

COUNCIL MEETING – 24 FEBRUARY 2005

RE-ESTABLISHMENT OF AN EXPANDED LICENSING AND GENERAL PURPOSES COMMITTEE

REPORT OF THE CHIEF EXECUTIVE

1. To fulfil the statutory requirements of the Licensing Act 2003, Harrow has established a Licensing Committee (the 'Licensing and General Purposes' Committee).
2. Recent Government Regulations state that the appointed Members of the Licensing Committee only will be empowered to serve for the purpose of the licensing appeal hearings (it will not be open to other Councillors to take part in those appeals).
3. There is a significant, heavy case-load of licensing appeals anticipated from existing licensees in the Borough requiring to obtain the new form of licence under the 2003 legislation, which appeals fall to be heard and determined between now (February) and the end of November 2005.
4. This will probably require a programme of licensing appeal hearings on several days and evenings each week throughout this period. This will place a significant burden on the availability of the Licensing Committee Members.
5. For this reason it is proposed at this Council Meeting to approve an increase to the Licensing and General Purposes Committee membership from its current size of 11 to an expanded membership of 15 (the maximum number of members permitted under the legislation).

(It is understood that the Labour Group and the Conservative Group would each appoint 2 additional Members: the Liberal Democrat Group has indicated that it does not seek to appoint a further Member to the Committee. If this is the consensus among the Groups, there would be 7 Labour Group nominees; 7 Conservative Group nominees; and 1 Liberal Democrat Group nominee. It may be noted, however, that the Licensing Committee is not required to be politically proportional).

6. At its meeting on 7 March the Licensing and General Purposes Committee will determine how the membership should be allocated to the licensing appeals.

The probable arrangement would be a "Licensing Appeal Panel" with an identical membership (15) as the main Committee, with 3 Members forming each Panel at a hearing, drawn from the overall pool.

7. Accordingly, Groups have been requested to take into account the following in making their nominations for the membership of the Licensing and General Purposes Committee:-

- the willingness of Councillors to serve on appeals hearings
- the availability of Councillors for day-time meetings (as well as for evening meetings)
- the range of Wards represented across the total membership of 15 (and across the nominees from each of the Labour and Conservative Groups) *

(* **NB:** No Member is permitted to serve on any appeal hearing if they represent the Ward in which the licensed premises is located).

8. Council is requested to receive the Group nominations and to re-establish the Licensing and General Purposes Committee with a membership size of 15.

FOR CONSIDERATION

Joyce Markham
Chief Executive