

APPENDIX 1

TERMS OF REFERENCE OF THE COMMITTEES, SUB-COMMITTEES AND WORKING PARTIES OF COUNCIL

LICENSING AND PUBLIC PROTECTION COMMITTEE

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.

Note: When determining hackney carriage and private hire licences the committee shall follow the procedure set out ~~in bold text at paragraph 5~~ below.

1. Licensing Committee :

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 shall have the delegated powers to set all relevant fees and charges under the Licensing Act 2003, Gambling Act 2005, Scrap Metal Act 2013 and in respect of Sexual Entertainment venues under the Local Government (Miscellaneous Provisions) Act 1982
- ~~(4)~~(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 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)~~, Licensing sub –committee a quorum for such ~~panel to sub committee~~ being three members. The committee may establish more than one ~~panel sub-committee~~ and membership ~~of the panel(s)~~ may be rotated as necessary amongst members of the Committee. Terms of Reference for the Licensing sub – committee are at paragraph 2 below.

- (7) 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.

2. . Licensing Sub- Committee

Except for all matters of Policy and the setting of fees, to undertake all licensing functions, powers and duties conferred by the Licensing Act 2003 and Gambling Act 2005 including the following:

Licensing Act 2003

Where representations on the following applications have been received and not withdrawn to determine applications:

- a) For personal licences
- b) For premises licences and club premises licences
- c) For variation of premises licences and club premises certificates
- d) For transfer of premises licences

In addition the Sub – Committee will:

- e) Review premises licences and club premises certificates
- f) Determine Police or Environmental Health objections to temporary event notices

Gambling Act 2005

Where representations on the following applications have been received and not withdrawn, to determine applications:

- a) For Premises Licences
- b) For Variation of Premises Licences
- c) For Transfer of Premises Licences
- d) For a Provisional Statement

e) For Club Gaming or Club Machine Permits

f) For the cancellation of Club Gaming or Club Machine Permits

In addition the Sub Committee will:

g) Decide whether to give a counter notice to a temporary use notice

h) Take action under Section 202 where the review is heard by the Committee

i) Exercise its power to register pool betting operating licences

j) Exercise its power to grant track betting licences

k) Exercise its power to grant gaming and betting machine licences

l) Exercise its power to register societies wishing to promote lotteries

m) Exercise its power to issue premises licences and to receive temporary use notices

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