

**At a meeting of the LICENSING AND REGULATORY COMMITTEE held remotely on MONDAY, 15<sup>TH</sup> JUNE, 2020 at 10.00 a.m.**

**Present:-**

Councillor Fletcher in the Chair

Councillors Bewick, Cunningham, P. Gibson, Heron, Johnston, Lawson, D. MacKnight, O'Brien, D. Snowdon, A. Wilson, D. Wilson and A. Wood

**Declarations of Interest**

There were no declarations of interest.

**Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Howe and Leadbitter.

Prior to the commencement of business the Chair informed the meeting of the death of Mr Iain Cavanagh who had worked for the Council for over 30 years, working initially as an Administrative Assistant in the Legal Department, growing in knowledge and expertise in licensing with his subsequent progression to Senior Licensing Officer. More latterly, he had worked in an important technical role across the whole of Public Protection and Regulatory Services. Iain's longstanding commitment to Licensing, supporting both the Licencing and Regulatory Committee, businesses and residents, was recognised. Councillor Fletcher led the Committee in a moment silence in memory of Mr Cavanagh.

**Terms of Reference and Delegations**

The Assistant Director of Law and Governance submitted a report, (copy circulated), which requested the Committee's endorsement of the Terms of Reference and delegations arrangements for this newly established Committee.

(for copy report – see original minutes)

Elaine Waugh, Assistant Director of Law and Governance, presented the report and advised that the terms of reference of the Committee had been approved by Council at its meeting on 25<sup>th</sup> March, 2020 and these terms of reference were set out at the appendix to the report. Under the Licensing legislation the Statutory Licensing Committee was able to establish and delegate functions to either a sub-committee, or to officers, as appropriate.

The Committee would continue to have sub-committees constituted and convened by the Assistant Director of Law and Governance, comprising three members of the committee, to deal with contentious applications and licence reviews that were previously dealt with by the Licensing Sub-Committees of the former Licensing Committee. More than one sub-committee may be established at any time. A sub-committee would have the power to exercise all the functions of the Licensing and Regulatory Committee as statutory Licensing Committee except: where the Committee directed that a particular matter be referred to it; where a sub-committee decided to refer a matter to the committee; or where the Executive Director of Neighbourhoods considered that any particular matter should be dealt with by the Licensing and Regulatory Committee rather than a sub-committee.

The Licensing and Regulatory Committee would also deal with matters previously dealt with by the former Regulatory Committee.

As a result of the Covid-19 pandemic the Council had agreed additional temporary delegations to Chief Officers to undertake, to the extent permitted by law, the functions normally undertaken by a committee, or sub-committee. These delegations had been further considered at Council on the 10<sup>th</sup> June, 2020 and would be considered again at the next meeting of the Council in September, should they not have been discontinued by that time.

1. RESOLVED that:-

- a. The Terms of Reference, including the delegations arrangements, set out in the appendix be approved; and
- b. The decision of Council on 10<sup>th</sup> June, 2020 to authorise the continued delegation of temporary additional decision making functions to Chief Officers be endorsed by the Committee, so far as they apply to the delegation of functions which fell within the remit of the Committee to determine.

(Signed) J. FLETCHER,  
Chairman.