

BIRMINGHAM CITY COUNCIL

**REPORT OF THE ACTING DIRECTOR OF REGULATION AND ENFORCEMENT
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

19 OCTOBER 2016
ALL WARDS

LICENSING AND PUBLIC PROTECTION COMMITTEE
MINUTE TAKING AND PAPERLESS REPORTS

1. Summary

- 1.1 This report sets out proposals to allow Committee and Member Services to produce shorter sets of minutes for meetings of the Licensing and Public Protection Committee ("Committee"), where appropriate, and to move to a paperless system of report distribution in order to respond to reductions in the number of Committee Managers in that service.

2. Recommendations

- 2.1 That the Committee approves the changes to the way in which minutes will be recorded of meetings of the Licensing and Public Protection Committee as outlined in paragraphs 4.1 to 4.3 of this report with effect from its scheduled meeting on 16th November 2016.
- 2.2 That the Committee approves the proposal to stop circulating paper copies of reports for meetings of the Licensing and Public Protection Committee as outlined in paragraphs 5.1 to 5.3 of this report and adopts an electronic system of paperless reports with effect from April 2017.

Contact Officer: Chris Neville, Head of Licensing
Telephone: 303 6920
E-mail: chris.neville@birmingham.gov.uk

3. Background

- 3.1 Members are aware that minutes of Licensing and Public Protection Committee meetings are presented for approval at every meeting for the preceding meeting. It has become necessary to review the extent to which officers in Committee and Member Services can continue to produce minutes for all meetings, taking into account the impact that reduced budgets have had on their staffing levels and resources. Consideration has also been given to moving towards a paperless system of producing reports for the Licensing and Public Protection Committee in order to reduce the amount of time and money to print and photocopy reports.
- 3.2 It is recognised that the work undertaken by Licensing Sub Committees must be recorded in minutes which explain why decisions have been made and the rationale for them. Sub Committees, in almost every case, are making decisions about licence applications (whether for drivers, vehicles, operators or premises) or are dealing with review applications or matters to consider contraventions of licence conditions. Detailed minutes must be kept to allow the applicant or other interested parties to understand the decision and the reasons for it and also to enable the applicant to form the basis of an appeal should they consider it to be appropriate.
- 3.3 Minutes of meetings that are considered under the private agenda of the Licensing and Public Protection Committee must also be recorded in detail as the minutes are the only record of such a meeting, whereas matters considered under the public agenda are currently live-streamed on the internet. In any of the cases identified above officers do not propose to make any changes to the current system.
- 3.4 Officers are proposing to change the way in which minutes are taken for meetings of the Licensing and Public Protection Committee in respect of reports which do not require decisions to be made by the Committee that are open to challenge or appeal.
- 3.5 Section 100C of the Local Government Act 1972 (as inserted by the Local Government (Access to Information) Act 1985) requires 'principal councils' to keep open for inspection by members of the public minutes of meetings for a period of six years after the meeting. The Act does not define the form that minutes must take but they must be a fair reflection of the meeting.

4. Proposal for the Minutes of the Licensing and Public Protection Committee

- 4.1 It is proposed that after the 16th November meeting of the Committee, the minutes will no longer contain detailed notes of specific conversations or statements made by individual members or officers in order to reduce the length of the minutes and, therefore, the time taken to reproduce them. The objective of the minutes will only be to record the outcomes of the meeting and the decision(s) made. Where the purpose of a report to the Licensing and Public Protection Committee is to determine an application for a licence

(e.g. Sexual Entertainment Venue applications) or to consider a request for an exemption to a licence condition, minutes will be recorded in full.

- 4.2 Reports that would be affected by this decision and which would result in abbreviated minutes would be those that are presented merely for noting, as the report itself is the record of the decision or those seeking approval to the recommendations in the report.
- 4.3 As set out above, all meetings of the Committee are now live-streamed on the internet. A recording is made of every meeting (apart from matters considered on the private agenda) which is available for the general public to view for 6 months. Video copies of every such meeting are then made and retained on DVD discs. This ensures that in the event of a question arising over what was said at a meeting or how a decision was reached, it is always possible to review the meeting at a later date regardless of the absence of detailed minutes.

5. Proposals for Paperless Meetings

- 5.1 Further efficiencies can be achieved by moving from the current system of producing paper copies of all reports to a system of circulating reports electronically. Significant amounts of paper are used to copy the reports that are circulated to all members for every meeting. Circulating reports electronically would be cheaper, quicker, and more environmentally friendly and the amount of time that officers currently spend copying and circulating documents would be saved.
- 5.2 Members would require an electronic device to read reports in meetings. These can be lap top computers, iPads or tablet devices. Most members have already been issued with one or the other.
- 5.3 If members agree to this proposal officers will introduce a paperless system for the meeting of the January Committee alongside paper copies of reports. This would be with a view to going completely paperless with effect from April 2017, subject to a satisfactory outcome from the trial.

6. Comparison with other Committees

- 6.1 The Council's Planning Committee and Overview and Scrutiny Committee have already adopted a similar approach to minute taking. The minutes of the September meeting of the Licensing and Public Protection Committee which are produced as part of the agenda for this month's meeting have been produced in a very similar style to the one that is proposed by this report. The Planning Committee no longer works with paper copies of reports.

7. Consultation

- 7.1 By ensuring that full minutes are made for meetings of the Committee where application or exemption decisions are made and for all meetings of Licensing Sub Committees, officers do not consider that consultation is required beyond the members of the Committee itself. The consequences of not having paper copies of reports will only affect Members and, therefore, wider consultation is not considered necessary.

8. Implications for Resources

- 8.1 The proposals in this report will reduce the amount of time taken to produce detailed minutes and to print, copy and distribute paper reports which will assist the Council to manage its business in the light of reduced resources. One Committee Manager's post is funded from the Licensing budget and additional support is provided from the team of Committee Managers in the Committee and Member Services Team. There will be no additional costs associated with the technology required for Members to access reports electronically as Members have already been issued with devices.

9. Implications for Policy Priorities

- 9.1 The work identified in this report will respond to the general modernisation agenda that is set out by the Future Council programme. None of the proposals in this report will have any effect on the way in which meetings are live-streamed.

10. Implications for Equality and Diversity

- 10.1 Officers have considered the Public Sector Equality Duty in accordance with the provisions of the Equalities Act 2010 and determined that there are no Equality and Diversity implications in this report because of the nature of the decisions recommended.

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil