

Democratic Services Procedures for Licensing Sub-Committees with regards to Licensing Members

Selecting Panel Members

- Only members from the Licensing Committee will be used for a Licensing Sub-Committee hearing, once they have been appropriately trained.
- Ward members will not be selected to serve on a hearing relating to a premise(s) in their ward.
- Three members will be sought and this will be normally done via email. The email will contain the name and address of the application(s) including the ward(s) that it / they are in and the proposed date(s) and time(s) of the hearing. It will also include the time of a pre-meeting in case that is required.
- Democratic Services will try and vary the time and day of hearing, to enable all Licensing Committee members to serve on Licensing Sub-Committees across the year.
- Members are requested to respond regarding their availability, as soon as practicable and notify Democratic Services immediately if they have to withdraw.
- No substitutes will be sought. The reason for this is as there are only 11 Licensing Committee members and if a substitute was sought for each hearing it would put more pressure on Members' availability. (NOTE: Legislation allows for a maximum of 15 members)
- In selecting the panel, Democratic Services will in principle, seek for a mixed political make-up and also try to rotate the use of Councillors on hearings so that all members serving on the Licensing Committee, are used on the Licensing Sub-Committee hearings.
- In confirming the panel membership, Democratic Services will email all Licensing Committee members so that all are aware of the selected panel and the confirmed date / time.

Paperwork

- Licensing Sub-Committee members will receive the appropriate agenda pack 10 days before the hearing, as will the Interested Parties involved in the hearing. All Licensing Committee members will receive (via modern.gov) a link to the agenda pack.
- If additional information is received from any party to the hearing, the Democratic Services Officer will send it electronically to the Licensing Sub-Committee members and a hard copy will be also left in the councillors' pigeonholes, so it can be either picked up by the councillor or delivered via the normal courier. Depending on the time available before the hearing, the additional information should be placed on the Council's website and if possible hardcopies sent to the parties to the hearing. This may not be possible just before a hearing.
- Additional spare copies of any additional information would be taken to the hearing by Democratic Services officer.

Other Information at Hearing

- The Democratic Services Officer at the hearing / pre-meeting will have a copy of the Chair's checklist, copies of the latest Section 182 guidance, a copy of the Council's Licensing Policy and any model conditions and the Council's Constitution.
- A party may provide additional evidence to the Licensing Sub-Committee at any time up to the Meeting. Any evidence submitted to the Licensing Sub-Committee meeting will require the approval of the Licensing Sub-Committee and the consent of the other parties.

Decision Notice

- Once the Decision Notice has been produced and cleared by the Legal Adviser for technical issues, it will be sent to the Applicant and Interested Parties and then published on the Council's website.
- Following the publication of the Decision Notice (within 5 days of the hearing) this will be sent from Democratic Services to all Licensing Committee members, for their Information.

Minutes of the Sub-committee

- Once the minutes of the hearing have been produced and cleared by the Legal Adviser for technical issues, they will be sent to the Chair of the appropriate Licensing Sub-Committee for their approval. Once the approval has been gained, these will then published on the Council's website.

Appeal

- Legal Adviser to send Licensing Committee members update on appeals

Payment for Chair

- Licensing Sub-Committee chairs are awarded a payment of £246. The Democratic Services Officer sends an email to Frances Cockerton, copying in the Chair, and Julia Regan, giving the date of the meeting and requesting payment. NB the Chair of Licensing already gets an SRA, so is not paid for chairing Licensing Sub-Committee Meetings.