



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENTS

Toronto Licensing Tribunal - Appointment of Public Members to Fill Vacancies

Date: May 28, 2018
To: Tribunals Nominating Panel
From: City Clerk
Wards: All

REASON FOR CONFIDENTIAL INFORMATION

This report deals with personal matters about identifiable individuals who are being considered for appointment to the Toronto Licensing Tribunal.

SUMMARY

The Tribunals Nominating Panel will conduct interviews during its meeting on June 4, 2018 and recommend two candidates to City Council for appointment to the Toronto Licensing Tribunal.

RECOMMENDATIONS

The City Clerk recommends that:

1. The Tribunals Nominating Panel recommend two candidates to City Council for appointment to the Toronto Licensing Tribunal, at pleasure of Council, for a term of office ending on November 30, 2018, and until successors are appointed.
2. City Council direct that the confidential information contained in Confidential Attachments 1, 2, 3, 4, 5 and 6 remain confidential in their entirety as they relate to personal matters about identifiable individuals being considered for appointment to the Toronto Licensing Tribunal.

FINANCIAL IMPACT

There are no financial implications arising from this report.

DECISION HISTORY

At its meeting on April 23, 2018, the Tribunals Nominating Panel identified seven candidates to be interviewed for the Toronto Licensing Tribunal:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.NQ19.1>.

At its meeting on March 28 and 29, 2017, City Council appointed two public members, including a Chair, to the Toronto Licensing Tribunal:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.CC27.8>.

At its meeting on July 12, 13, 14 and 15, 2016, City Council appointed one public member to the Toronto Licensing Tribunal:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.CC20.9>.

COMMENTS

Composition of the Toronto Licensing Tribunal

There are seven public members on the Toronto Licensing Tribunal.

There are currently two vacancies on the Tribunal

Aly Alibhai was appointed to the Tribunal in July 2015 for a term ending November 30, 2018. Mr. Alibhai resigned from the Tribunal effective May 7, 2018, which will result in a vacancy.

Hedy Anna Walsh was appointed to the Tribunal in July 2015 for a term ending November 30, 2018. Ms. Walsh resigned from the Tribunal effective January 11, 2018, resulting in a vacancy.

To coincide with the term of City Council, the successful appointees will be appointed for a term ending on November 30, 2018, and until successors are appointed.

Tribunal members must meet certain qualifications and be eligible

In addition to the general eligibility requirements set out in the Public Appointments Policy, public members should collectively bring the following skills and expertise to the Tribunal:

- An understanding of the Tribunal's mandate;
- An understanding of the Licensing By-law and the Statutory Powers Procedure Act;
- An understanding of a field related to business licensing and sensitivity to the various interests and issues;
- Familiarity with the concepts of natural justice and fairness;

- Excellent listening skills, open-mindedness, sound judgement, and tact and the ability to mediate;
- Ability to organize and analyze written and oral evidence;
- Demonstrated ability to write a clear, well-reasoned decision that takes into account the evidence, the submissions, the law, and policy;
- A commitment to public service and to upholding a high standard of ethics;
- Good interpersonal skills, including the ability to work in a team;
- Ability to work under time pressures;
- A flexible work schedule to allow attendance at hearings and business meetings; and/or
- A willingness and availability to attend training programs once appointed.

Individuals are ineligible if they are current City licence-holders or are engaged in the business of a corporate licence-holder and/or do not pass the required written test. Former Members of Council who served in the immediately preceding term of Council (2010-2014) are ineligible for appointment as public members on the Tribunal.

Tribunal members receive remuneration

The six public members each receive a \$350 per diem for attending hearings, meetings, and training sessions. In addition, public members (other than the Chair) are paid a \$50 fee per decision for preparing and submitting written reasons for decisions.

The Chair receives an annual retainer of \$18,000, plus a \$350 per diem for attending meetings and training sessions.

Candidates selected for interviews have written a mandatory test

As part of the selection process for the Tribunal, the candidates selected for interviews are required to write a test related to the roles and responsibilities of Tribunal members. The Nominating Panel will be provided with the test results in advance for the interviews on June 4, 2018.

Public release of names of recommended candidates

The names of the recommended candidates will be publicly reported once the Tribunal's Nominating Panel forwards its recommendations to City Council.

CONTACT

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SIGNATURE

Ulli S. Watkiss
City Clerk

ATTACHMENTS

Confidential Attachment 1 – List of Candidates, Qualifications, Confidential Diversity Information Summary, and Applications for the Toronto Licensing Tribunal (previously distributed with Item NQ19.1)

Confidential Attachment 2 – Confidential Voluntary Diversity Information Summary of Current Members of the Toronto Licensing Tribunal (previously distributed with Item NQ19.1)

Confidential Attachment 3 – Test Scores of Applicants Previously Interviewed for the Toronto Licensing Tribunal (previously distributed with Item NQ19.1)

Confidential Attachment 4 – Interview Schedule for the Toronto Licensing Tribunal Interviews on June 4, 2018 (to be circulated under separate cover)

Confidential Attachment 5 – Interview Questions for the Toronto Licensing Tribunal Interviews on June 4, 2018 (to be circulated under separate cover)

Confidential Attachment 6 – Test Scores of Applicants Selected for Interview for the Toronto Licensing Tribunal (to be circulated under separate cover)