

# Licensing Sub Committee

## Terms of Reference

### Statutory Licensing Committee

- (1) Exercise those functions of the Licensing Committee under the Licensing Act 2003 and any regulations made under that Act, together with any related functions, with the exception of:-
- a) any function conferred on the Licensing Authority by Section 5 of the Licensing Act 2003 (Statement of Licensing Policy);
  - b) any function discharged under Section 7(5)(a) of that Act by a committee other than the Licensing Committee;
  - c) any function specifically reserved to the Licensing Committee;

and in particular, deal with the following matters in the circumstances indicated:-

Application for personal licence.	If a police objection has been made.
Application for personal licence with unspent relevant convictions.	If a police objection is made
Application for premises licence / club premises certificate.	If a relevant representation is made.
Application for provisional statement.	If a relevant representation is made.
Application to vary premises licence / club premises certificate.	If a relevant representation is made.
Application to vary designated premises supervisor.	If a police objection has been made.
Application for transfer of premises licence.	If a police objection has been made.

Applications for interim authorities. If a police objection has been made.

Determination of interim steps pending summary review All cases

Decision to give counter notice following police objection to temporary event notice All cases

Review following review notice made. If a police objection has been made.

Review following closure order made. If a police objection has been made.

Application to review premises licence / club premises certificate. All cases.

Decision to object when local authority is a consultee and not the relevant authority considering the application. All cases.

Determination of a police or environmental health objection to a temporary event notice. All cases.

Review of provisional licence to consider revocation or suspension. All cases.

(2) Exercise those functions of the Licensing Committee under the Gambling Act 2005 and any regulations made under that Act, together with any related functions, with the exception of:-

- a) any function conferred on the Licensing Authority by Section 166 of the Gambling Act 2005 (Casino Resolution);
- b) any function conferred on the Licensing Authority by Section 212 of the Gambling Act 2005 (Fees);
- c) any function conferred on the Licensing Authority by Section 349 of the Gambling Act 2005 (Statement of Principles);

d) any function specifically reserved to the Licensing Committee;

and in particular, deal with the following matters in the circumstances indicated:-

Application for premises licence.	If a relevant representation is made
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Application for a variation to a licence.	If a relevant representation is made
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Application for a transfer of a licence.	If a relevant representation is made
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Application for provisional statement.	If a relevant representation is made
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Application for club gaming/club machine permits.	If a relevant representation is made
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Application for licensed premises gaming machine permits	If a relevant representation is made
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Cancellation of club gaming/club machine permits.

Review of premises licence.

Decision to give a counter notice to a temporary use notice.

## **Section 101 of the Local Government Act 1972**

(3) Functions relating to the licensing of private hire and hackney carriage licenses, with the exception of any review and recommendations to the

Cabinet on the guidance for use in connection with applications for private hire and hackney carriage licenses;

- (4) Exercise those functions of the Licensing Committee under Section 101 of the Local Government Act 1972 the Council's powers and duties under the following Acts and Regulations:-

Betting, Gaming and Lotteries Act 1963;

Town Police Clauses Act 1847;

Local Government (Miscellaneous Provisions) Act 1976;

House to House Collections Act 1939;

Local Government (Miscellaneous Provisions) Act 1982;

Theatres Act 1968;

The Police, Factories etc. (Miscellaneous Provisions) Act 1916;

Safety of Sports Grounds Act 1975.

- (5) The registration and licensing of matters under other existing or future miscellaneous statutes, government directives or directions not referred to or dealt with by any other Committee, including in particular, and where appropriate to this Council, those functions B 1 to B 72 inclusive set out in Appendix 1 (Functions not to be the responsibility of an Authority's Executive) to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.
- (6) Functions under any of the "relevant statutory provisions" within the meaning of Part 1 (Health, safety and welfare in connection with work, and the control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.
- (7) Functions for the licensing of sex establishments in accordance with the Local Government (Miscellaneous Provisions) Act 1982 Section 2 and Schedule 3, together with any regulations made under the Act.

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