

MEMBERS' LICENSING CODE OF GOOD PRACTICE

(Report by Head of Administration)

1. INTRODUCTION

- 1.1 The Council's constitution contains the Members Code of Conduct that the Council is obliged to adopt to comply with the Local Government Act 2000. A Members' Planning Code of Good Practice has also been adopted and is included in the constitution as part of the aim of improving and maintaining high ethical standards in local government.
- 1.2 The transfer of substantial additional licensing responsibilities to the Council has highlighted the desirability of adopting a similar code of good practice for licensing.

2. LICENSING CODE OF GOOD PRACTICE

- 2.1 LACORS has recently issued guidance on the role of elected members in relation to hearings under the Licensing Act 2003. However the role of an elected member in the context of licensing is much wider than simply as a member of a Licensing Sub Committee. A multiplicity of scenarios can apply, each of which can affect a member's approach to a licensing application or premises that are providing licensable activities.
- 2.2 With the advent of hearings under the Act, the time is opportune to consider the adoption of a code of good practice for licensing. The attached draft draws from the LACORS guidance and also from the planning code of good practice, the format of which it follows. If adopted subsequently by the Council, it will apply to all members but clearly will have more relevance to those who sit on the Licensing Committee/Licensing and Protection Panel.

3. CONCLUSION

- 3.1 Following consideration of the attached draft code, the Panel is

RECOMMENDED

to adopt a Licensing Code of Good Practice and to recommend its approval by the Council for inclusion in the constitution.

BACKGROUND PAPERS

Members Planning Code of Good Practice adopted by the Council
Members Code of Conduct adopted by the Council
LACORS' Guidance: The Role of Elected Members in Relation to Licensing Committee Hearings under the Licensing Act 2003.

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