

ARTICLE 14 - THE COUNCIL'S LICENSING FUNCTIONS

1 The Council will establish the following regulatory/quasi-judicial Committees:

- a) Licensing Committee
- b) Licensing Sub Committee
- c) Taxi Licensing Sub Committee

2 Composition

2.1 The composition of the Licensing Committees can only be amended with the approval of Full Council.

3 Role and Functions of Licensing Committee

3.1 The Licensing Committee will, within Council policies:

- a) Take decisions relating to licensing and appeals functions that would fall within the definition of key decisions if these were Executive functions;
- b) Approve and amend policies relating to these functions; and
- c) Approve arrangements for meetings of Sub Committees and Panels, unless otherwise determined by Council. In relation to licences that cover alcohol, regulated entertainment, and other licences granted under the:
 - Licensing Act 2003;
 - Local Government (Miscellaneous Provisions) Act 1976 and 1982;
 - Gambling Act 2005;
 - Dangerous Wild Animals Act 1976;
 - Scrap Metal Dealers Act 2013;
 - Caravan Sites and Control of Development Act 1960;
 - The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018;

- Zoo Licensing Act 1981;
- Town Police Clauses Act 1847.

4 Role and Functions of the Licensing Sub Committee

The Licensing Sub Committee will:

- 4.1 Carry out all statutory functions as the Licensing Authority, with regard to authorisations as stipulated under the Licensing Act 2003 and in accordance with the council's Statement of Licensing Policy:
- a) Determine applications for a personal licence if there is a police objection;
 - b) Determine applications for a personal licence from persons with an unspent conviction;
 - c) Determine the revocation or suspension of a personal licence if the holder is convicted of a relevant offence;
 - d) Determine applications for a premises licence/club premises certificate if a relevant representation is made;
 - e) Determine applications for a provisional statement if a relevant representation is made;
 - f) Determine applications to vary a premises licence/club premises certificate if a relevant representation is made;
 - g) Determine applications to vary a designated personal licence holder if there is a police objection;
 - h) Determine applications for a transfer of premises licence if there is a police objection;
 - i) Determine applications for interim authorities if there is a police objection;
 - j) Determine applications to review a premises licence/club premises certificate;
 - k) Decide whether to object when the local authority is a consultee and not the lead authority;
 - l) Determine an objected to temporary event notice;
 - m) Determination of application to vary premises licence at community premises to include alternative licence conditions if there is a police objection.
- 4.2 Determine applications to vary a designated premises supervisor if there is a police objection. Carry out all statutory functions as the

Licensing Authority, with regard to the issue of authorisations as stipulated under the Gambling Act 2005 and the council's Gambling Act Statement of Licensing Policy:

- a) Determine applications for premises licence if a relevant representation is made and not withdrawn;
- b) Determine applications to vary a premises licence if a relevant representation is made and not withdrawn;
- c) Determine applications for a transfer of premises licence if there is a representation from the Gambling Commission or responsible authority;
- d) Determine applications for a provisional statement if a relevant representation is made and not withdrawn;
- e) Determine applications to review a premises licence;
- f) Determine applications for a club gaming or club machine permits if a relevant representation is made and not withdrawn;
- g) Determine the cancellation of a club gaming or club machine permit; and
- h) Determine to give a counter notice to a temporary use notice.

4.3 Determine matters as stipulated within the council's Sex Establishment Policy, in accordance with Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended.

5 Role and Functions of the Taxi Licensing Sub Committee

5.1 The Taxi Licensing Sub Committee will determine matters as stipulated within the council's Taxi Licensing Policy in relation to hackney carriages and private hire vehicles, their proprietors, operators and drivers:

- a) Determine individual applications or matters referred to the Sub Committee by the Director of Transport, Environment and Planning unless within council policies it is an automatic ground of refusal;
- b) Suspend or revoke licences or issue written warnings referred to the Sub Committee by the Director of Transport, Environment and Planning;

- c) Determine appeals by applicants for advertising on hackney carriages who are aggrieved at a decision of the Director of Transport, Environment and Planning; and
- d) Determining individual applications where there is relevant information supplied by a Chief Officer of Police.