

Appendix A

2. The Licensing Committee

(Note: The replacement of the Licensing Committee and the Regulation Committee by one Licensing Committee as set out below will take effect after the May 2011 local election.)

Appointed by:	The Council under Section 6 of the Licensing Act 1972 <u>and Section 101 of the Local Government Act 1972</u>
No of Members:	12
Chairman and Vice-Chairman appointed by:	The Council
Quorum	At least 50% of the membership of the Committee
Frequency	Quarterly
Venue	As set out in the approved Calendar of Meetings ¹ 1 unless otherwise agreed by the Chairman, Monitoring Officer or Committee by resolution.
Co-opted Members	None
Code:	Licensing Code of Good Practice.

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2.1 Terms of Reference

- 2.1.1 To exercise all licensing functions of the Council under the Licensing Act 2003 (as set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and any subsequent amendments thereto and detailed in Annex B and D below) which are not delegated to a sub-committee or officers.

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- 2.1.2 To exercise all functions of the Council, under Part 8 of the Gambling Act 2005, as set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and any subsequent amendments thereto and detailed in Annex B below and in relation to the Health and Safety at Work Act 1974, except where those functions are discharged in the Authority's capacity as an employer, which are not delegated to a sub-committee or officers.

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2.2 Limitation of Powers

The Committee has full delegated powers subject to the following exclusions which shall be recommended for Full Council approval:-

- 2.2.1 approving the Authority's Licensing Statement under Section 5 of the Licensing Act 2003;
- 2.2.2 approving the Authority's Gambling Licensing Policy under Section 349 of the Gambling Act 2005; and
- 2.2.3 deciding not to issue casino licences under Section 166 of the Gambling Act 2005.

- 2.3.4 the making of Designation Orders in accordance with the provisions of Section 13 of the Police and Criminal Justice Act 2001 and the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001.

3. The Licensing Sub-Committee

Appointed by:	The Licensing Committee under Section 9 of the Licensing Act 2003
No of Members:	3 Members appointed by the Monitoring Officer as and when necessary from a panel comprising all Members of the Licensing Committee
Chairman and Vice-Chairman appointed by:	The Sub-Committee at each meeting
Quorum	2

Frequency	As and when required
Venue	As set out in the approved Calendar of Meetings ¹ 1 unless otherwise agreed by the Chairman, Monitoring Officer or Committee by resolution.
Co-opted Members	None
Code:	The Licensing Code of Good Practice. Licensing Hearings Procedure.

3.1 Terms of Reference

To undertake hearings under the Licensing Act 2003 in respect of the functions set out in Annex C below.

3.2 Limitation of Powers

None

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4. The Regulation Committee

Appointed by:	The Council under Section 101 of the Local Government Act 1972
No of Members:	12 who shall also be members of the Licensing Committee
Chairman and Vice-Chairman appointed by:	The Council
Quorum	At least 50% of the membership of the Committee
Frequency	Quarterly
Venue	As set out in the approved Calendar of Meetings ¹ 1 unless otherwise agreed by the Chairman, Monitoring Officer or Committee by resolution.
Co-opted Members	None
Code:	Licensing Code of Good Practice.

4.1 Terms of Reference

- 4.1.1 To exercise those licensing functions of the Council (as set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and any subsequent amendments thereto (except those relating to the Licensing Act 2003 and Gambling Act 2005 which are delegated to the Licensing Committee) and detailed in Annex C and D below) which are not delegated to a sub-committee or officers.
- 4.1.2 To exercise functions in relation to the Health and Safety at Work Act 1974, except where those functions are discharged in the Authority's capacity as an employer.

4.2 Limitation of Powers

The Committee has full delegated powers subject to the following exclusion which shall be recommended for full Council approval:-

- 4.2.1 The making of Designation Orders in accordance with the provisions of Section 13 of the Police and Criminal Justice Act 2001 and the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001.