



## **North Devon Council**

Report Date: Tuesday, 9 April 2024

Topic: Alternative Arrangements for the Appointment of Sub-Committees

Report by: Corporate and Community Services Officer

### **1. INTRODUCTION**

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

### **2. RECOMMENDATIONS**

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

2.2. That alternative arrangements be made for the appointment of Members of the Sub-Committees of the Licensing 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;

2.3. That the alternative arrangements provide that the membership of the Sub-Committees of the Licensing Committee be not politically balanced;

2.4. That appointment of Chairs of Sub-Committees be appointed on the day of the meeting; and

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 for the Licensing and Community Safety Committee under the Licensing Act 2003 and other Licensing regimes.

### **4. REPORT**

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

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

- (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 Local Government (Committees and Political Groups) Regulations 1990"; and
- (b) "That the alternative arrangements provided that the membership of the Sub-Committees for administration 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.
- 4.4. Proposed membership of the Sub-Committees can be seen at Appendix B of this report.

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 officer cost implications.

## 6. EQUALITIES ASSESSMENT

- 6.1. There are not any equalities implications anticipated as a result of this report.
- 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 your 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: n/a
  - 8.1.2. Improving customer focus and/or n/a
  - 8.1.3. Regeneration or economic development n/a

## 9. CONSTITUTIONAL CONTEXT

- 9.1. The decision in respect of the recommendations in this report can be made by this Committee pursuant to delegated powers provided in Part 3 Annex 1 paragraph 4.

## 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: (The background papers are available for inspection and kept by the author of the report).

NDC Constitution May 2019 v9



## 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