

**Member Virtual Training Package**

<b>Final Decision-Maker</b>	Licensing Committee
<b>Lead Head of Service</b>	Director of Regeneration and Place, William Cornall
<b>Lead Officer and Report Author</b>	Head of Housing and Community Services, John Littlemore
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

For the Licensing Committee to agree the training package for elected members sitting on the Licensing Committee and its sub-committees.

**Purpose of Report**

Decision

**This report makes the following recommendations to this Committee:**

1. The Licensing Committee approves the training package contained within Paragraph 2.5 of the report.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Licensing Committee	14 January 2021

# Member Virtual Training Package

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	<i>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims to provide robust decision making when supporting the safety of residents/consumers and thriving businesses.</i>	Head of Housing & Community Services
<b>Cross Cutting Objectives</b>	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Heritage is Respected</i></li> <li>• <i>Health Inequalities are Addressed and Reduced</i></li> <li>• <i>Deprivation and Social Mobility is Improved</i></li> <li>• <i>Biodiversity and Environmental Sustainability is respected</i></li> </ul> <p><i>The report recommendation supports the achievement of the cross-cutting objectives.</i></p>	Head of Housing & Community Services
<b>Risk Management</b>	<i>Already covered in the risk section</i>	Head of Housing & Community Services
<b>Financial</b>	<i>The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.</i>	Head of Housing & Community Services
<b>Staffing</b>	<i>We will deliver the recommendations with our current staffing.</i>	Head of Housing & Community Services
<b>Legal</b>	<i>Accepting the recommendations will fulfil the Council's duties under the statutory licensing framework. The proposed training package has been developed by the MKIP Legal Services Team.</i>	Mid Kent Legal Services – Team Leader
<b>Privacy and Data Protection</b>	<i>No additional impact will result from adopting the recommendation.</i>	Head of Housing & Community

		Services
<b>Equalities</b>	<i>The recommendations do not propose a change in service therefore will not require an equalities impact assessment</i>	Head of Housing & Community Services
<b>Public Health</b>	<i>In accepting the recommendations the Council would be fulfilling the requirements of the Health Inequalities Plan</i>	Head of Housing & Community Services
<b>Crime and Disorder</b>	<i>The recommendation will have a neutral impact on Crime and Disorder. The Community Protection Team have been consulted and mitigation has been proposed</i>	Head of Housing & Community Services
<b>Procurement</b>	<i>Not applicable</i>	Head of Housing & Community Services

## 2. INTRODUCTION AND BACKGROUND

- 2.1 Members of the Licensing Committee were presented with a report in September 2020 on the 'Licensing Committee Roles and Responsibilities', particularly in relation to the training requirements for Members and substitute Members sitting on the Licensing Committee and its sub-committees.
- 2.2 Due to the ongoing pandemic, the Democratic and Electoral Services Manager confirmed that training was being provided through virtual sessions utilising an online package developed by the MKIP Legal Services Team. This virtual training package would be replaced by a more traditional training programme once it was deemed safe to do so.
- 2.3 Several Members expressed concern with the online training provided as it was not agreed by the Committee whilst acknowledging the necessity for the training to be provided in this way to satisfy the Constitutional requirements and to reduce the risk from legal challenge relating to decisions made by the Council when exercising its Licensing function.
- 2.4 It was agreed that the virtual training package would be approved by the Licensing Committee at the next available date and this report seeks to obtain Members approval for the training package.
- 2.5 The virtual package proposed by the MKIP Legal Services Team will comprise of the following elements:
- **Introductions and aim. – 10 mins**
  - **Licensing Act 2003 (Alcohol and entertainment licensing) 35 mins (short session) 60 mins (full day session)**

- **Taxis 35 mins (short session) 60 mins (full day session)**
- **Street Trading 25 mins (short session) 45 mins (full day session)**
- **Gambling Act 2005 25 mins (short session) 45 mins (full day session)**
- **Sex Establishments 25 mins (short session) 45 mins (full day session)**
- **Scrap Metal Dealers 25 mins (short session) 45 mins (full day session)**

- 2.6 The Legal Services Team estimates that the training can be delivered in a minimum of 3.5 hours (including comfort breaks) starting at 10:00 am or 14:00 pm; or over the course of a whole day with breaks and lunch starting at 10:00 am.
- 2.7 Either session would provide both new and experienced Councillors training on the whole range of licensing committee and sub-committee matters, however the full day's training would allow for a greater depth of training with scope for additional examples and interaction.

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### **3. AVAILABLE OPTIONS**

- 3.1 To approve the virtual training package outlined in Paragraph 2.5 above.
- 3.2 To do nothing.

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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 To approve the option set out in Paragraph 3.1, as this will enable Licensing Committee Members and their substitutes to fulfil the requirements set out in the Constitution and provide Members with the training needed to make decisions that are compliant with the statutory framework, thereby reducing the risk of legal challenge.

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### **5. RISK**

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.
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## **6. REPORT APPENDICES**

6.1 None

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## **7. BACKGROUND PAPERS**

Licensing Committee Reports and Minutes from 17 September 2020 and 19 November 2020.