

Licensing and Regulatory Committee

Minutes of the remote meeting held on Monday 1 June 2020 at 5.00pm, which was broadcast live via the Council's YouTube Channel.

Present: Councillors Boad, A Dearing, Evans, C Gifford, Grey, Heath, Illingworth, Leigh-Hunt, Mangat, Murphy and Redford.

1. Apologies and Substitutes

- (a) apologies for absence were received from Councillor Cullinan and Councillor Syson; and
- (b) there were no substitutes for the meeting.

2. Appointment of Chairman of the Committee

It was proposed by Councillor Illingworth, duly seconded and

Resolved that Councillor Heath be appointed Chairman of the Committee for the 2020/2021 municipal year.

3. Appointment of Vice-Chairman of the Committee

It was proposed by Councillor Illingworth, duly seconded and

Resolved that Councillor Murphy be appointed Vice-Chairman of the Committee for the 2020/2021 municipal year.

4. Declarations of Interest

There were no declarations of interests made.

5. Minutes

The minutes of the Committee meeting held on 26 February 2020 were approved as a correct record.

6. Appointment to Licensing and Regulatory Panels

The Committee considered the proposals for membership of the Panels and

Resolved that

- (1) the membership of the Licensing & Regulatory Panels for the municipal year 2020/21, be

Panel	Councillor	Councillor	Councillor
A	Heath	Leigh-Hunt	C Gifford

B	Illingworth	Evans	Grey
C	Murphy	A Dearing	Boad
D	Syson	Norris	Cullinan
E	Redford	Luckhurst	Mangat

- (2) all members of the Committee be appointed as substitutes for the above Panels;
- (3) by virtue of the Licensing Act 2003, the Panels not be politically proportionate to the Council and the departure from political proportionality for the Panels not considering matters made under the Licensing Act 2003, be approved; and
- (4) the membership of the Licensing Panel scheduled for 2 June 2020 be Councillors Luckhurst, Murphy and Redford.

7. Minor amendment to procedure for Licensing and Regulatory Panels

The Committee considered a report from the Democratic Services which brought forward a minor amendment to the process for Licensing & Regulatory Panels in association with holding the meetings remotely.

At the time when determining an item, the Licensing & Regulatory Panels retired to deliberate a decision with only the Committee Services Officer and Legal Services Officer present to record the decision. Once the decision was agreed, all interested parties (and if a public meeting, the public as well) were invited back into the meeting and informed of the decision.

With the advent of remote meetings, this provided a technical challenge in terms of stopping the live broadcast (for an undefined period of time), then starting it again for a matter of moments while the decision was announced. There was also a need to hold a separate remote meeting with only the Panel and relevant officers attending to ensure interested parties could not re-join to hear the deliberation. This second part was not technically possible to hold while still live broadcasting the original meeting (even if it was paused).

As an interim, it was proposed that the broadcast of the meeting would end when the Panel went into deliberation, followed by the Panel moving to a new meeting to undertake a deliberation, which would not be recorded. Once a decision was reached, a summary of the decision would be published online and sent to all interested parties via email with, as at present, the full decision notice following within seven days.

While most Hackney Carriage/Private Hire Driver hearings were in confidential session, a similar principle applied to ensure that no unauthorised person could attend/record the meeting.

Officers checked the legislative requirement, as well as practice from other Councils, and there was no requirement for the formal announcement of the decision to the interested parties and not all Councils provided this.

This proposal also removed the need for interested parties to wait for the decision (which they often felt obliged to do) which could take anywhere from a few minutes to a number of hours.

Councillors may have had similar questions about other Council meetings where confidential business was discussed. However, in all cases (less Council) this was at the end of the meeting so the live stream could be stopped and for the majority of these meetings, there would not be interested parties (i.e. the public) making submissions. Equally, there would also be at least two officers on duty, monitoring who had entered the meeting. This was with the exception of Council where confidential items came before the Common Seal. In this instance, it was intended to have more officers available to support Council and monitor who was present.

Alternative options were considered and tested for running a single continuous meeting and having interested parties leave. However, depending on their invite to the meeting and if they had already been in the meeting, they could re-join without needing approval (in both WebEx and MS Teams). Therefore, officers considered this was the best technical solution to minimising the risks for Licensing Panels.

The Democratic Services Manager outlined the report and explained to Members that the proposal was designed to make the deliberation process easier for members of the public who were attending. By sending the decision out to the applicants, this negated the need for them to sit around waiting for a decision whilst the deliberation was going on. Clarification was also provided that this process had been undertaken by other Councils.

Members also noted that the proposal was a temporary measure until 28 September 2020 and would be reviewed again by the Committee at this time, based on the position in which the Council was with regards to remote meetings.

The Committee therefore

Resolved that the requirement for all parties to be invited back into the meeting once the decision is taken, to notify them of the decision, be suspended until the Committee meets on 28 September 2020.

(The meeting ended at 6.15pm)

CHAIRMAN
8 July 2020