

Appendix 1 A

New Article 9 - Licensing Committee

9.1 The Licensing Committee is established under Section 6 of the Licensing Act 2003 and Section 154 of the Gambling Act 2005. It is distinctive from the Council's other Committees which are governed by Section 101 of the Local Government Act 1972.

9.2 There is no requirement for the Committee to be politically balanced (unlike the Council's other Committee's) The provisions of the Local Government (Committees and Political Groups) Regulations 1990 do not apply.

9.3 Functions

To be responsible for:

1. Exercising the Council's functions as licensing authority so far as required or permitted by the Licensing Act 2003, as amended, in accordance with sections 6, 7, 9 and 10 of that Act, associated regulations and the delegation set out in appendix 1 of the Statement of Licensing Policy.
2. Recommending the setting and adoption of the Statement of Licensing Policy to the Council.
3. Exercising the Council's functions as licensing authority under the relevant sections of the Gambling Act 2005, associated regulations and the delegations set out in appendix 1 of the Gambling Policy (Statement of Principles).
4. Recommending the setting and adoption of the Gambling Policy to the Council.
5. Making arrangements for any hearing in relation to these responsibilities to be considered and determined by the Licensing Sub-Committee for matters relating to the Licensing Act 2003 or Gambling Act 2005.

9.4 Hearing Panels

9.4.1 Hearings about licensing matters will be considered by the Licensing Sub-Committee for liquor licensing or gambling (Licensing Act 2003 and Gambling Act 2005)

9.4.2 Any member of the Licensing Committee may be called upon to sit on the Licensing Sub-Committee to deal with applications under the Licensing Act 2003 (three Members plus one reserve).

9.4.3 Meetings of the Licensing Sub-Committee are convened as and when necessary and the quorum of Hearings shall be three Members.

9.4.4. Natural Justice Principles will apply to all Hearings

Note:

Any Member wishing to serve or substitute on this Committee must have undertaken such training as deemed appropriate by the Monitoring Officer, and as a minimum, within the previous two years of the date of the meeting.

Members who have not received the appropriate training will not be permitted to sit on the Committee when it is determining Policy matters and will not be eligible to sit on Hearings heard under the Sub-Committee arrangements