

DRAFT

To: Licensing and Gambling Acts Committee

Date: 20th May 2010

Item No: 6

Report of: Head of Law and Governance

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

Summary and Recommendations

Purpose of report: To establish licensing casework sub-committees for the 2010/11 Council Year to deal with casework flowing from the Council's responsibilities under the Licensing Act 2003 and the Gambling Act 2005.

Report approved by:

Finance: Sarah Fogden

Legal: Daniel Smith

Policy Framework: Not applicable

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.

1. All licensing authorities must establish a Licensing Committee under the Licensing Act 2003. The City Council's Licensing Committee is responsible for recommending policies to Council under both the 2003 and 2005 Acts and for setting licence fees. The Licensing Committee may appoint one or more sub-committees, for example to deal with licensing casework, (i.e. applications for licences of one sort or another under the Act). The sub-committees are also 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. Last year

the Committee appointed licensing and gambling casework sub-committees to discharge licensing casework under the two Acts.

2. In order to spread the casework across members of the Licensing and Gambling Acts Committee, the Committee is being recommended this year 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 of the Committee will constitute a sub-committee.
3. The recommended 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 27th May. All the meetings are programmed to start at 5.00 pm.

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Background papers: None

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LICENSING AND GAMBLING ACTS COMMITTEE

Powers and Duties of Licensing Casework Sub-Committees

1. To decide whether to give, change or transfer premises licences or club premises certificates when there are objections.
2. To review premises licences and club premises 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 temporary events or uses 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 deal, when there are objections, with applications for club gaming or club machine permits, and cancellation of such permits.
11. To deal, when there are police objections or officers are minded to refuse, with 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 Licensing Act 2003 or the Gambling Act 2005 that are delegated to sub-committee level by the Act.