



## **Report to Licensing Act Committee**

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**Author: S M Sale - Head of Legal and Democratic Services**

**Subject: Licensing Panels**

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Members agreed the composition of the Licensing Panels that would sit to adjudicate on applications where objections had been received. This approach has however given rise to difficulties since if one member of the Panel is unable to sit, either because of an interest in the application, or through previous commitments then the other members of the Panel are also debarred from sitting since the Panel is incomplete. Changes to the membership of this Committee also invalidate those Panels which have been appointed.

It is therefore proposed that when a hearing is required, a Hearing Panel is drawn from the full Committee members on an ad hoc basis. There is no requirement for proportionality and therefore it is proposed that members are selected for the Hearing Panel alphabetically. Members representing the Ward in which the application premises were situated would not be selected. In this way, if any member could not attend the Hearing when approached, the next member alphabetically would be asked to make up the Hearing Panel.

The Hearing Panel is required to comprise three members, it is therefore important that when a member is approached that that member is sure that they will not have a disqualifying interest in the application and can guarantee their attendance. If a member who is listed to sit on the Hearing Panel does not attend, or has then to declare an interest, the Panel will not be quorate and the hearing will have to be adjourned and the applicant, Police and Fire representatives, objectors and solicitors will have to be sent away.

### **Recommendation**

It is **recommended** that the process of appointing a Hearing Panel outlined above, be agreed.