

**Appointment to Licensing Sub Committees**

**REPORT TO LICENSING COMMITTEE**



<b>DATE</b>	<b>23/06/2021</b>
<b>PORTFOLIO</b>	<b>Community and Environmental Services</b>
<b>REPORT AUTHOR</b>	<b>Eric Dickinson</b>
<b>TEL NO</b>	<b>01282 477256</b>
<b>EMAIL</b>	<b>edickinson@burnley.gov.uk</b>

**PURPOSE**

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

**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 sub committees 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 2020/21 there were 6 meetings, As the hearings under this Act can lengthy and require attendance by the applicants legal representative(s) it is proposed that the committee meets during office hours.

### **Taxi Licensing Sub Committees**

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 7 members.
8. In recent years it has been found that daytime meetings (usually at 10 a.m.) are the most convenient for officers. Also 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. It is recommended that these hearings are also held during the day and whilst this means a greater workload for those members who are available for daytime meetings there have only been a few meetings in the past few years.

## **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:**

**ALSO:**