

**Appointment to Licensing Sub-Committees**

**REPORT TO LICENSING COMMITTEE**



<b>DATE</b>	<b>21/06/2023</b>
<b>PORTFOLIO</b>	<b>Community Services &amp; Wellbeing</b>
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**PURPOSE**

1. To obtain approval of the Licensing Committee for delegation of functions to a Licensing Act 2003 Sub-Committee and to a Taxi Licensing Sub-Committee and for the appointment of Licensing Committee Members to these Sub-Committees.

**RECOMMENDATION**

2. (1) That a Licensing Act 2003 Sub-Committee be established for the sub delegation of functions under the Licensing Act 2003 for a final hearing procedure;
- (2) That a Taxi Licensing Sub Committee be established for sub delegation of functions vested in the Licensing Committee relating to taxi licensing functions as set out in Part 3 of the Council’s Constitution;and
- (3) That Members be appointed to the Sub-Committees on a rotational basis subject to their availability.

**REASONS FOR RECOMMENDATION**

3. For the efficient and effective discharge of the Council’s Licensing Authority functions.

**SUMMARY OF KEY POINTS**

4. The Licensing and Gambling Acts do not require these Sub-Committees to be politically balanced but it is the Council’s current practice to apply the political balance calculation to all statutory and non-statutory groups wherever possible. Other forms of licensing are subject to the political balance rules. Seats on all Sub-Committees will be allocated on a rotational basis between members subject to their availability. Members should be mindful that Sub-Committees meet during office hours, as outlined below.

**Licensing Act 2003 Sub-Committee**

5. Section 10 of the Licensing Act 2003 allows for the powers vested in the Council to be discharged by a Sub-Committee of the Licensing Committee and the Council has previously passed a resolution to enable this function to be discharged in this way.

6. The workload of this committee is variable and during 2022/23 there were seven meetings. As the hearings under this Act can be lengthy and may include attendance by the applicant's legal representative(s) and other bodies including Lancashire Constabulary it is proposed that the committee continues to meet during office hours.

#### **Taxi Licensing Sub-Committee**

7. In 2014 Council allowed for the provisions with respect to taxis as set out in Part 3 of the Constitution and vested in the Licensing Committee, to be delegated to a Sub-Committee comprising seven members.
8. It is proposed that Meetings of this Sub-Committee continue to be held during office hours (usually at 10 a.m. or 2 p.m.) as applicants and appellants may attend with legal representatives. Additionally a number of meetings are held to determine applications for renewal of private hire vehicle licences where the vehicles have exceeded the upper age limit as defined in the Council's vehicle age limit policy. This requires Committee members to inspect the vehicles and this is best done during daylight hours.
9. In 2022/23 there were five meetings of the Taxi Licensing Sub-Committee (although some of these dealt with multiple cases).

#### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

10. None arising from this report

#### **POLICY IMPLICATIONS**

11. None

#### **DETAILS OF CONSULTATION**

12. Internal

#### **BACKGROUND PAPERS**

13. None

#### **FURTHER INFORMATION**

**PLEASE CONTACT: Karen Davies**

**ALSO:**