PART 3 – RESPONSIBILITY AND FUNCTIONS

TERMS OF REFERENCE – LICENSING COMMITTEE

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1. **Terms of Reference**
2. **Operating Protocol**

COMMITTEE	**LICENSING**
MEMBERSHIP	10 Members of the Council appointed annually, and politically balanced
LEAD OFFICER	Director of Neighbourhood Services & Communities
OFFICERS / UNITS PRIMARILY REPORTING	Licensing Officers, Legal Officers
SUB-COMMITTEE	Licensing Sub-Committee

1. TERMS OF REFERENCE

1. The Committee will recommend to the Council on the approval and adoption of polices under the Licensing Act 2003 and the Gambling Act 2004, and the making of any regulations for the performance of licensing functions.

2. The Committee will also recommend to the Council on fees for all the Council's licensing functions (including fees for Hackney Carriage and Private Hire Licences and the determination of objections to them).

3. The Committee will (save as set out above) exercise all the Council's licensing and registration functions including relating to:

   a) licensing under the Licensing Act 2003.

   b) gambling or gaming under the Gaming Act 1968 and the Gambling Act 2005.

   c) the control of sex establishments pursuant to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009.

   d) licensing under the Scrap Metal Dealers Act 2013.

   e) hackney carriage drivers and vehicles, private hire drivers, vehicle and operators.

   f) street and house to house collections.

   g) registration of society lotteries.

   h) temporary road closures under the Town Police Clauses Act 1847.

   i) decisions upon applications under Schedule 1 part B of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and other licensing and regulatory matters not falling within the remit of any other Committee Licensing Sub-Committee or under the Scheme of Delegation to Officers.

   save for those matters falling within the remit of the Licensing Sub-Committee or otherwise provided for in the Scheme of Delegation to Officers.

4. The Committee will consider the making of byelaws and regulations for land and premises under the Council's control, including the River Blackwater, for recommendation to the Council.

2. OPERATING PROTOCOL

1 The Committee will meet in accordance with arrangements determined by the Council.

2 All members of the Committee shall have received appropriate and regular training on licensing matters**.**