

APPENDIX 2

[the words proposed for addition or insertion are shown in bold and in italics]

Part 3, Section 3 of the revised Council Constitution

Terms of reference: Non-Executive Bodies

[the text shown below would be added under Committees starting at page 8 in Part 3, Section 3 of the Constitution]

6. Licensing Committee

- (1) The Licensing Committee has all the functions referred to it by law under the Licensing Act 2003 *and the Gambling Act 2005*. These include:
 - (a) To be responsible for monitoring the operation of the Acts licensable activities *and gambling* in the Borough;
 - (b) To receive reports on these matters and on the functions delegated to the Licensing Sub-Committees and to officers. To call for a report on any individual case;
 - (c) To be consulted on the review and determination of the Licensing Policy Statement *and the Statement of Gambling Policy* including procedures for Council consultation with external stakeholders;
 - (d) To determine the procedures to be followed in handling applications, notices, representations and all hearings, subject to the relevant Regulations;
 - (e) *Subject to Regulations, to determine the fees payable for applications for premises licences and related matters under the Gambling Act 2005;*
 - (f) To exercise the functions of the Licensing Sub-Committees in relation to any premises, site or event where 500 or more persons are to be present;
 - (g) To exercise the functions of the Licensing Sub-Committees in any case referred to the Committee by its Chair, or by the Chair of a Licensing Sub-Committee on the grounds of its special significance or difficulty;

- (h) In a Council Election Year when there is a need to hold a hearing in the period between Election day and the Annual Meeting of the Council, those Members of the Licensing Committee who are re-elected as Councillors shall meet as the Licensing Committee to exercise any of the functions of the Licensing Sub-Committees, or under (f) above, and shall elect a Chair for the meeting.
- (2) Excluded from the Licensing Committee's terms of reference are:
- (a) The functions statutorily referred to the General Purposes Committee, *the Cabinet and the full Council* including the *formal* review and determination of the Licensing Policy Statement *and the Statement of Gambling Policy*;
 - (b) The functions delegated to the Licensing Sub-Committees, as set out below, except where referred back to the Committee under sub-paragraph 6(1)(g) above.