

Title of Report : LICENSING AND GAMBLING ACTS COMMITTEE – APPOINTMENT OF SUB-COMMITTEES

Report of : Head of Legal and Democratic Services

To : Licensing and Gambling Acts Committee

Date : 10th May 2007

Item No: 6

Purpose of report : To establish Licensing Casework Sub-Committees for 2007/08 Council Year to deal with casework flowing from the Council's responsibilities under the Licensing Act 2003.

Recommendation(s) : The Committee is RECOMMENDED to:-

- (a) appoint as many Casework Licensing Sub-Committees of three members as there are combinations of three members in the total number of members of the Committee;
- (b) agree that the Sub-Committees' powers and duties be as set out in the Annex to this report.

decision : No

Portfolio Holder : Not applicable

Scrutiny Responsibility : Not applicable

Ward(s) affected : All

Report Approved by : Legal – Daniel Smith

Policy Framework : None

Last year the Committee appointed Casework Licensing Sub-Committees to discharge licensing casework under the Licensing Act 2003. All licensing authorities must establish a Licensing Committee under the 2003 Act. The Licensing Committee may appoint one or more Sub-Committees, for example to deal with licensing casework, (i.e. applications for licences of one or another under the Act). This year the Sub Committees must, in addition, be responsible for any casework that might arise under the Gambling Act 2005. The Sub-Committees must consist of no more and no less than 3

members. Neither the Sub-Committees nor this Committee need to be politically balanced.

2. In order to spread the casework across members of the Licensing and Gambling Acts Committee, the Committee might wish to appoint as many Sub-Committees as there are combinations of three members in the total number of members of the Committee. In that way any three members will constitute a Sub-Committee.

3. The suggested powers and duties of the Sub-Committees are as set out in the Annex to this report.

4. Hearings of the Sub-Committee have been programmed for approximately every three weeks, starting on 15th May. All the meetings will start at 9.30am.

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LICENSING AND GAMBLING ACTS COMMITTEE

Powers and Duties of Casework Licensing Sub Committees

1. To decide whether to give, change or transfer premises licences or club registration certificates when there are objections.
2. To review premises licences and club registration certificates after a closure order when there are objections.
3. To decide valid applications for a review of a premises licence or club premises certificate.
4. To deal, when there are objections, with applications for a statement saying the council expects to give a licence to premises that are yet to be built or converted.
5. To decide whether to prevent one-off events when there are objections from the police.
6. To decide applications to change the premises supervisor or appoint a temporary supervisor when there are objections from the police.
7. To decide whether to give a temporary premises licence to a replacement licence holder where there are objections
8. To decide applications for personal licences when there are objections from the police.
9. To decide whether to withdraw a personal licence on hearing of a conviction.
10. To decide applications for club gaming or club machine permits, and cancellation of such permits.
11. To decide applications for prize gaming permits.
12. To respond to consultation on an application by another body that gives licences
13. To decide applications for three or more prize gaming machines at licences premises.
14. To deal with any other licensing authority functions under the Gambling Act 2005 that are delegated to sub-committee level by the Act.

(To be amended if the Committee agrees the Scheme of Delegation outlined in the Gambling Act 2005 report)