

A meeting of the above Committee will be held remotely on Monday 1 June 2020, at 5.00pm, and available for the public to watch via the Warwick District Council [YouTube channel](#).

Membership:

Councillor A Boad	Councillor V Leigh-Hunt
Councillor G Cullinan	Councillor M Luckhurst
Councillor A Dearing	Councillor M Mangat
Councillor A Evans	Councillor N Murphy
Councillor C Gifford	Councillor D Norris
Councillor J Grey	Councillor P Redford
Councillor T Heath	Councillor S Syson
Councillor G Illingworth	

## Emergency Procedure

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

## Agenda

### 1. Apologies & Substitutes

- (a) to receive apologies for absence from any Councillor who is unable to attend; and
- (b) to receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

### 2. Appointment of Chairman

To appoint the Chairman of the Committee for the municipal year 2020/21.

### 3. Appointment of Vice-Chairman

To appoint the Vice-Chairman of the Committee for the municipal year 2020/21.

### 4. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of

the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

5. **Minutes**

To confirm the minutes of the meeting held on 26 February 2020 **(Pages 1 to 2)**

6. **Appointment to Licensing & Regulatory Panels**

(a) To appoint the membership of the Licensing & Regulatory Panels for the municipal year 2019/20.

The proposal below is provided by officers based upon a mix of experience, party and ward/town representation.

	Councillor	Councillor	Councillor
Panel A	Heath (Whitnash)	Leigh-Hunt (Rural)	C Gifford (Leamington)
Panel B	Illingworth (Kenilworth & Rural)	Evans (Leamington)	Grey (Warwick)
Panel C	Murphy (Warwick)	A Dearing (Kenilworth)	Boad (Leamington)
Panel D	Syson (Leamington)	Norris (Rural)	Cullinan (Leamington)
Panel E	Redford (Rural)	Luckhurst (Leamington)	Mangat (Leamington)

(b) To appoint all members of the Committee as substitutes for the above Panels.

(c) To note that by virtue of the Licensing Act 2003 the Panels do not have to be politically proportionate to the Council and confirm the departure from political proportionality for the Panels not considering matters made under the Licensing Act 2003.

(d) To confirm the membership of the Licensing Panel scheduled for 2 June 2020 as Councillors Luckhurst, Murphy and Redford.

7. **Minor amendment to procedure for Licensing & Regulatory Panels**

To consider a report from Democratic Services

**(Pages 1 to 4)**

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.

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E-Mail: [committee@warwickdc.gov.uk](mailto:committee@warwickdc.gov.uk)

For enquiries about specific reports, please contact the officers named in the reports. You can e-mail the members of the Committee at [LandRCommittee@warwickdc.gov.uk](mailto:LandRCommittee@warwickdc.gov.uk)

Details of all the Council's committees, councillors and agenda papers are available via our website [www.warwickdc.gov.uk/committees](http://www.warwickdc.gov.uk/committees)

The agenda is available in large print on request,  
prior to the meeting, by telephoning (01926)  
456114

# Licensing and Regulatory Committee

Minutes of the meeting held on Wednesday 26 February 2020 at the Town Hall, Royal Leamington Spa at 8.15pm (the meeting started later than advertised because the meeting of Council did not conclude until 8.09pm).

**Present:** Councillor Heath (Chairman); Councillors Boad, Cullinan, A Dearing, A Evans, C Gifford, Grey, Illingworth, Leigh-Hunt, Jacques, Luckhurst, Mangat, Redford and Syson.

## 18. Apologies and Substitutes

- (a) there were no apologies for absence; and
- (b) there were no substitutes for the meeting.

## 19. Declarations of Interest

There were no declarations of interest made.

## 20. Appointments to Licensing & Regulatory Panels

It was proposed by Councillor Murphy, seconded by Councillor Jacques and

**Resolved** that

- (1) Councillor Boad be appointed to Licensing & Regulatory Panel C; and
- (2) Councillor Grey be appointed to Licensing & Regulatory Panel B.

## 21. Minutes

The minutes of the Committee meeting held on 30 September 2019 were approved and signed by the Chairman as a correct record.

## 22. Minutes of Licensing & Regulatory Panels

The minutes of the Licensing & Regulatory Panels meetings held on 5 December 2019 and 9 January 2020 were approved and signed by the Chairman as a correct record.

## 23. Public and Press


**Resolved** that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within the paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972, following the Local

24. **Confidential Minutes of Licensing & Regulatory Panels**

The confidential minutes of the Licensing & Regulatory Panel meeting held on 22 October 2019 were approved and signed by the Chairman as a correct record.

