

Licensing & Regulatory Committee

Minutes of the meeting held on Monday 8 August 2016, at the Town Hall, Royal Leamington Spa at 4.00 pm.

Present: Councillor Illingworth (Chairman); Councillors Ashford, Davies, Mrs Falp, Gallagher, Gill, Miss Grainger, Murphy, Quinney, Mrs Redford and Weed.

11. **Apologies and Substitutes**

- a) Apologies for absence were received from Councillors Mrs Cain, Gifford, Mann and Mrs Stevens; and
- b) there were no substitutes.

12. **Declarations of Interest**

There were no declarations of interest.

13. **Minutes**

The minutes of the meeting held on 11 April 2016 were agreed and signed by the Chairman as a correct record, subject to the addition of Councillor Quinney to the list of Members present.

14. **Revised Wording for Licensing & Regulatory Panels**

The Committee received a report from Democratic Services which provided the revised notes for the legal officer at Licensing & Regulatory Panel Hearings.

The introduction of the Licensing Act 2003 brought with it the need for Licensing Panels and associated procedures for these. The Panels started in 2005 and the current guidance used by Solicitors at each Panel had, although tailored toward each meeting, been in place since this time.

The guidance offered by the Council's Solicitor supporting the Panel was the responsibility of the Solicitor for that Panel, but it was considered appropriate for the Committee as a whole to be aware of the revised wording before it was introduced. It was hoped that the revised wording would make the process clearer and not as cumbersome to read.

The only substantive change to procedure related to the closing speech. The Hearings Regulations stated that all parties should be allocated equal time to make representations. Affording only one party the chance to close could give the impression that one party was being given more time than others. Therefore, this had been replaced with an opportunity for all parties to make further comments in light of the evidence presented, primarily for clarification purposes.

Resolved that the revised Solicitor's notes for Licensing Panels, as set out at Appendix 1 to the report, be noted.

15. **Post PCC and EU Referendum Review**

The Committee received a report from the Chief Executive and Returning Officer which provided a review of the 2016 Police and Crime Commissioner (PCC) Election and EU Referendum administered by Warwick District Council, the issues that occurred and how they were resolved. It also provided an update on the implementation of the action plan brought to this Committee following the May 2015 election.

This report followed on from the review of the 2015 elections and provided an update on the agreed action plan following these elections. It also provided an overview of the aspects of the PCC Election and EU Referendum administered by this Council.

The previous action plan was included as Appendix 1 to the report, and provided an update of what had been achieved to date.

In addition, the summaries of the PCC Election, attached as Appendix 2 to the report, and EU Referendum, attached as Appendix 3 to the report, had been included for information and provided an overview of the impact of these on the Council and the challenges that were addressed.

The action plan regarding changes to the delivery of future elections and referendums, attached at Appendix 4 to the report, provided a list of those actions to be carried forward and who was responsible for them.

The Committee could propose other actions for the Returning Officer to consider and could also provide further feedback on the operation of the PCC Referendum and EU Referendum. The delivery of these actions and decision regarding which actions should be taken would then be the responsibility of the Returning Officer.

The Deputy Monitoring Officer and Democratic Services Manager presented the report on behalf of the Returning Officer and answered questions from the Committee.

Members had concerns about the significant number of hours that the Democratic Services core team were working in order to facilitate an election. The Deputy Monitoring Officer and Democratic Services Manager agreed that this was a concern, and advised that the project board were aware of the issue and would continue to work on mitigation measures.

In response to a question about the impact of the forthcoming WCC boundary changes and whether or not there would be a consequential review of District Wards before the District Council elections in 2019, The Deputy Monitoring Officer and Democratic Services Manager advised that this was the case, and a report on the subject would be presented to this Committee in October 2016, particularly because of the impact on the Town Council Wards

Members thanked officers for providing honest feedback about the lessons that had been learned from the PCC Election and EU Referendum.

Resolved that

- (1) the contents of the report, including the overview of the implemented Action Plan, attached at Appendix 1,

along with the summary of issues of the PCC Election, attached at Appendix 2, and EU referendum, attached at Appendix 3 to the report, be noted;

- (2) the Committee supports the planned changes for subsequent elections and referendums, as set out at Appendix 4 to the report.

(The meeting ended at 4.52 pm)