

## **The Licensing Committee Terms of Reference**

### Part 3 Paragraph 3.3.8 of the Council's Constitution

The Licensing Committee will have responsibility for the functions set out below:

1. To develop, review, monitor and maintain a strategic overview for all of the Council's Licensing function;
2. To discharge functions under the Licensing Act 2003, including the setting of fees under section 197A of the Licensing Act 2003, the Licensing Act 1964 and any other relevant legislation;
3. To discharge functions under the Gambling Act 2005 as delegated to the Licensing Committee by virtue of Section 154 of that Act or otherwise and also the function of setting fees under Section 212 of that Act;
4. To discharge functions under the Local Government (Miscellaneous Provisions) Act 1982, as amended;
5. To discharge functions under Part II of the London Local Authorities Act 1991;
6. To establish and appoint Licensing Sub-Committees, and approve the delegations of functions to the Sub-Committees and any additional Sub-Committee hearing procedures over and above the Council's Procedure Rules;
7. To develop and submit to Full Council for approval a Licensing Policy Statement;
8. To develop and submit to Cabinet and Full Council for approval a Gambling Licensing Policy Statement;
9. To develop and submit to Full Council for approval a Sex Establishment Licensing Policy;
10. To maintain an overview of the Council's statement of licensing policies and make recommendations to Full Council as appropriate during review;
11. To develop and adopt a Licensing Code of Practice;
12. To receive performance monitoring information on matters related to the Council's Licensing functions and to monitor appeals brought against the decisions of the Sub-Committees;

13. To receive reports on management of the Borough's night-time economy and enforcement issues;
14. To receive reports and maintain oversight of legislative changes that impact upon the Council's licensing functions and procedures;
15. To consider and make recommendations to Full Council, Cabinet or any of their committees, or any other relevant body, in respect of licensing functions and procedures; and
16. To maintain an overview of licensing training for Members.

The quorum for the Licensing Committee shall be 4 elected Councillors.

## **The Licensing Sub-Committee Terms of Reference**

Part 3 Paragraph 3.3.9 of the Council's Constitution

The Licensing Sub-Committees are responsible for determining applications which fall within the functions of the Licensing Committee. Licensing Sub-Committees will have specific responsibility for the functions set out below.

### **Licensing Act 2003**

1. To determine applications for premises licenses, club premises certificates and provisional statements where a relevant representation is received.
2. To determine applications to vary premises licences and club premises certificates where a relevant representation is received.
3. To determine applications for personal licenses where the police have served an objection notice, or the applicant has an unspent conviction.
4. To determine applications to vary a designated premises supervisor where a police objection is received.
5. To determine applications for transfer of premises licences where a police objection is received.
6. To determine applications to review premises licences and club premises certificates.
7. To determine applications for interim authorities where a police objection is received.
8. To determine whether to issue a counter notice to a temporary event notice where a police and/or environmental health authority objection is received.
9. To determine applications for expedited summary reviews of premises licences.
10. To review premises licences following receipt of a notice from the Magistrates Court of a closure order.

### **Gambling Act 2005**

11. To determine applications for a premises licence and provisional statement where a relevant representation is received.

12. To determine applications to vary premises licence and provisional statement where a relevant representation is received.
13. To determine applications for transfer of premises licence where a relevant representation is received.
14. To determine applications to review a premises licence.
15. To determine applications for a club gaming permit and club machine permit where a relevant representation is received.
16. To determine whether to issue a counter notice to a temporary use notice where a relevant representation is received.

**Schedule 3 Local Government (Miscellaneous Provisions) Act 1982 as amended**

17. To determine new applications for a sex establishment licence.
18. To determine renewal applications for a sex establishment licence where a relevant representation is received and not withdrawn.
19. To determine applications to transfer a sex establishment licence where a relevant representation is received and not withdrawn.

**Part II of the London Local Authorities Act 1991**

20. The determination of all applications and registrations for massage and special treatment licenses where a relevant representation is received

The quorum for Licensing Sub-Committees shall be 2 elected Councillors