



Licensing Committee 25 October 2017

Licensing Protocol Working Party

Purpose of report

To approve the Terms of Reference for the Licensing Protocol Working Party established by the Committee in January 2017.

Attachment(s)

Appendix A - Licensing Protocol Working Party Draft Terms of Reference

1.0 Background

- 1.1 At its meeting held on 18 January 2017, the Committee agreed to establish a Working Party to review the Code of Practice for Licensing Procedures in Part 5.7 of the Council's Constitution. The Committee authorised the Leader of the Council to nominate 3 Members to serve on the Working Party. Accordingly, Councillors Barbara Jenney, Geoff Shacklock and Peter Wathen have been appointed.
- 1.2 The review of the Code follows a review of the Code of Practice for Planning Procedures which was completed last year.
- 1.3 It was agreed that once its review was completed, the Working Group would consult with this Committee before submitting final recommendations to the Governance and Audit Committee for consideration and recommendation to Council.

2.0 Equality and Diversity Implications

- 2.1 There are no equality and diversity implications arising from the proposal.

3.0 Legal Implications

- 3.1 There are no legal implications arising directly from the review.

4.0 Risk Management

- 4.1 There are no significant risks identified, although the review will ensure that the Code remains fit for purpose to underpin the Council's procedures for determining licensing matters and mitigates against decisions being challenged through the Courts.

5.0 Resource and Financial Implications

- 5.1 The work required will be carried out using existing staff resources.

6.0 Constitutional Implications

- 6.1 The revised Code will be incorporated into the Council's Constitution once adopted by Council.

7.0 Corporate Outcomes

- 7.1
 - Effective management.

8.0 Recommendation

- 8.1 The Committee is recommended to approve the Terms of Reference for the Licensing Protocol Working Party set out in Appendix A.

(Reason: To ensure the continued relevance and appropriateness of the council's policies and procedures)

Legal	Power: Local Government Act 1972				
	Other considerations:				
Background Papers:					
Person Originating Report: Paul Smith ☎ 01832 742175 ✉ psmith@east-northamptonshire.gov.uk					
Date: 3 rd September 2015					
CFO		MO		CX	



East Northamptonshire Council

Licensing Protocol Working Party

Terms of Reference

1 Name

- 1.1 The name of the Working Party is the Licensing Protocol Working Party

2 Purpose

- 2.1 This Working Party was created to carry out a review of The Code of Practice for Licensing Procedures, at Part 5.7 of the Council's Constitution, in accordance with the resolution made by the Licensing Committee at its meeting held on 18 January 2017 (minute 354 refers).
- 2.2 The Working Party will undertake a review of The Code of Practice for Licensing Procedures and consult with the Licensing Committee on the findings of the review before submitting its final recommendations to the Governance and Audit Committee for consideration and recommendation to Council.
- 2.3 The Working Party will be councillor led but will include key officers tasked with providing information and liaison with key partners where necessary. It will provide a forum for discussion and determine options and approaches for ensuring the review is completed in a timely manner.
- 2.4 The Working Party has no statutory role and has no formal decision making powers. It will make recommendations to the Governance and Audit Committee and Council as necessary.

3 Membership

- 3.1 The Working Party will comprise of three Councillors nominated by the Leader of the Council. Councillors Barbara Jenney, Geoff Shacklock and Peter Wathen have been nominated to serve on the Working Party. It will be advised by the Health Protection Manager, Licensing Enforcement Officer and legal services representatives, together with other officers as appropriate.
- 3.2 The Working Party will be serviced by East Northamptonshire Council.
- 3.3 The Working Party will be able to invite individuals or representatives of other organisations or individuals to attend a particular meeting when an item of relevance to them is to be discussed or where particular specialist input is needed.

4 Meetings

- 4.1 Working Party meetings will take place when required. The business of the meeting shall be set out in an agenda and notified to members of the Working Party five days in advance of the date of the meeting. At least two of the Working Party will need to be present for the meeting to be quorate.
- 4.2 The Working Party will appoint a Chairman at its first meeting.
- 4.3 Items for inclusion on the agenda will be agreed with the Chairman and should be submitted for consideration at least 7 days prior to the date of the meeting.
- 4.4 The minutes of the previous meeting shall be submitted for agreement at the start of every meeting.
- 4.5 In order to provide for free and open discussions, reports and minutes will be confidential to the Working Party until otherwise agreed by the Working Party.
- 4.6 Once no longer considered confidential, reports and minutes will be published on the Council's website.

5 Members' Responsibilities

- 5.1 Councillors and officers must declare at the start of any meeting an interest in any matter for discussion in which they have a personal interest or involvement.

6 Voting

- 6.1 The Working Party will work towards securing mutual agreement on all aspects of the project, but should a vote be necessary each Councillor will have a single vote and decisions will be made on the show of hands. In the event of a tie in the number of votes, the Chairman will have a second, or casting, vote.

7 Variation of the Terms of Reference

- 7.1 These Terms of Reference may be altered by vote at (full) Council.