

**Report of City Solicitor**

**Report to Member Management Committee**

**Date: 12<sup>th</sup> November 2013**

**Subject: Prescribed Training - Licensing and Regulatory Panels**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

For a number of years Elected Members sitting on Licensing and Regulatory Panels have supported the notion that to ensure good decision making Panel members should undertake appropriate training. Articles 8 and 8A of the Council's Constitution make specific reference to this;

"Members of (the Plans Panel/Licensing Committee) must complete all compulsory training and shall not sit as a member unless such training has been undertaken in accordance with the Council's prescribed training programme."

Members have, overtime, worked with officers to identify the content of this training however, nowhere does it say what the prescribed training is.

After discussions involving Member Development, Legal Services, Planning officers and the Executive Member, Neighbourhoods, Planning and Support, a proposed programmed of prescribed training has been drawn up. This training reflects the wishes of Members by addressing those areas considered to be the most important in terms of ensuring good and informed decision making.

These proposals have been endorsed by the Joint Plans Panel and Licensing Committee.

## **Recommendations**

Members are requested to approve the proposals for the prescribed training of Licensing and Regulatory Members.

1 Purpose of this report

1.1 To seek the approval of Member Management Committee on the definition of the prescribed compulsory training for Elected Members sitting on Licensing and Regulatory Panels.

## **2 Background information**

2.1 For a number of years Elected Members sitting on Licensing and Regulatory Panels have supported the notion that to ensure good decision making Panel members should undertake appropriate training. Articles 8 and 8A of the Council's Constitution make specific reference to this;

“Members of (the Plans Panel/Licensing Committee) must complete all compulsory training and shall not sit as a member unless such training has been undertaken in accordance with the Council's prescribed training programme.”

2.2 Members have, overtime, worked with officers to identify the content of this training however, nowhere does it say what the prescribed training is.

## **3 Main issues**

### Proposed Prescribed Training

Post Annual Council meeting,

3.1 All Members new to Licensing and Regulatory Panels to receive training on a number of governance and conduct issues. These would include training on common grounds for challenging decisions including bias and pre-determination, human rights and Wednesbury reasonableness. This training would be drawn up and delivered by Legal Services and be applicable to both Licensing and Planning Members.

3.2 This training would need to be delivered before the new Member could sit on Licensing or Regulatory Committee. That is in the time after the Annual Council Meeting in May and the first round of Committee meetings in early June.

Mid-year training

3.3 Around autumn time an update session on Planning and an update session on Licensing would be delivered. The subject of this training would be determined to reflect the prevailing issues.

- 3.4 In effect therefore, *new* Members will be required to attend two sessions in the Municipal year (The one to allow them to sit on Committee and the Autumn update session), Experienced Members will be required to attend one session each Municipal year (The Autumn update)

Other training offers

- 3.5 Over and above these compulsory sessions. Members have identified the need for other training offers, for example site visits, shadowing etc. These sessions would be advisable but would not form part of the prescribed compulsory training.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.2 The proposals for the prescribed training have been discussed with Legal and Planning Officers and with the Executive Member Neighbourhoods, Planning and Support. The proposals have been endorsed by the Joint Plans Panel and Licensing Committee.

### **4.3 Equality and Diversity / Cohesion and Integration**

- 4.4 There are no specific issues

### **4.5 Council policies and City Priorities**

- 4.6 The Council's Constitution states that Members of (the Plans Panel/Licensing Committee) must complete all compulsory training and shall not sit as a member unless such training has been undertaken in accordance with the Council's prescribed training programme.

### **4.8 Resources and value for money**

- 4.9 The prescribed training will be carried out within existing budgets within Legal and Democratic Services and Planning.

### **4.10 Legal Implications, Access to Information and Call In**

- 4.11 It is essential that Members sitting on Licensing and Regulatory Panels have sufficient training to be able to undertake their responsibilities correctly.

### **4.12 Risk Management**

- 4.13 The Council may be subject to risk if it is unable to demonstrate that sufficient training has been provided to Licensing and Regulatory Panel Members in order for them to undertake their duties.

## **5 Conclusions**

- 5.1 For a number of years Elected Members sitting on Licensing and Regulatory Panels have supported the notion that to ensure good decision making Panel members should undertake appropriate training. Members have, overtime, worked with

officers to identify the content of this training however, nowhere does it say what the prescribed training is. The proposals in this report describe what this prescribed training would consist of.

## **6 Recommendations**

- 6.1 Members are requested to approve the proposals for the prescribed training of Licensing and Regulatory Members.

## **7 Background documents<sup>1</sup>**

- 7.1 None

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.