

# Section 19

## Licensing Sub-Committee

### 19.1 Status

The Licensing Sub-Committees are Sub-Committees of the Licensing and Public Protection Committee established to discharge the Licensing Authority's licensing functions under Section 7(1) of the Licensing Act 2003 and Section 154(1) of the Gambling Act 2005.

### 19.2 Membership and Method of Appointment

In accordance with Section 9(1) of the Licensing Act 2003, each Sub-Committee will comprise of three Members of the Licensing and Public Protection Committee. Section 15 and Schedule 1 of the Local Government and Housing Act 1989 concerning political balance will not apply.

### 19.3 Chair and Vice-Chair

At each meeting of the Licensing Sub-Committee the Chair shall be appointed by and from the Members of the Council present.

### 19.4 Quorum

No business shall be dealt with at the meeting unless all three Members of the Sub-Committee are present. In the event of one or more Members being unable to attend, their place will be substituted by another Member taken from the membership of the Licensing and Public Protection Committee.

### 19.5 Attendance by Councillors Who Are Not Members of the Sub-Committee

Council Procedure Rule 6(6) will apply.

### 19.6 Frequency of Meetings

Meetings of the Sub-Committee will be convened in accordance with the requirements of the Licensing Act 2003 and the Gambling Act 2005.

### 19.7 Agenda

Prior to the meeting of the Sub-Committee the Chief Executive will circulate to Members of the Sub-Committee (and where necessary, Applicants, Licensees, and appropriate interested parties) the Agenda and Reports to be considered and the procedure for dealing with applications.

## **19.8 Proceedings**

The Chief Executive (or nominee) shall be the Clerk to the Licensing Sub-Committees.

The provisions of Schedule 12 of the Local Government Act 1972, as amended, will apply where appropriate.

Where not already provided for above, the Council's Procedure Rules will apply.

## **19.9 Reports to Council**

Reports in the form of Minutes detailing action taken under delegated powers and recommendations will be submitted to the Licensing and Public Protection Committee which may then accept, amend, or reject any recommendations, but not a resolution made by the Sub-Committee.

## **19.10 Functions**

Pursuant to Section 10(1) of the Licensing Act 2003, the Licensing and Public Protection Committee delegates to the Licensing Sub-Committee all of its functions under the Licensing Act 2003 and the Gambling Act 2005

(Note: Where such functions have also been delegated to an Officer, the Sub-Committees shall only exercise those functions where the Officer is unable to exercise them or has declined.)

## **19.11 Procedure for Dealing with Applications and Other Matters**

The Licensing and Public Protection Committee shall determine the procedure to be followed on the hearing of matters before the Licensing Sub-Committee as required by legislation.

## **19.12 Delegated Powers**

The Sub-Committees are empowered to deal with any of the functions detailed above.

## **19.13 Other Matters**

Where not already provided for above, the Council Procedure Rules for the regulation of proceedings and business will apply.

It is compulsory for Members of the Sub-Committee to attend relevant training events in respect of the functions of the Sub-Committee.