

# LICENSING AND GENERAL PURPOSES COMMITTEE (SPECIAL) MINUTES

## 23 MAY 2013

**Chairman:** \* Councillor Mano Dharmarajah

**Councillors:**

* Husain Akhtar	* Ajay Maru
* Ramji Chauhan	* Amir Moshenson
* Mrinal Choudhury	* John Nickolay
* David Gawn	* Phillip O'Dell
* Susan Hall	* Varsha Parmar
* Manji Kara	* Anthony Seymour
* Kairul Kareema Marikar	* Krishna Suresh

\* Denotes Member present

### 98. Attendance by Reserve Members

**RESOLVED:** To note that there were no Reserve Members in attendance.

### 99. Declarations of Interest

**RESOLVED:** To note that there were no declarations of interests made by Members.

### RESOLVED ITEMS

### 100. Appointment of Vice-Chairman

**RESOLVED:** That Councillor Susan Hall be appointed as Vice-Chairman of the Committee for the 2013/14 Municipal Year.

**101. Establishment of Sub-Committees 2013/14**

The Committee considered a report, setting out the proposed memberships and Chairmen of the Sub-Committees and Panels for 2013/14.

**RESOLVED:** That the Sub-Committees and Panels of the Licensing and General Purposes Committee be established for the Municipal Year 2013/14 with the memberships and Chairmen as detailed in Appendix I to these minutes.

(Note: The meeting, having commenced at 8.27 pm, closed at 8.30 pm).

(Signed) COUNCILLOR MANO DHARMARAJAH  
Chairman

**LICENSING AND GENERAL PURPOSES PANELS – 2013/14**

(Membership in order of political group nominations)

<b>Conservative</b>	<b>Labour</b>	<b>Independent Labour</b>	<b>Ungrouped</b>
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**(1) CHIEF OFFICERS' EMPLOYMENT PANEL (5)**

	(2)	(2)	(1)	(0)
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**I.  
Members**

**1. Leader of Group**

**(Councillor Susan Hall or nominee)**

**2. Deputy Leader of the Group**

**(Councillor Barry Macleod-Cullinane or nominee)**

**1. Leader of Group**

**(Councillor David Perry or nominee)**

**2. Deputy Leader of the Group**

**(Councillor Margaret Davine or nominee)**

**1. Leader of Group**

**(Councillor Thaya Idaikkadar (CH) or nominee)**

**CHIEF OFFICERS' EMPLOYMENT PANEL**

The Chief Officers' Employment Panel has the following powers and duties:

- (a) To make recommendations to Council on the appointment or dismissal of the Head of Paid Service;
- (b) To make appointments and / or dismissal of Chief Officers
- (c) To decide on whether remuneration packages should be offered or severance payments made (including, where applicable, PILON, redundancy payments and pension lump sum), where the amount concerned is £100,000 or greater.

## **(2) EARLY RETIREMENT SUB-COMMITTEE (3) (Non-proportional)**

	(1)	(1)	(0)	(1)
<b>I. Members</b>	<b>Christine Bednell (CH)</b>	<b>Bill Phillips</b>		<b>David Gawn</b>
<b>II. Reserve Members</b>	1. Susan Hall 2. Mrs Lurline Champagne OBE	1. Keith Ferry		1. Vacant
(CH)	= Chair			
(VC)	= Vice-Chair			
*	Denotes Group Members for consultation on Delegated Action and/or administrative matters.			

### **EARLY RETIREMENT SUB-COMMITTEE**

The Early Retirement Sub-Committee has the following powers and duties:

- (1) To determine cases that satisfy the Early Retirement provision under Regulation 26 of the Local Government Pension Scheme Regulations 1997 (as amended), and to exercise discretion under Regulations 8 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended, subject to the conditions now agreed in respect of all staff, excluding Chief Officers;
- (2) To apply the arrangements set out in (1) above to Chief Officers where the application has been recommended by the Chief Executive, either on the grounds of redundancy, or in the interests of the efficiency of the service, and where the application was instigated by the Chief Executive in consultation with the leaders of the political groups.

### **(3) LICENSING PANEL (3) (Pool of Members)**

(To be selected from the following nominees)

	<b>Conservative</b>	<b>Labour</b>	<b>Independent Labour</b>	<b>Ungrouped</b>
<b>I. Members</b>	<b>Ramji Chauhan Susan Hall Manji Kara Amir Moshenson John Nickolay Anthony Seymour</b>	<b>Mrinal Choudhury Kairul Kareema Marikar Ajay Maru Phillip O'Dell Varsha Parmar Krishna Suresh</b>	<b>Mano Dharmarajah Husain Akhtar</b>	

### **LICENSING PANEL**

(i) To determine applications and to make Orders in respect of:

- Licences, permits, registrations and certificates;
- Rights of way, footpaths and bridleways and the enjoyment of the highway;
- Street naming and numbering;
- Markets and fairs and other street trading;
- Car park orders and variations;
- Registration of common land, town greens and variations of rights of common;

where objections have been received.

