



Report of the Assistant Chief Executive (Corporate Governance)

Report to the Licensing Committee

Date: 2nd June 2009

Subject: TERMS OF REFERENCE – LICENSING COMMITTEE

Electoral Wards Affected:

All

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

Under the Licensing Act 2003 and the Gambling Act 2005 the Licensing Committee is authorised to discharge the licensing functions of the licensing Authority. This report sets out the Terms of Reference for the Licensing Committee as agreed at the Annual Meeting of Council on 21st May 2009.

1.0 Purpose Of This Report

1.1 This report is presented to Members in order that they note the agreed Terms of Reference of the Licensing Committee. The Terms of Reference for the Licensing Committee are attached at **Appendix A** of this report and were agreed at the Annual Council meeting on the 21st May 2009.

2.0 Background Information

2.1 The Council is the Licensing Authority under the Licensing Act 2003. ("the 2003 Act") and the Gambling Act 2005 (the "2005 Act")

2.2 The Licensing Committee is authorised to discharge the licensing functions of the authority under the two Acts. This discretion does not extend to any licensing function reserved to full Council or a licensing function where full Council has referred a matter to another committee.

2.3 The Licensing Committee is also authorised to delegate functions of the authority to the relevant officers. The Officer Delegation Scheme as previously approved by the Licensing Committee and presented to Annual Council on 21st May 2009 is attached at **Appendix B** for Members reference

2.4 Members attention is also drawn to the Code of Practice for the Determination of Licensing Matters which now incorporates the site visit protocol, attached at **Appendix C** for reference .

3.0 Main Issues

3.1 There are no issues raised in this report . It is for Member's information only.

4.0 Implications For Council Policy And Governance

4.1 There are no issues raised in this report. It is for Member's information only.

5.0 Legal And Resource Implications

5.1 Without a properly constituted Committee with agreed Terms of Reference the Council will be open to challenge.

6.0 Recommendations

6.1 Members of the Licensing Committee are requested to note the Terms of Reference for the Licensing Committee as attached at **Appendix A**.

6.2 Members are requested to note the contents of the current Officer Delegation Scheme as attached in **Appendix B**.

6.3 Members are asked to note the Code of Practice for the Determination of Licensing Matters as attached at **Appendix C**.