

**MAIDSTONE BOROUGH COUNCIL**

**LICENSING ACT 2003 COMMITTEE**

**21 MARCH 2013**

**REPORT OF HEAD OF DEMOCRATIC SERVICES**

**Report prepared by Neil Harris**

**1. LICENSING TRAINING**

1.1 Issue for Decision

- 1.1.1 To consider the appropriate level and type of training required to effectively undertake the role of Licensing Act 2003 Committee Member or substitute for the forthcoming municipal year 2013/14.

1.2 Recommendation of Head of Democratic Services

- 1.2.1 That the training for Licensing Act 2003 Committee Members outlined in the report be approved.

1.3 Reasons for Recommendation

- 1.3.1 The Committee consists of 11 Council Members and the Council has agreed that the following rule regarding training must apply to the Licensing Act 2003 Committee:-

"The Council has agreed that no member will be able to serve on the Committee without having agreed to undertake a minimum period of training on the policies and procedures of the Committee as specified by the Committee. This training should be completed to an agreed level according to an agreed programme within an agreed time period set by the Committees for newly appointed Members and Substitute Members of the Committee. If the specified training has not been completed by the due date, the Member will cease to be a Member/Substitute Member of the Committee in question until the training has been completed. The Head of Democratic Services will keep a record of the training requirements of each Committee and of Members' compliance with the requirements. Existing Members of the Committee should be updated regularly on changes of legislation and procedures and receive refresher training on an annual basis."

1.3.2 The Committee needs to determine the programme for training for the forthcoming year and set out below is a draft programme, based on feedback from Members:-

- June - Licensing Act 2003 subcommittee meetings refresher including Chairmanship at hearings.
- November – Training on legislative changes.

It is intended to invite Councillors from our partnership authorities at Sevenoaks and Tunbridge Wells. Additionally, they will also be holding training events at Sevenoaks and Tunbridge Wells and the Committee Members will be invited to attend should they wish to. Arrangements are also being put in place for Members of each authority to be given the opportunity to attend Licensing Act 2003 Sub Committee meetings at each of the authorities. Committee Members will be notified of these arrangements in due course.

1.3.3 In respect of the above training the Committee are asked to confirm that they are happy with the training programme for existing Members. In respect of new member/s of the Committee, Members are asked to set the level of training required in all major licensing areas including policy and procedure, with the Committees' legal advisor which will be arranged for them as soon as possible after their appointment and in any event within 3 months.

#### 1.4 Alternative Action and why not Recommended

1.4.1 The Committee could choose not to set the levels of training required but this would fail to meet its obligations under the Constitution.

#### 1.5 Impact on Corporate Objectives

1.5.1 The training being delivered will enable the Committee to operate effectively and deliver Corporate and Customer excellence.

#### 1.6 Risk Management

1.6.1 Ensuring it sets a level of training which is sufficient to ensure the Committee members have the necessary knowledge and understanding to meets its obligations as a Licensing Act 2003 Committee and reduce the risk of appeals against its decisions.

#### 1.7 Other Implications

1.7.1

1. Financial
2. Staffing

X

- 3. Legal
- 4. Equality Impact Needs Assessment
- 5. Environmental/Sustainable Development
- 6. Community Safety
- 7. Human Rights Act
- 8. Procurement
- 9. Asset Management

X
X

1.7.2 Financial Implications

The cost of training will be met from within existing resources.

1.7.3 Staffing Implications

The staffing to assess and deliver the training and development requirements will be identified from within existing resources.

1.7.4 Legal Implications

The Constitution requires the Licensing Act 2003 Committee to set a minimum level of training.

1.8 Relevant Documents

1.8.1 Appendices

None.

1.8.2 Background Documents

Maidstone Constitution.

**IS THIS A KEY DECISION REPORT?**

Yes

No

If yes, when did it first appear in the Forward Plan?

.....

This is a Key Decision because: .....

.....

Wards/Parishes affected: .....

.....