

Agenda Item No:	15	
Committee:	Council	
Date:	23rd February 2026	
Report Title:	Licensing Service – s.113 Agreement	

1 Purpose / Summary

- 1.1 To recommend Council approve entry into a Section 113 agreement with Huntingdonshire District Council for the provision of an interim Licensing Manager pending more detailed consideration of alternative arrangements to include the direct employment of a Licensing Manager.

2 Key Issues

- 2.1 The Council's Licensing Service perform important statutory functions and usually operate with a Licensing Manager and 2 Licensing Officers reporting to the Assistant Director of Legal and Governance.
- 2.2 The Licensing Manager post became vacant at the start January 2026 however, the postholder has been supporting the Assistant Director of Governance with the overall management of the service.
- 2.3 The Council needs to put in place more formal interim arrangements pending all alternative options being considered in more detail.
- 2.4 The former post holder is able to fulfil the Council's interim requirements via a s.113 Agreement with Huntingdonshire District Council.
- 2.5 The proposed arrangements enable service continuity within the existing service budget.

3 Recommendations

- 3.1 That Council approve entry into a Section 113 agreement with Huntingdonshire District Council for the provision of interim support to the Licensing Service and delegate to the Monitoring Officer to finalise and enter into any legal agreement in consultation with the Portfolio Holders.

Wards Affected	All
Portfolio Holder(s)	Cllr Sam Hoy Councillor Garry Christy
Report Originator(s)	Peter Catchpole, Corporate Director and s.151 Officer PeterCatchpole@fenland.gov.uk Amy Brown, Assistant Director – Legal and Governance amybrown@fenland.gov.uk
Contact Officer(s)	As above.
Background Papers	None

1 BACKGROUND AND INTENDED OUTCOMES

- 1.1 The Council provides a statutory Licensing Service reporting to the Assistant Director of Legal and Governance. The Licensing Service currently functions with 2 Licensing Officers reporting to a Licensing Manager.
- 1.2 The Licensing Manager post became vacant at the start of January 2026 however the former postholder has taken up employment with Huntingdonshire District Council and has been able to continue supporting the service for 2.5 days per week. This arrangement operates on the same principles as have existed since 2020 save that previously, Fenland District Council offered licensing support services to Huntingdonshire District Council.
- 1.3 A recruitment campaign is underway however, pending the successful appointment of a new Licensing Manager (as appropriate), members are asked to permit entry into a s113 Agreement in order to formalise the interim arrangements required to ensure the effective continuity of the Licensing Service.
- 1.4 Section 113 of the Local Government Act 1972 enables a Local Authority to enter into an agreement as follows:

“a local authority may enter into an agreement with another local authority for the placing at the disposal of the latter for the purposes of their functions, on such terms as may be provided by the agreement, of the services of officers employed by the former, but shall not enter into any such agreement with respect to any officer without consulting him.”

2 REASONS FOR RECOMMENDATIONS

- 2.1 It is recommended that the Council formalises its arrangements with Huntingdonshire District Council by way of a s113 Agreement on an interim basis. The arrangements will enable the status quo to be maintained within the Licensing Service pending alternative permanent arrangements being

finalised. The proposed arrangements align with existing budgetary provision and enable continuity and consistency of delivery.

3 CONSULTATION

- 3.1 There are no specific consultation requirements associated with the recommendations set out in this report.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 An alternative to the approval of the recommendation is the Council to seek an interim Licensing Manager via its agency contract however, initial enquiries have confirmed that this does not represent best value. Another option is for the services to run without a Licensing Manager pending a more permanent arrangement being agreed however this is not considered to be suitable given the significant expertise and management oversight that the role brings to our statutory responsibilities.

5 IMPLICATIONS

5.1 Legal Implications

- 5.2 Section 113 of the Local Government Act 1972 enables a Local Authority to enter into an agreement as follows:

“a local authority may enter into an agreement with another local authority for the placing at the disposal of the latter for the purposes of their functions, on such terms as may be provided by the agreement, of the services of officers employed by the former, but shall not enter into any such agreement with respect to any officer without consulting him.”

- 5.3 Paragraph 2.2 of Article 11 of the Constitution provides that Fenland District Council may establish joint arrangements with one or more local authorities and/or their executives to exercise functions which are not executive functions.
- 5.4 The s.113 Agreement will incorporate provisions for either party to terminate the arrangements upon giving 1 months' notice.

5.5 Financial Implications

- 5.6 The proposed arrangements can be met within existing service budget provisions.

5.7 Equality Implications

- 5.8 No specific equality implications are engaged by this report.