

## Article 11 – The Licensing Committee

### 11.01 Licensing Committee

The Council is required by the Licensing Act 2003 to establish a Licensing Committee.

### 11.02 Composition

The Licensing Committee will consist of between 10 and 15 Members and be politically balanced. The Chair and Vice-Chair of the Licensing Committee may be chosen from any group or non-aligned councillors. ~~will be chosen from amongst the main opposition group on the Council.~~

### 11.03 General Role

The role of the Licensing Committee will be as follows:-

1. To draft, consult upon and recommend to the County Council a Licensing Policy and Gambling Policy every three years and keep such Policies under review, recommending any revisions necessary to the County Council.
2. To determine applications for licensable activities under the Licensing Act 2003 including premises licenses, personal licences and club premises certificates.
3. To determine applications under the Gambling Act 2005 for premises licences and permits.

Any other matters delegated to the Committee from time to time.

### 11.04 Sub-Committees

The Committee may delegate its functions to one or more Sub-Committees established by it, or in a limited number of circumstances to an officer of the Authority. A Sub-Committee must comprise 3 Members and a number of Sub-Committees or officers with delegated powers can, if required to do so, operate at the same time. The following delegations have been granted:-

Licensing Act Matters	Full Committee	Sub-Committee	Health, Safety and Licensing Manager
Application for personal licence		If Police objection	If no objection made
Application for personal licence with unspent		All cases	

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Application for premises licence/club premises certificates		If relevant representation made	If no relevant representation made
Application for provisional statement		If relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a Police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a Police objection	All other cases
Applications for interim authorities		If a Police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.			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 objection to a temporary event notice		All cases	
<b>Gambling Act Matters</b>	<b>Full Council</b>	<b>Licensing Sub-Committee</b>	<b>Officers</b>
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting – when appropriate			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn

Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provision statement		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/ club machine permits		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	
Determination as to whether a person is an Interested Party			X
Determination as to whether representations are relevant			X
Determination as to whether a representation is frivolous, vexatious or repetitive			X

## 11.05 **Procedures**

The Committee may regulate its own procedure and that of its Sub-Committees, subject to any regulations, in relation to the conduct of hearings, access to the public and publicity. Any procedures adopted must comply with Human Rights Legislation.