

IMPLEMENTATION EXECUTIVE
16 MARCH 2009

**NOMINATIONS FOR LICENSING COMMITTEES
IN THE PRE-ELECTION PERIOD**

Executive Summary

On 28 January 2009 the Implementation Executive considered a report which set out the requirements for a strategic Licensing Committee and the establishment of Licensing Sub-Committees, including pre-election arrangements and a proposed Scheme of Delegation to ensure the provision of the service beyond the election of new members in June 2009.

As set out in detail in paragraph 3 of the report, the IE agreed to appoint an interim Licensing Committee composed of 12 members, three from each of the current district councils who had served on respective Licensing Committees and who would be nominated by their district councils.

This further report asks the IE to formally co-opt members who currently serve on a licensing committee and who have confirmed that they are willing to serve on the licensing committees during the pre-election period. The IE will have to specify by resolution the name of each individual concerned.

Proposal

That the Implementation Executive co-opt individual current district councillors to serve on the licensing committee in the pre-election period as listed in paragraph 5 of the report.

Reason for Proposal

Licensing committees will have to be constituted for the pre-election period from April to June 2009 to continue to deliver a licensing service.

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NOMINATIONS FOR LICENSING COMMITTEES IN THE PRE-ELECTION PERIOD

Purpose of Report

1. This report asks the Implementation Executive to formally co-opt members who have confirmed that they are willing to serve on the licensing committee during the pre-election period from April to 4 June 2009. The IE will have to specify by resolution the name of each individual member concerned.

Background

2. On 28 January 2009 the Implementation Executive considered a report which set out the requirements for a strategic Licensing Committee and the establishment of Licensing Sub-Committees, including pre-election arrangements and a proposed Scheme of Delegation to ensure the provision of the service beyond the election of new members in June 2009.
3. With regard to the pre-election period the Implementation Executive agreed on 28 January:
 - i. To appoint an interim Licensing Committee composed of 12 members, three from each of the current district councils who had served on respective Licensing Committees to be nominated by those district councils.
 - ii. To waive the need for political balance under the Local Government (Structural Changes) (Transitional Arrangements) (No 2) Regulations 2008 as outlined in paragraph 27 of the report in relation to the membership of the committee.
 - iii. To delegate authority to the interim Licensing Committee to appoint sub-committees composed of the three district council members to determine applications or reviews within its respective geographical area.
 - iv. To recommend to the Interim Licensing Committee to adopt the scheme of delegation.
 - v. To delegate authority to the Head of Democratic Services to appoint replacement members to a licensing sub-committee from another geographical area where an existing member has a prejudicial interest.
4. The district councils subsequently confirmed with their members who currently serve on a licensing committee if they would like to continue to serve on the licensing committee in the pre-election period. The individual councils' nominations can be found below.

Main Considerations for the Implementation Executive

5. The four district councils nominated the following members:

a) West Wiltshire District Council

Carbin, Trevor
Carr, Geoffrey
Mudge, Brian

b) North Wiltshire District Council

Allen, Desna
Doyle, Peter
Plenty, Helen

c) Kennet District Council

Adamson, Tony
Giles, Janet
Williams, Chris

d) Salisbury District Council

Holt, John
Moss, Bill
Tomes, Ian

Environmental Impact of the Proposal

6. None.

Equality and Diversity Impact of the Proposal

7. Continuing with a licensing committee with members currently serving on a licensing committee in their respective council during the pre-election period improves accessibility to the decision-making process.

Risk Assessment

8. Using existing qualified and experienced district council members ensures continuation of the licensing service and should reduce the risk of any decisions being re-viewed at a later stage.

Financial Implications

9. The Members Remuneration Panel have considered the issue of allowances for co-opted members of the district councils who continue to serve in the pre-election period. Funding for this is included within the transitional budget.

Legal Implications

10. A licensing committee will have to be constituted for the pre-election period from 1 April 2009 to 4 June 2009 in order to discharge the Council's responsibilities in relation to licensing. The proposed arrangements are made in accordance with paragraphs 15-17 of the Local Government (Structural Changes) (Transitional Arrangements) (No. 2) Regulations 2008, which came into force on 28 November 2008.

Conclusion

11. After the Implementation Executive has formally co-opted individual current district members to the licensing committee, the licensing service can be continued in the pre-election period.
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Background Papers

The following unpublished documents have been relied on in the preparation of this report: None.