

Licensing Sub-Committees

The Licensing Sub-Committees are authorised to discharge¹ the following functions² concurrently³:

1. functions⁴ under:

- (a) section 18(3) of the 2003 Act (determination of application for premises licences where representations have been made);
- (b) section 31(3) of the 2003 Act (determination of application for provisional statements where representations have been made);
- (c) section 35(3) of the 2003 Act (determination of application for variation of premises licence where representations have been made);
- (d) section 39(3) of the 2003 Act (determination of application to vary designated premises supervisors following police objection);
- (e) section 44(5) of the 2003 Act (determination of application for transfer of premises licences following police objection);
- (f) section 48(3) of the 2003 Act (consideration of police objection made to an interim authority notice);
- (g) section 52(3) of the 2003 Act (determination of an application for review of a premises licence);
- (h) section 72(3) of the 2003 Act (determination of application for club premises certificates where relevant representations have been made);
- (i) section 85(3) of the 2003 Act (determination of application to vary club premises certificates where representations have been made);
- (j) section 88(3) of the 2003 Act (determination of application for review of a club premises certificate);
- (k) section 105(2)(decision to give counter notice following police objection to a temporary event notice);
- (l) section 120(7) of the 2003 Act (determination of application for grant of personal licence following police objection);
- (m) section 121(6) of the 2003 Act (determination of application for renewal of personal licences following police objection);
- (n) section 124(4) of the 2003 Act (revocation of licence where convictions come to light after grant or renewal of personal licences);
- (o) section 20(3) of the 2003 Act (making recommendations for restricting the admission of children to the exhibition of any film)
- (p) section 159 of the 2005 Act (determination of application for premises licences where representations have been made)⁵

¹ With the exception of those functions set out in paragraphs 1 and 2 above, and subject to any direction given by the Licensing Committee, the Licensing Sub-Committees may arrange for any of these functions to be discharged by an officer (Section 10(2) and (5) of the Licensing Act 2003 (the 2003 Act)).

² "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

³ Section 10(3) of the 2003 Act.

⁴ Including agreeing whether a hearing is necessary.

⁵ Including deciding whether representations are vexatious, frivolous, or will certainly not influence the authority's determination of the application

Council Committees' Terms of Reference

- (q) section 187 of the 2005 Act (determination of application for variation of premises licence where representations have been made);⁵
 - (r) section 188 of the 2005 Act (determination of application for transfer of premises licences following objection);⁶
 - (s) section 195 of the 2005 Act (consideration of objection made to an application for reinstatement);⁶
 - (t) section 203 of the 2005 Act (determination of review of a premises licence);
 - (u) section 204 of the 2005 Act (determination of application for provisional statements where representations have been made);⁶
 - (v) section 224 of the 2005 Act (decision to give counter notice following an objection to a temporary use notice);
 - (w) schedule 10 of the 2005 Act (consideration of representations in relation to the proposed rejection of a family entertainment centre permit);
 - (x) schedule 14 of the 2005 Act (consideration of representations in relation to the proposed rejection of a prize gaming permit);
 - (y) schedule 13 of the 2005 Act (consideration of representations in relation to the proposed rejection of an alcohol licensed premises gaming machine permit);
 - (z) schedule 12 of the 2005 Act (consideration of representations in relation to the proposed rejection of a club gaming permit or club machine permit);
2. To discharge any other function referred by the Licensing Committee, including making representations to the Licensing Committee in connection with the discharge of its functions.

Exceptions

A Sub Committee is not authorised to discharge functions under paragraph 1 (a) to (e) above where the application relates to an event in the open air, in a temporary structure and where the proposed capacity of the event exceeds 30,000 people.

A Sub Committee is not authorised to discharge functions under paragraph 1 (p) to (u) above where the application relates to a licence for a large casino pursuant to s174 of the 2005 Act.

⁶ Including deciding whether representations are vexatious, frivolous, or will certainly not influence the authority's determination of the application