

## Appendix A

### Licensing & Public Protection Committee – Proposed Terms of Reference

The Licensing & Public Protection Committee will be held in two parts, the first part as a Licensing Committee and the second part as a Public Protection Committee.

#### Licensing:

To deal with all matters under the Licensing Act 2003 and Gambling Act 2005 delegated from Full Council including:

1. With the exception of the Councils Licensing policy statements under the Licensing Act 2003 and Gambling Act 2005 (upon which it will advise), the licensing committee shall from time to time determine its policy relating to licensing matters after it has consulted with such parties as the law may require and/or whom it considers to be appropriate and it shall cause that policy to be published.
2. The Licensing Committee may, from time to time, establish conditions to the extent permitted by the law governing the administration of licensing matters, the conduct and behaviour of licence holders and for technical requirements and specifications, licensed premises and vehicles.
3. The Committee shall have delegated powers to consider all applications for licenses or permissions issued on behalf of the Council, including attaching conditions thereto, to consider and determine all applications for review, continuation, transfer, variation, renewal, suspension, closure orders, forfeiture or revocation of all licenses and permissions issued by or on behalf of the Council, including attaching conditions thereto and to consider appeals against terminations or tenancy at will.
4. The Committee shall, from time to time, receive reports on the cultural, economic and tourism impact of its work and it shall from time to time, as required by law or as it considers appropriate, make reports of its activity to Cabinet, overview and scrutiny committee and Planning Committee.
5. The committee may from time to time and to the extent permitted by the law, delegate any of its functions in paragraph 3 above to a body comprising of not less than 3 elected members drawn from members of the committee, to be known as a licensing panel (sub-committee), a quorum for such panel to being three members. The committee may establish more than one panel and membership of the panel(s) may be rotated as necessary amongst members of the Committee.
6. The committee may from time to time and to the extent permitted by the law, delegate any of its functions in paragraph 3 above, to be discharged by an Executive Director. The Executive Director may delegate such powers, duties, responsibilities and functions as he considers appropriate, and to the extent permitted by the law, to officers of the Council.

#### Public Protection Committee:

The Public Protection Committee will have the following roles and functions:

- a. To exercise the powers and duties of the Council in relation to licensing and registration functions.
- b. To exercise and perform the powers and duties of the Council in relation to the following matters:
  - (1) Food Safety and Control

To ensure that all food prepared, manufactured, processed and sold within the Borough is produced in safe and hygienic conditions.
  - (2) Occupational Health and Safety

To ensure that persons working in premises which fall within the area of responsibility of the Borough Council, do so in a safe and healthy environment.
  - (3) Infectious Disease Control

To control and prevent the spread of specified infectious diseases.
  - (4) Water Supply

To ensure that all residents in the Borough are provided with a constant supply of wholesome and potable water.
  - (5) Swimming Baths

To monitor and control the quality of bathing water.
  - (6) Health Education and Promotion

To promote awareness of health matters to residents of the Borough.
  - (7) Animal Welfare

To ensure that, where animals are bred, boarded, sold or used in any other way, they are cared for in a humane manner.
  - (8) Pest Control

To control infestations within the Borough by rats and mice, to remedy the existence of verminous premises, persons or articles, and to control insect pests of public health significance in premises.
  - (9) Sunday Trading

To implement the Sunday Trading Act 1994.

(10) Atmospheric Pollution Control

To protect and improve local air quality management including statutory nuisances and the pollution prevention control regime and Local Air Quality monitoring and management.

(11) Nuisance

To protect the local environment by the control of public and statutory nuisances including noise sources and the promotion of awareness of the need to create or allow Nuisance including excessive noise.

(12) Anti-Social Behaviour (ASB)

To control anti-social behaviour and to determine Public Spaces Protection Orders.

(13) Control of Dogs

To promote responsible dog ownership within the Borough.

(14) Asbestos Removal

To eliminate environmental hazards associated with asbestos.

(15) Contaminated and Derelict Land (including Landfill Sites)

To ensure that material identified as being present on land in the Borough do not cause a hazard to health or nuisance to neighbouring properties and that any development provides a safe and healthy environment for occupation and use; and to promote the reclamation of derelict land.

(16) Pollution Monitoring

To identify the presence of pollutants within the environment both generally and in relation to specific sources.

(17) Environmental Impact Assessments

To assess potential environmental impacts from new developments in the Borough.

(18) Environmental Enforcement

To prevent the unauthorised and improper disposal of waste within the Borough and enviro-crime activities.

(19) Housing

To review housing conditions throughout the Borough and initiate action in relation to nuisance disrepair, improvement, clearance and demolition; and to administer renovation grants.

(20) Camping and Caravan Site

To control camp and caravan sites.

(21) Licensing and Registration

To exercise powers and duties in relation to all licensing and registration excluding those matters which relate to the Licensing Act 2003 and the Gambling Act 2005 delegated to the Licensing Committee.

To discharge any other function where an officer has decided not to exercise their delegated authority and has referred the matter to the Public Protection Committee for determination.