(ii) To determine applications and to make Orders in respect of:

- Safety certificates for sports grounds;
- Matters regarding film classification;
- Rules and Regulations established by the authority;
- Fees issues within the terms of reference of the Panel;
- Applications under Part II and Schedule 3 of the Local Government (Miscellaneous Provisions Act 1982) as amended from time to time.

(iii) To determine waivers and variations on matters determined by the Licensing and General Purposes Committee, Cabinet or Council.

(iv) specific delegations under the Licensing Act 2003 and Gambling Act 2005 are set out in the Licensing Policy and Statement of Principles under Gambling Act 2005.

(v) Without prejudice to the generality of the above sections, in the case of alcohol control provisions in the Licensing Act 2003 as might be amended, and related legislation, regulations, orders, guidance, etc, to determine the following matters:

Applications for personal licences where:

- Representations have been made, but remain unresolved.
- Applicants have relevant unspent convictions.

Matters relating to the licensing, certification and authorisation at premises where:

- Representations have been made to an application, but remain unresolved.
- There is an unresolved police representation to an application to vary a designated personal licence holder, or to the transfer of a premises licence.
- There is an unresolved police representation to the application for an interim authority, or to a Temporary Event Notice.
- An application is made for the review of a premises licence or club premises certificate.
- Matters of an exceptional nature that in the officer's opinion justify consideration by the Licensing Panel.

*[Appeals against decisions of the Licensing Panel must be made to the Magistrates' Court.]*

**(4) NATIONAL NON-DOMESTIC RATE: DISCRETIONARY RATE  
RELIEF APPEAL PANEL (3) (Pool of Members)**

(To be selected from the following nominees)

	<b>Conservative</b>	<b>Labour</b>	<b>Independent Labour</b>	<b>Ungrouped</b>
<b>I. Members</b>	<b>Mrs Camilla Bath Mrs Lurline Champagnie Susan Hall Manji Kara Barry Macleod- Cullinane Chris Mote Richard Romain</b>	<b>Keith Ferry Graham Henson Kairul Kareema Marikar Ajay Maru Phillip O'Dell Varsha Parmar Sachin Shah</b>	<b>Husain Akhtar Nizam Ismail Asad Omar</b>	

**NATIONAL NON-DOMESTIC RATE: DISCRETIONARY RATE RELIEF APPEAL  
PANEL**

The National Non-Domestic Rate Discretionary Rate Relief Appeal Panel has the following powers and duties:

- To determine appeals in respect of all categories of discretionary rate relief.

**(5) PERSONNEL APPEALS PANEL (3) (Pool of Members)**

(To be selected from the following nominees)

	<b>Conservative</b>	<b>Labour</b>	<b>Independent Labour</b>	<b>Ungrouped</b>
<b>I. Members</b>	<b>Marilyn Ashton Mrs Lurline Champagnie OBE Susan Hall Manji Kara John Nickolay Joyce Nickolay Paul Osborn Simon Williams Stephen Wright</b>	<b>Sue Anderson Bob Currie Margaret Davine Mitzi Green Graham Henson Jerry Miles Phillip O'Dell Bill Stephenson</b>	<b>Husain Akhtar Mano Dharmarajah</b>	

**PERSONNEL APPEALS PANEL**

The Personnel Appeals Panel has the following powers and duties:

- To consider and decide upon appeals against disciplinary action.



**(6) SOCIAL SERVICES APPEALS PANEL ((2) + 1 Independent) (Pool of Members)**

(To be selected from the following nominees)

	<b>Conservative</b>	<b>Labour</b>	<b>Independent Labour</b>	<b>Ungrouped</b>
	(1)	(1)	(0)	(0)
<b>I. Members</b>	<b>Marilyn Ashton Mrs Camilla Bath Susan Hall Jean Lammiman John Nickolay Paul Osborn</b>	<b>Margaret Davine Mitzi Green Bill Phillips Christine Robson Victoria Silver</b>		

\* Denotes Group Members for consultation on Delegated Action and/or administrative matters.

(CH) = Chair

(VC) = Vice-Chair

\* Denotes Group Members for consultation on Delegated Action and/or administrative matters.

**SOCIAL SERVICES APPEALS PANEL**

The Social Services Appeals Panel has the following powers and duties:

- (a) To review in accordance with the Children (Secure Accommodation) Regulations 1991 the keeping of children in secure accommodation;
- (b) In accordance with the Mental Health Act 1983, to decide whether to discharge patients from guardianship;
- (c) In accordance with procedures and guidance given under the Children Act 1989 and the National Health Service and Community Care Act 1990, and when requested to do so by a dissatisfied complainant, to review decisions made relating to complaints.

**Note:** Appeals Panels reviewing the keeping of a child in secure accommodation will be chaired by an Independent Person. Appeals hearing complaints under the Children Act 1989 and the National Health Service and Community Care Act 1990 will comprise 3 Independent Persons.