

LICENSING COMMITTEE - TERMS OF REFERENCE

Advisory

- (a) To receive the outcome of consultations required to be carried out under section 5 of the Licensing Act 2003 and recommend to the council any revision to the local statement of licensing policy as a result of such consultation. The statement of licensing policy shall be reviewed at least every three years and revisions made and published at such times as considered appropriate.

Delegated

- (a) To exercise the functions of the council as the licensing authority for the purposes and requirements of the Licensing Act 2003. To delegate these functions, where appropriate, to the Licensing Activities Sub-Committee or Service Director Neighbourhood and Environmental Services in accordance with the above legislation, and as defined and detailed in the statement of licensing policy in accordance with guidance issued by the Secretary of State (sections 3 to 10 of the above Act refers).
- (b) To promote the four licensing objectives as defined in section 4 of the Licensing Act 2003
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance and
 - the protection of children from harmwhilst carrying out its functions and those delegated to the Licensing Activities Sub-Committee.
- (c) To comment on any draft guidance and respond to any consultation documents issued by the Secretary of State.
- (d) To exercise the functions of the Council as the licensing authority for the purposes and requirements of all other relevant legislation, including that relating to acupuncture and body piercing, animals and pet shops, betting, gaming and lotteries, hackney carriage and private hire vehicles (taxis), house to house and street collections, street trading consents, public entertainment, and sex establishments (Please note this list is not exhaustive). To delegate these functions to the Service Director Neighbourhood and Environmental Services (see Delegations to Officers) or to the Licensing (Miscellaneous) Sub-Committee to determine the grant, renewal, variation, transfer or revocation of any licence, permit, consent permission, registration, certificate or other like document under such legislation.
- (e) To set and review appropriate licensing conditions.

- (f) To set and amend fees and charges for licences, consents and other permissions, together with hackney carriage and private hire tariffs.
- (g) To set and review standard conditions attached to licences, consents and other permissions where applicable.
- (h) To set and review procedures for giving required notices and determining applications for licences, consents or other permissions at meetings of the Committee and its Sub-Committees.
- (i) To determine the action to be taken as regards general relevant licensing issues including new/revised legislation, regulations, codes of practice or circulars. (This would include reviewing delegated powers to take account of and changes to legislation.)
- (j) To set the fees for gambling premises in accordance with paragraph 3.2 of the report of the Service Director Neighbourhood and Environmental Services of 7 November 2006.
- (k) To determine applications for small lotteries in accordance with paragraph 3.5 of the report of the Service Director Neighbourhood and Environmental Services of 7 November 2006.

Membership

15 members of the Council

LICENSING (ACTIVITIES) SUB-COMMITTEE

Delegated

- (a) To determine any application made under the Licensing Act 2003 as defined and detailed in the statement of licensing policy in accordance with guidance issued by the Secretary of State.
- (b) To consider any revocation or refusal of registration of applications for small lotteries.

Membership

3 members of the Committee (politically balanced).

LICENSING (MISCELLANEOUS) SUB-COMMITTEE

Delegated

- (a) To determine any appropriate applications in accordance with other relevant legislation as set out in paragraph (d) above.

- (b) To determine applications where the number of machines exceeds the number as stated in paragraph 32 of the report of the Service Director Neighbourhood and Environmental Services submitted to the Sub-Committee on 6 April, 2006.

Membership

5 members of the Committee (politically balanced).

Delegations

See Delegations to Officers.

