

 Institute of Licensing

Why is the matter before the Committee

- Usually because this is outside policy.
- Committee can consider less urgent matters including new applications and renewals where the applicant is outside the policy, plus appeals against imposition of penalty points.
- Can also consider complaints about licensees – often dealt with by officers under delegate powers but important for members to understand the problems.

#NTC2021

Promoting Excellence in Licensing for 25 years

 Institute of Licensing

Urgent Action

- Urgent action against drivers licenses should be delegated to an officer in consultation with the chair or deputy of committee to ensure speedy resolution.
- Must allow immediate revocation.

#NTC2021

Promoting Excellence in Licensing for 25 years

 Institute of Licensing

Public or Private

- Usually heard in private (Part 2 or Part B) after exclusion of press and public
- Part VA Local Government Act 1972**
- Press and Public can be excluded on one of the **Schedule 12A** grounds
- Para 1 - Information relating to any individual.**
- Para 2 - Information which is likely to reveal the identity of an individual.**
- Para 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).**

#NTC2021 *Promoting Excellence in Licensing for 25 years*

 Institute of Licensing

Procedure

- There needs to be a clear committee procedure.
- Must be clear it is an administrative body, not quasi judicial.
- The members and the legal adviser must be trained on the law, guidance and the council's own policy.

#NTC2021 *Promoting Excellence in Licensing for 25 years*

 Institute of Licensing

Considerations – Public Safety

- The fact that public safety is paramount must be emphasised and understood and family circumstances cannot be considered.

#NTC2021 *Promoting Excellence in Licensing for 25 years*

 Institute of Licensing

Legal Advice and Decision

- The committee must make sure they use their legal advisers to give advice on the process and the decision.
- There must be full and detailed decisions provided.

#NTC2021

Promoting Excellence in Licensing for 25 years

 Institute of Licensing

Appeals

- Members should not be afraid of subsequent appeals - as long as the council wins more than they lose they are on the right lines.

#NTC2021

Promoting Excellence in Licensing for 25 years

 Institute of Licensing

Conclusion

- Members are vital to the process, as they are the elected body
- Need a wide pool of members
- Members must be confident in their decisions
- Council must support those decisions

#NTC2021

Promoting Excellence in Licensing for 25 years

