

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Licensing Committee      **DATE:** 5<sup>th</sup> June, 2019  
**CONTACT OFFICER:** Shabana Kauser (Senior Democratic Services Officer)  
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**WARD(S):** All

### **PART I** **FOR DECISION**

#### **ESTABLISHMENT OF A LICENSING SUB-COMMITTEE AND APPOINTMENT OF DESIGNATED CHAIRS**

1. **Purpose of Report**

This report seeks approval for the establishment of a Licensing Sub-Committee and the appointment of designated Chairs to the Sub-Committee.

2. **Recommendations**

The Committee is requested to resolve:

- (a) That a Licensing Sub-Committee (drawn from the Members of the Licensing Committee) be established as required on a proportional basis (2 Labour 1 Conservative) with terms of reference as set out in the appendix.
- (b) That in the event of the unavailability of the Conservative Member, a Sub-Committee will be convened with three Labour Members.
- (c) That three Labour Members be appointed to act as designated Chairs of the Sub-Committee for the 2019/2020 municipal year.

3. **Slough Joint Wellbeing Strategy Priorities**

There are no implications.

4. **Other Implications**

(a) **Financial**

There are no financial implications associated with this report at this stage.

(b) **Human Rights Act and other Legal Implications**

The relevant law in respect of this matter is set out in Sections 15-17 (inclusive) of the Local Government and Housing Act 1989 (the Act) and the Local Government (Committees and Political Groups) Regulations 1990 (as amended). Applying the basic principles of Sections 15-17 of the Act requires not all the seats on the Sub Committee to be allocated to the same political group. However as an alternative to applying the political proportionality rules the Committee is entitled under Section 17 of the Act to adopt different arrangements

provided all of the members vote for/abstain from a proposal (ie: no member votes against).

(c) Workforce

None.

5. **Supporting Information**

- 5.1 The Licensing Committee first established a Licensing Sub-Committee at its meeting on 31<sup>st</sup> May, 2006 and agreed the terms of reference (set out in the appendix).
- 5.2 The Committee agreed to the appointment of designated Chairs of the Sub-Committee and that these Members would chair the meetings of the Sub-Committee on a rotational basis.
- 5.3 It was agreed that the Sub-Committee would consist of three Members drawn on a rotational basis from the Members of the Licensing Committee on a politically proportionate basis.
- 5.4 As the Labour Group has an overall majority on the Council, the Sub-Committee should comprise two Labour Members and one Member of the Conservative Group.
- 5.5 Meetings of the Sub-Committee are held during the day time and must be held within the statutory deadlines prescribed. There were 5 meetings of the Sub Committee convened in the 2018/19 municipal year.
- 5.6 The membership of the Licensing Committee for the 2019/20 Municipal Year comprises 10 Labour and 1 Conservative Member. A Licensing Sub-Committee (drawn from the Members of the Licensing Committee) shall be established, where possible, on a proportional basis (2 Labour, 1 Conservative) with terms of reference as set out in the appendix. However, in the event of the unavailability of the Conservative Member, a Sub-Committee will be convened with three Labour Members to ensure statutory deadlines are met within the prescribed timeframe.

6.0 **Conclusion**

The Committee is requested to establish a Licensing Sub-Committee and appoint three Members of the Licensing Committee as designated Chairs for the 2019/2020 municipal year.

6. **Background Papers**

None.

**LICENSING SUB-COMMITTEE**

**Constitution**

3 Members of the Licensing Committee (Quorum 3 Members)

**Terms of Reference**

- 1 To consider and determine applications for licences for private hire vehicles, operators and drivers and for hackney carriage drivers where:
  - (i) The individuals involved have been convicted of traffic or other criminal offences.
  - (ii) Where CRB checks on an individual give cause for concern with regard to their suitability as a fit and proper person to hold such a licence.
  - (iii) In any other special circumstance where the officers consider it appropriate to refer the matter to the Sub-Committee.
- 2 To hear and determine any appeal against a decision of the Director of Adults and Communities taken under delegated powers to refuse an application for approval of premises or to revoke any approval previously granted under the Marriage Act 1994.
- 3 To determine such other licensing appeals or other licensing matters referred by officers including but not restricted to:
  - Sex establishments
  - Street trading.

**Licensing Act 2003**

- 4 To consider applications for a personal licence where a representation has been made.
- 5 To consider applications for a personal licence in cases where the applicant has unspent criminal convictions.
- 6 To consider applications for premises licences/club premises certificates where a representation has been made.
- 7 To consider applications for provisional statement where a representation has been made.
- 8 To consider applications for variations to premises licences or club premises certificates where a representation has been made.
- 9 To consider applications for the transfer of a premise licence where a representation by the Police has been made.

- 10 To consider reviews to premises licence/club premises certificates where these have been requested by the relevant authority in accordance with the relevant regulations.
- 11 To determine a Police representation in respect of a temporary event notice.
- 12 To consider applications for Interim Authorities where a representation by the Police has been made.
- 13 To consider to revoke a personal licence or suspend a personal licence (for a period of up to six months), where the licence holder has been convicted of a relevant offence, foreign offence, immigration offence or been required to pay an immigration penalty.

### **Gambling Act 2005**

- 14 Application for a Non Fast Transitional Conversion for a Premises Licence where representations have been made.
- 15 Application for new Premises Licence where representations have been made.
- 16 Application for a Provisional Statement where representations have been made.
- 17 Application to vary a Premises Licence where representations have been made.
- 18 Application for Transfer of a Premises Licence where representations have been made
- 19 Cancellation of Club Gaming / Club Machine permits
- 20 Applications for other permits where representation have been made
- 21 Decision to give a counter notice to a temporary or Occasional Use Notice
- 22 Application a for a Review of a Premises Licence