(The meeting ended at 8.20pm)

CHAIRMAN  
1 June 2020

 <b>Licensing &amp; Regulatory Committee</b> <b>1 June 2020</b>		<b>Agenda Item No. 7</b>
<b>Title</b>	Minor amendment to procedure for Licensing & Regulatory Panels	
<b>For further information about this report please contact</b>	Graham Leach Democratic Services Manager & Deputy Monitoring Officer 01926 456114 <a href="mailto:graham.leach@warwickdc.gov.uk">graham.leach@warwickdc.gov.uk</a>	
<b>Wards of the District directly affected</b>	None	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>		
<b>Background Papers</b>		

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality Impact Assessment Undertaken</b>	No

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive	21/5/2020	Andrew Jones
Head of Service	21/5/2020	Marianne Rolfe
CMT		
Section 151 Officer	21/5/2020	Mike Snow
Monitoring Officer	21/5/2020	Andrew Jones
Finance	21/5/2020	Lorraine Henson
Portfolio Holder(s)	21/5/2020	Andrew Day
<b>Consultation &amp; Community Engagement</b>		
WCC Legal Councillor Heath as Chair of Licensing & Regulatory Committee		
<b>Final Decision?</b>	Yes	
<b>Suggested next steps (if not final decision please set out below)</b>		

## 1. **Summary**

- 1.1 The report brings forward a minor amendment to the process for Licensing & Regulatory Panels in association with holding the meetings remotely.

## 2. **Recommendation**

- 2.1 The Licensing & Regulatory Committee agree that the requirement for all parties to be invited back into the meeting, once the decision is taken, to notify them of the decision, is suspended until this Committee meets on 28 September 2020.

## 3. **Reasons for the Recommendation**

- 3.1 At present when determining an item the Licensing & Regulatory Panel will retire to deliberate a decision with only the Committee Services Officer and Legal Services Officer present to record the decision. Once the decision is agreed all interested parties (and if a public meeting the public as well) are invited back into the meeting and informed of the decision.
- 3.2 With the advent of remote meetings this provides 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 is announced. There will also be a need to hold a separate remote meeting with only the Panel and relevant officers attending to ensure interested parties cannot re-join (unknown) to hear the deliberation (potentially through the requirement of setting up a separate meeting. This second part is not technically possible to hold while still live broadcasting the original meeting (even if it is paused).
- 3.3 As an interim it is proposed that the broadcast of the meeting will end when the Panel go into deliberation. Followed by the Panel moving to a new meeting to undertake the deliberation, which will not be recorded. Once a decision is reached a summary of the decision will be published online and sent to all interested parties via email with, as at present, the full decision notice following within the next 7 days.
- 3.4 While most Hackney Carriage/Private Hire Driver hearings are in confidential session a similar principal applies to ensure that no unauthorised person can attend/record the meeting.
- 3.5 Officers have checked the legislative requirement, as well as practice from other Councils, and there is no requirement for the formal announcement of the decision to the interested parties and not all Councils provide this.
- 3.6 This proposal also removes the need for interested parties to wait for the decision (which they often feel obliged to do) which can take anywhere from a few minutes to a number of hours.
- 3.7 Councillors may have similar questions about other Council meetings where confidential business is discussed. However, in all cases (less Council) this is at the end of the meeting so the live stream can be stopped and for the majority of these meetings there will not be interested parties (i.e. the public) making submissions. Equally there will also be at least two Officers on duty monitoring who has entered the meeting. This is with the exception of Council where

Confidential items come before the Common Seal. In this instance it is intended to have more officers available to support Council and monitor who is present.

#### 4. Policy Framework

##### 4.1 Fit for the Future (FFF)

The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

<b>FFF Strands</b>		
<b>People</b>	<b>Services</b>	<b>Money</b>
<b>External</b>		
<b>Health, Homes, Communities</b>	<b>Green, Clean, Safe</b>	<b>Infrastructure, Enterprise, Employment</b>
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	<u>Intended outcomes:</u> Becoming a net-zero carbon organisation by 2025 Total carbon emissions within Warwick District are as close to zero as possible by 2030 Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/productivity of local economy Increased employment and income levels
<b>Impacts of Proposal</b>		
None	None	None
<b>Internal</b>		
<b>Effective Staff</b>	<b>Maintain or Improve Services</b>	<b>Firm Financial Footing over the Longer Term</b>
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money



<b>Impacts of Proposal</b>		
This will reduce the demand/need for the officer formally broadcasting the meeting to wait for the decision to be taken to restart the broadcast therefore using less Council resources.	This proposal makes the process easier for the customer as they do not need to wait online for a, potentially significant, amount of time. They will be notified the decision electronically as soon as it is taken.	None

4.2 **Supporting Strategies** – This report does not impact on any of the Council’s supporting strategies.

4.3 **Changes to Existing Policies** - This report does not propose any changes to any of the Council’s policies

4.4 **Impact Assessments** – This does not require an impact assessment as all parties will communicated the decision in writing which is required by law.

## 5. **Budgetary Framework**

5.1 The report does not impact on the budget of the Council.

## 6. **Risks**

6.1 The report brings forward proposals to mitigate risks associated with the process of remote Licensing & Regulatory Panels. The most significant risk to associated with the report is not to make the proposed changes.

## 7. **Alternative Option(s) considered**

7.1 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 box WebEx and MS Teams). Therefore, officers considered this was the best technical solution to minimising the risks for Licensing Panels.