

REPORT TO: POLICY AND RESOURCES COMMITTEE - 15TH APRIL 2002

REPORT ON: MEMBERSHIP OF LICENSING BOARD/LICENSING COMMITTEE/
PERSONNEL APPEALS SUB COMMITTEE

REPORT BY: DIRECTOR OF SUPPORT SERVICES

REPORT NO: 243-2002

1.0 PURPOSE OF REPORT

- 1.1 To allow members to consider possible changes to arrangements for meetings of the Licensing Committee and Personnel Appeals Sub-Committee.

2.0 RECOMMENDATIONS

- 2.1 That the arrangements outlined in paragraphs 8.1 and 9.1 of this report be adopted.
- 2.2 That it be remitted to the Director of Support Services to take steps necessary to implement the changed arrangements.

3.0 FINANCIAL IMPLICATIONS

- 3.1 None.

4.0 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 None of the proposals here conflict in any way with the Council's Local Agenda 21 Policies.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 None of the proposals here conflict in any way with the Council's Equal Opportunities Policies.

6.0 BACKGROUND

- 6.1 Since the total membership of the Council reduced to 29, it has been increasingly difficult to ensure that sufficient numbers of members are available to achieve a quorum for the above meetings. The reduction in numbers, together with increasing demands on members' time have combined to create a situation where there is, on occasions, a real risk that meetings cannot proceed. It is also the case that the duration of meetings is sometimes longer than in the past.

To try to alleviate this situation, and to hopefully reduce the pressure on members' time, the following changes are proposed to existing arrangements.

7.0 LICENSING BOARD

- 7.1 The Board is of course a separate and distinct entity which operates outwith the Council's Standing Orders. Its meetings are less frequent, being quarterly, and there are statutory requirements regarding its quorum, etc, so the status quo is recommended.

8.0 LICENSING COMMITTEE

- 8.1 The law allows more room for flexibility here.

It is suggested that its membership be increased from 12 to 14, and that so far as practicable, proportionality be observed in the allocation of places between parties represented on the Council.

The present 12 places are allocated on the basis of 6:4:2. It is proposed that with 14 places the allocation should be 6:5:2:1 but with the quorum remaining unchanged at 6.

While in an ideal world it would be preferable if all members could attend for all meetings, one option to minimise commitments would be for targets to be set for ensuring that at least sufficient members were always available to ensure meetings are quorate.

With 14 members and a quorum of 6 needed for 11 meetings, this could be achieved if members committed to attending a minimum of 5 meetings on dates of their choice. There would of course have to be some juggling of dates selected to ensure that every meeting had a quorum, and for the main groups this could probably be left to the group Secretaries or Whips to co-ordinate.

A letter would be issued with a pro forma listing the dates of the meetings. Members would indicate which dates they were committing to and could sign the pro forma confirming they could manage these dates.

9.0 PERSONNEL APPEALS SUB-COMMITTEE

- 9.1 This Committee experiences similar problems of ensuring it achieves a quorum and a similar solution to that outlined above for the Licensing Committee meetings is proposed.

At present, all 29 members of the Council provide a pool from which the 5 members of the Appeals Sub-Committee are drawn on an ad-hoc basis (Quorum 3). Places are currently allocated on the basis of 3:1:1.

There is also a growing volume of business for this Sub-Committee which suggests that more meetings are required to deal with appeals within a reasonable timescale. It is therefore proposed that meetings be diaried for twice per month, on Mondays. It is also likely that until the current backlog is cleared, these meetings will last for a full day.

To spread the demands on Members' time, the target should again be ensure a Quorum of 3 is always achieved for the 22 potential meetings outwith recess periods. This would mean every member committing to at least 3 meetings via a similar pro-forma process outlined for the Licensing Committee.

10 TRAINING

- 10.1 It will be important to bear in mind that in terms of the Code of Conduct for Councillors it will be essential that all elected members participating in the deliberations of these quasi-judicial Committees have undergone appropriate training. Members should therefore also participate in sufficient meetings to ensure that they keep themselves familiar with the processes and procedures. Failure to do so could result in complaints to the Standards Commission and challenges to decisions on the grounds of breaches of Human Rights legislation.

11.0 CONSULTATIONS

- 11.1 The Chief Executive and Director of Personnel and Management Services have been consulted on this proposal.

Signature
(Director of Support Services)

Date