

Public Document Pack

ADDITIONAL CIRCULATION



To: Councillor Reynolds, Convener; Councillor Malik, Vice Convener; and Councillors Allan, Bell, Delaney, Sellar and three SNP Councillors still to be named.

Town House,
ABERDEEN 9 March 2018

LICENSING COMMITTEE – SPECIAL MEETING

The undernoted item is circulated in connection with the meeting of the **LICENSING COMMITTEE** to be held here in the Town House on **WEDNESDAY, 14 MARCH 2018 at 3.00 pm.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

COMMITTEE REPORTS

4.1 Licensing Sub Committee Membership (Pages 3 - 10)

Should you require any further information about this agenda, please contact Allison Swanson, tel 01224 522822 or email aswanson@aberdeencity.gov.uk

ABERDEEN CITY COUNCIL

COMMITTEE	Special Licensing Committee
DATE	14 March 2018
REPORT TITLE	Licensing Sub Committee Membership
REPORT NUMBER	CG/18/037
DIRECTOR	Governance
REPORT AUTHOR	Roderick MacBeath

1. PURPOSE OF REPORT:-

This report presents options for the composition of the Licensing Sub Committee established by Council on 5 March 2018 for approval.

2. RECOMMENDATION(S)

That the Committee:-

- (I) sets a membership number and composition for the Licensing Sub Committee based on the figures set out in paragraph 4.1 and appoints members thereto, on the basis that names can be provided to the Chief Officer – Governance after the meeting and that he be authorised to finalise membership where required.

3. BACKGROUND

- 3.1 Council on 5 March 2018 agreed a new committee structure which included as well as a Licensing Committee, a Licensing Sub Committee. The Terms of Reference of the both are attached at Appendix A.

4. MEMBERSHIP AND COMPOSITION

- 4.1 The Committee is asked to agree the number of members and composition of the Licensing Sub Committee from the options below:

Number of Members	Composition
5	1 SNP, 1 Conservative, 1 Labour, 1 Liberal Democrat and 1 Independent
7	2 SNP, 2 Conservative, 1 Labour, 1 Liberal Democrat and 1 Independent

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial consequences resulting from the recommendation.

6. LEGAL IMPLICATIONS

- 6.1 There are no direct legal implications arising from the recommendations contained in this report.
- 6.2 Under Section 56 of the Local Government (Scotland) Act 1973, the Council may arrange for the discharge of any of its functions by a Committee or a Sub Committee. Any such committee may appoint one or more sub-committees.

7. MANAGEMENT OF RISK

- 7.1 An assessment of risk has been made, and is summarised below, against each of the following categories:

Financial

No direct financial implications have been identified.

Employee

No direct employee risks have been identified.

Customer / citizen

No direct customer/citizen risks have been identified.

Environmental

No direct environmental risks have been identified.

Technological

No direct technological risks have been identified.

Legal

Implications have been identified and are set out above in section 8.

Reputational

No direct reputational risks have been identified.

8. IMPACT SECTION

Economy

- 8.1 There is no direct impact on economy.

People

- 8.2 There is no direct impact on people. An Equality and Human Rights Impact Assessment is not required as the proposal does not disproportionately impact on persons with protected characteristics compared to persons without such characteristics.

Place

- 8.3 There is no direct impact on the place.

Technology

8.4 There is no direct impact on technology.

9. BACKGROUND PAPERS

Target Operating Model – Supporting Governance Framework – Report to Council, 5 March 2018

10. APPENDICES

A. Terms of Reference for the Licensing Committee and Licensing Sub Committee

11. REPORT AUTHOR DETAILS

Roderick MacBeath
Senior Democratic Services Manager
rmacbeath@aberdeencity.gov.uk
01224 523054

LICENSING COMMITTEE

PURPOSE OF COMMITTEE

To deal with the functions of the Council in relation to all licensing matters under the Civic Government (Scotland) Act 1982 and all other Acts (not falling specifically within the remit of the Licensing Board or any other Committee) covering personal or other licences, certificates and permits. This includes but is not restricted to applications for:

Licences under Civic Government (Scotland) Act 1982

Mandatory Licences

- Metal Dealer's Licences
- Indoor Sports Entertainment Licences
- Skin Piercing and Tattoo Licences
- Houses in Multiple Occupation Licences
- Knife Dealer's Licences
- Taxi Booking Office Licences

Discretionary Licences

- Taxi and Private Hire Car Licences
- Taxi and Private Hire Car Driver's Licences
- Second Hand Dealer's Licences
- Boat Hire Licences
- Street Trader's Licences
- Market Operator's Licences
- Public Entertainment Licences
- Late Hours Catering Licences
- Window Cleaner's Licences
- Sex Shop Licences
- Permission to organisations for public charitable collections and public processions

Miscellaneous Licences under other Legislation

- Houses in Multiple Occupation - Housing (Scotland) Act 2006
- Registration of Private Landlords - Antisocial Behaviour etc.(Scotland) Act 2004

- Theatre Licence – Theatre Act 1968
- Cinema Licence - Cinema Act 1985
- Safety in Sports Grounds - Safety in Sports Ground Act 1975

POWERS OF COMMITTEE

The Committee will:

1. consider applications for the grant, renewal, revocation, variation or suspension of any licence as appropriate;
2. consider applications and reviews for Houses in Multiple Occupation under the Housing (Scotland) Act 2006 (the responsibility for all other matters relating to the licensing of houses in Multiple Occupation resting with the Operational Delivery Committee);
3. consider all other matters relating to licensing including the setting of taxi fares and the designation of taxi stances;
4. oversee the Council's functions under the Safety of Sports Ground Act 1975;
5. consider landlord registration applications under the Antisocial Behaviour Etc (Scotland) Act 2004;
6. consider film classifications under The Cinemas Act 1985;
7. review and approve policies relating to its function;
8. consider theatre licences under the Theatre Act 1968; and
9. consider which of the optional licences they will invoke and which categories of activity within those licence categories shall be licenced under the Civic Government (Scotland) Act 1982.

JOINT WORKING WITH OTHER COMMITTEES:

The Committee, through its lead officers, Convener and Vice Convener, will regularly consider key issues arising through other committees of the Council, including the Public protection Committee. This will help ensure that matters of mutual interest are dealt with in the most efficient and effective way.

JOINT WORKING WITH NON COUNCIL BODIES:

Executive Lead: Chief Officer – Governance

LICENSING SUB COMMITTEE

Members of the Sub Committee will be members of the Licensing Committee and any substitute who is not on the parent Committee will have completed the required training.

The Sub Committee will:

- 1.** consider any application referred to it by the Licensing Committee for the grant, renewal, revocation, variation or suspension of any licence; and
- 2.** consider and determine any urgent business placed before it by the Chief Officer - Governance relating to any matters falling within the remit of the Licensing Committee.

This page is intentionally left blank