



North Devon Council

Report Date: Tuesday, 13 June 2023

Topic: Alternative Arrangements for the Appointment of Sub-Committees 2023

Report by: Head of Governance

1. INTRODUCTION

1.1. This report considers the alternative arrangements for the appointment of Sub-Committees to support the Licensing and Community Safety Committee in its work.

2. RECOMMENDATIONS

2.1. That the Committee appoint five Sub-Committees, each with three Members with the delegated powers as detailed in Appendix A of this report.

2.2. (a) that alternative arrangements be made for the appointment of Members of the Sub-Committees of the Licensing and Community Safety Committee in accordance with the powers set out in S17 of the housing and Local Government Act 1989 and the provisions of the Local government (Committees and Political Groups) Regulations 1990; and

(b) that the alternative arrangements provide that the membership of the Sub-Committees of the Licensing and Community Safety Committee be not politically balanced.

2.3. That Members be appointed to the Sub-Committee as detailed in Appendix B of the report until such time as re-appointments are made in 2024.

2.4. That a Member be selected by Corporate and Community Services to act as a Substitute Member for each Sub-Committee meeting should the need arise for a substitute.

2.5. That the appointed Sub-Committees be restricted in that they may not further delegate any of their powers to an officer of the Council or any other body.

3. REASONS FOR RECOMMENDATIONS

3.1. To establish the working practices of the Licensing and Community Safety Committee under the Licensing Act 2003 and other Licensing regimes.

4. REPORT

4.1. The Licensing and Community Safety Committee has operated through a series of Sub-Committees appointed with delegated powers as set out in Appendix A of this report.

4.2. The previous Licensing and Community Safety Committee adopted the following:

- (a) *That alternative arrangements be made for the appointment of Members of the Sub-Committees of the Licensing and Community Safety Committee in accordance with the powers set out in S17 of the Housing and Local Government Act 1989 and the provisions of the Local Government (Committees and Political Groups) Regulations 1990; and*
- (b) *That the alternative arrangements provide that the membership of the Sub-Committees of the Licensing and Community Safety Committee be not politically balanced.*

4.3 The Committee is requested to consider a similar resolution to apply to the appointment of Sub-Committees for administration of the Licensing Act 2003. See Appendix B for proposed membership of Sub-Committees.

4.4 Should the Committee pass such a resolution it is recommended that five Sub-Committees of three Members be appointed in accordance with the provisions of the Act: should such a resolution be not made, then the Sub-Committees must be politically balanced.

5. RESOURCE IMPLICATIONS

5.1. The implementation of the recommendations of this report will have no significant financial or manpower cost implications.

6. EQUALITIES ASSESSMENT

6.1. Please detail if there are/are not any equalities implications anticipated as a result of this report. If so, please complete the Equality Impact Assessment (EIA) Summary form available on Insite and email to the Corporate and Community Services Team at equality@northdevon.gov.uk.

6.2. The conduct of hearings by the Committee and any of its Sub-Committees will be in accordance with all provisions of human rights and natural justice.

7. ENVIRONMENTAL ASSESSMENT

7.1. There are no environmental implications arising from these proposals.

8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

8.1.1. The commercialisation agenda: Not applicable.

8.1.2. Improving customer focus: Not applicable.

8.1.3. Regeneration or economic development: Not applicable.

9. CONSTITUTIONAL CONTEXT

9.1. Article 8 paragraph 8.3.2

9.2. Referred or delegated power? Delegated



10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report: North Devon Council Constitution May 2019 revised February 2023. (The background papers are available for inspection and kept by the author of the report).

12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: Aurienna Dunbrook, Corporate and Community Services Officer