

## CONSTITUTION PART 3

## A. RESPONSIBILITY FOR NON-EXECUTIVE OR COUNCIL FUNCTIONS

## Proposed Provision – Licensing

Council Body	Membership	Functions
General Licensing and Registration Committee	27 Members of the Council	<ol style="list-style-type: none"> <li>1. To review and make recommendations to the Council where appropriate on policies in relation to the licensing functions set out below.</li> <li>2. Except where the matter is delegated to a sub Committee or to an officer:               <ol style="list-style-type: none"> <li>(a) To discharge the Council's licensing and regulatory functions as set out in Section B of Schedule 1 to the 2000 Regulations, in relation to:                   <ul style="list-style-type: none"> <li>• hackney carriages and private hire vehicles;</li> <li>• sex shops and sex cinemas and sexual entertainment venues and licensing matters provided for in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982;</li> <li>• market and street trading;</li> </ul> </li> <li>(b) Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption.</li> </ol> </li> <li>3. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Council's area.</li> </ol>
General Licensing and Registration Sub-Committees	<p>3 Sub-Committees of 4 Members to sit with the Chair or a Vice-Chair as a Panel of 5 Members appointed by the Head of Legal and Democratic Services* on a rota basis. The Chair to be a person also serving as a Chair of the Statutory Licensing Committee or a sub committee thereof.</p> <p>The quorum for meetings of these</p>	To discharge all of the functions of the General Licensing Committees except policy development and matters delegated to officers.

	<p>Sub-Committees shall be 3.</p> <p>*In appointing the Members of the Sub-Committees, the Head of Legal and Democratic Services will identify a panel of 4 Members plus a Chair or Vice-Chair (5 in total) for each scheduled meeting at the start of the municipal year.</p>	
<p>Statutory Licensing Committee [a Sub – Committee of the General Licensing and Registration Committee and to be called the “Statutory Licensing Committee”]</p>	<p>15 Members of the Council drawn from the 27 members of the General Licensing and Registration Committee who, whilst predominantly will serve on the Statutory Licensing Committee and its sub committees, can when occasion demands also serve on other sub committees of the General Licensing and Registration Committee.</p>	<ol style="list-style-type: none"> <li>1. To review and make recommendations to Council upon policies in relation to licensing matters under the Licensing Act 2003 and the Statement of Licensing Policy.</li> <li>2. To discharge the Council’s functions as a Licensing Authority under the Licensing Act 2003, within agreed policy.</li> <li>3. To review and make recommendations to Council upon policies in relation to licensing matters under the Gambling Act 2005 and the Statement of Principles.</li> <li>4. To discharge the Council’s functions as a Licensing Authority under the Gambling Act 2005, within agreed policy.</li> <li>5. To arrange for the discharge of any of the Licensing functions exercisable by the Committee by an Officer of the Licensing Authority subject to the limitations set out in section 10(4) of the Licensing Act 2003 and section 154 of the Gambling Act 2005.</li> <li>6. To discharge any other function of the Council which relates to a matter which is a licensing function under the Licensing Act 2003 or the Gambling Act 2005, but which is not such a licensing function after consideration of a report from the committee within whose remit that other function falls.</li> </ol>
<p>Statutory Licensing Sub-Committees [Sub Committees of the Statutory Licensing Committee]</p>	<p>3 Sub-Committees of 4 Members to sit with the Chair or a Vice-Chair as a Panel of 5 Members appointed by the Head of Legal and Democratic Services* on a rota</p>	<p>To discharge all of the functions of the Statutory Licensing Committee except policy development and matters delegated to officers.</p>

	<p>basis. The quorum for meetings of these Sub Committee shall be 3.</p> <p>*In appointing the Members of the Statutory Licensing Sub-Committees, the Head of Legal and Democratic Services will identify a panel of 4 Members plus a Chair or Vice-Chair (5 in total) for each scheduled meeting at the start of the municipal year and as under the Licensing Act 2003 a sub committee can be only 3 of the 5 who are asked to attend 3 will make up the actual sub committee the remaining 2 to be substitutes if need arises.</p>	
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