Dodds, Lister and Peacock.</p>	
LSCO02.	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>	
LSCO03.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>None received.</p>	
LSCO04.	<p><b>DELEGATED POWERS TO APPOINT TO LICENSING SUB COMMITTEES</b></p> <p>The Committee was asked to consider a report to confirm the delegation of power to the Head of Local Democracy and Member Services to appoint Members to Licensing Sub Committees (LSCs) in circumstances where the Sub Committee would otherwise be unable to function constitutionally.</p> <p>Mr Terence Mitchison, the Legal Officer presented the report and advised the Committee that this report had previously been to full Council. The final decision to agree the recommendations required the confirmation of the full Licensing Committee to be legally effective. Mr Mitchison advised there had recently been an increase in the number of hearings due to new gambling applications and the need for a considerable number of extra meetings. There had also been a growth in the number of applications by the responsible authorities and local residents to review licences of problem public houses. It was difficult to get regular LSCs A~C to meet at short notice and under the constitution this could not be delegated to the Chair of Licensing Committee. Therefore it was proposed in the report to delegate power to the Head of Local Democracy and Member Services to appoint the membership of special LSCs from among the Members of the Licensing Committee, subject to the conditions outlined in recommendation 2.2.</p> <p>Mr Mitchison further advised that in respect of regular scheduled LSCs A~C meetings if one of the Members could not attend and was notified in advance then the substitution rule would be applied. However, on the day of a meeting in this situation the meeting would have been adjourned. This situation should try to be avoided as it may expose the</p>	

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Council to complaint or legal challenge. Therefore, this report was an attempt to find a way out of a difficult situation by the delegation of power to the Head Local of Local Democracy and Member Services to appoint an additional Member, or Members, to any scheduled meeting of a LSC from among the Members of the Licensing Committee in consultation with the Chair of Licensing Committee and the Chief Whip of each political group.

The Chair moved a motion to agree the recommendation outlined in the report at point 2.

**RESOLVED**

1. That authority be delegated to the Head of Local Democracy and Member Services:
  - i) to appoint the membership of a special LSC from among the Members of the Licensing Committee, and
  - ii) to appoint an additional Member, or Members, to any scheduled meeting of a LSC from among the Members of the Licensing Committee whenever the appointment of a substitute Member (under Part 4, Section B, paragraph 49 of the Constitution) would be impracticable and the meeting would otherwise be inquorate.
2. That the exercise of the above delegated powers by the Head of Local Democracy and Member Services be carried out so far as practicable in consultation with the Chair of the Licensing Committee and the Chief Whip of each Group and with a view to achieving political balance in the membership of the Licensing Sub Committees.
3. That the Scheme of Delegation to Officers in Appendix E, Part F7, Section 9 of the Council's Constitution be amended and as detailed in the Appendix to the report.

The meeting concluded at 7:45pm.

**Councillor Jayanti Patel  
Chair**