

Licensing Committee – Terms of Reference and Procedure

The Committee has the responsibility and delegated powers to act on behalf of the Council in respect of licensing matters within the Borough as follows.

1. To exercise the functions of the Council as Licensing Authority for the purposes and requirements of the Licensing Act 2003 and the Gambling Act 2005, as detailed in schedule 1 (Functions not to be the Responsibility of an Authority's Executive) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, which shall be any and all powers available to the Licensing Authority in legislation;
2. To advise full Council or Cabinet on the authority's response to any consultation documents issued by the Secretary of State on licensing matters and revisions to the local statements of licensing policy and gambling policy;
3. To establish sub-committees comprising three members as and when required for the purpose of conducting hearings under the Licensing Act 2003 and Gambling Act 2005;
4. To consider and determine fees and charges in respect of any of the above matters;
5. To delegate these functions, where appropriate, to the Sub-Committee, appropriate Director or other appropriate employees; and
6. To approve, adopt, review, amend and revise codes of best practice and procedure for licensing matters within its terms of reference and to make the same publicly available.

PROCEDURE

- (a) As a general rule the [Council Procedure Rules](#) govern the way that committees operate but these, with the exception of paragraph 14 of the Council Procedure Rules, may be varied or suspended at the discretion of the Chairman of the Committee in the interests of efficient and effective management of the committee.
- (b) Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions to ensure a fair hearing.