

## SLOUGH BOROUGH COUNCIL

**Report To:** Council

**Date:** 24<sup>th</sup> July 2025

**Subject:** Licensing Committee Membership and Establishment of a Licensing Sub-Committee and Appointment of Designated Chairs

**Chief Officer:** Sukdave Ghuman, Monitoring Officer

**Contact Officer:** Shabana Kauser, Principal Democratic Services Officer

**Ward(s):** All

**Exempt:** No

**Appendices:** None

### **1. Summary and Recommendations**

The purpose of this report is to appoint an additional Member to the Licensing Committee, seek approval for the establishment of a Licensing Sub-Committee and the appointment of designated Chairs to the Sub-Committee.

#### **Recommendations**

Council is recommended to:

- (a) Agree that the size of the Licensing Committee be a minimum of ten members and in accordance with proportionality rules, the seat be allocated to the Conservative Group.
- (b) To appoint Councillor Tomar to the Licensing Committee.
- (c) Agree that the Licensing Sub-Committee be established on a proportional basis where possible (2 Conservative, 1 Labour/Liberal Democrat) to determine applications where representations have been made.
- (d) Agree that Councillors Mohindra, Satti and Tomar (drawn from membership of the Licensing Committee) be appointed to act as designated Chairs of the Sub-Committee for the 2025/2026 municipal year.

#### **Reasons for the decision**

The Authority is required to have a minimum of ten members appointed to the Licensing Committee when making decisions under the Licensing Act 2003. Committee members will be selected to serve on a Licensing Sub-Committee.

The report also seeks approval for the Licensing Sub-Committee to be convened on a politically proportionate basis where possible. This will consider applications where

representations have been made in accordance with the Licensing Act 2003 and other matters outside the scope of the Licensing Act 2003; including Hackney Carriage and Private Hire Driver applications and or conduct hearings and street trading applications Council is asked to appoint members to act as Licensing Sub-Committee Chairs.

## **Commissioner Review**

This report is outside the scope for pre-publication commissioner review; please check the [Commissioners' instruction 5 to CLT to sign off papers](#) for further details.

## **Alternative options**

Not applicable.

### **3. Other Implications**

#### **(a) Financial implications**

There are no financial implications arising from the recommendations.

#### **(b) Other statutory implications**

This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Environmental
- Risk Management
- Equality
- Procurement
- Property

There are no specific statutory implications arising from this report.

#### **(c) Workforce**

None.

#### **(d) Legal comments**

The rules for the allocation of seats are set out in Sections 15 and 16 of the Local Government and Housing Act 1989 (the 1989 Act) and the Local Government Committee and Political Group Regulations 1990. The Council has an obligation to ensure compliance with the legislative requirements for political proportionality in relation to the allocation of seats and the nominations to them where members are organised into different political groups. Should the Council wish to not apply the political proportionality requirement, then it may only do so in accordance with section 17 of the 1989 Act and provided that no member of the Council votes against.

Section 6 of the Licensing Act 2003 (“the 2003 Act”) provides that each Licensing Authority must establish a Licensing Committee consisting of at least ten, but not more than fifteen, members of the authority. Pursuant to section 9(1) of the 2003 Act, a Licensing Committee may establish one or more Sub-Committees consisting of three members of the committee.

Section 10 of the 2003 Act allows Licensing Committee to arrange for its functions relating to contested hearings to be delegated to the Sub-Committees. Due to the nature of the Hearing Regulations, Sub-Committees will be better able to consider applications much more quickly than the main Licensing Committee.

Section 9 of the Licensing Act 2003 provides the power to appoint the Sub-Committee and therefore, it is not classed as an advisory or an ordinary Committee/Sub-Committee of the Council.

Section 9(3) of the Licensing Act 2003 gives power to the Licensing Committee, subject to any Regulations made by Government, that the Committee may regulate its own procedure and that of its Sub-Committees.

The delegation of functions not only applies to licensing authority functions under the 2003 Act but also to licensing authority functions under the Gambling Act 2005 ("the 2005 Act"). Section 154(1) of the 2005 Act provides that licensing authority functions under that part of the 2005 Act are delegated to a Licensing Committee of the licensing authority established under section 6 of the 2003 Act. Section 154(3) of the 2005 Act provides that section 10 of the 2003 Act applies in relation to functions delegated to the Licensing Committee by virtue of section 154(1) of the 2005 Act.

The Sub-Committee also has responsibility for determining specific applications in relation to hackney and private hire and other licencing and registration matters. Different procedures will apply to the Sub-Committee dependent on the nature of the application.

#### **4. Supporting Information**

##### Allocation of Seats to the Licensing Committee

- 4.1 At its Annual Meeting on 15<sup>th</sup> May 2025, Council considered and agreed the allocation of seats to committees and membership in accordance with the rules of political proportionality. Nine members were appointed to the Licensing Committee which was an oversight as the Committee must have a minimum of ten members to consider matters under the Licensing Act 2003.
- 4.3 The allocation of seats on those Committees where proportionality applies has been re-calculated and does not affect any of the size allocations as made and agreed at Annual Council.
- 4.4 In accordance with proportionality rules, a member of the Conservative Group is entitled to this seat and Councillor Tomar has been nominated to fill this vacancy.

##### Licensing Sub-Committee

- 4.5 Whilst establishment of a Licensing Sub-Committee is normally considered by the Licensing Committee, to ensure statutory deadlines are met for any applications made under the Licensing Act 2003, Council is requested to consider the establishment of a Licensing Sub-Committee. The Sub-Committee will consider matters delegated to it as set out in the Licensing Committee's Terms of Reference, which include consideration of matters under the Licensing Act 2003, Gambling Act 2005 and Hackney Carriage and Private Hire driver related issues.
- 4.6 The Licensing Act 2003 allows a Sub-Committee to consist of three Members and the quorum for Sub-Committees is three Members. The Sub-Committee would

consist of three Members drawn on a rotational basis from the Members of the Licensing Committee on a politically proportionate basis where possible.

4.7 Subject to Council agreement as outlined in 4.4, the membership of the Licensing Committee for the 2025/26 Municipal Year comprises 5 Conservative Members, 3 Liberal Democrat Members and 2 Labour Members. As the Conservative Group has the greatest number of Members on the Council, a Licensing Sub-Committee (drawn from the Members of the Licensing Committee) shall be established where possible with 2 Conservative Members and 1 Labour/Liberal Democrat Member.

Members should note that although it is good practise to establish the Sub-Committee on a political proportionate basis, this is not a requirement; and there may be occasions where this is not feasible eg where members from a political party are unable to sit due to conflict or interests or unavailability.

4.8 This report also seeks to appoint designated Chairs of the Sub-Committee and it is recommended that Councillors Mohindra, Satti and Tomar chair the meetings of the Sub-Committee on a rotational basis.

4.9 Meetings of the Sub-Committee are held during the daytime and must be held within the statutory deadlines prescribed. One meeting of the Sub-Committee was convened in the 2024/25 municipal year.

5. **Conclusion**

5.1 Council is requested to agree that the revised allocation of seats to the Licensing Committee and establish a Licensing Sub-Committee for the 2025/2026 municipal year.

6. **Background Papers**

6.1 None.