

## APPENDIX 3

[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 Sub-Committees and Panels starting at page 16 in Part 3, Section C of the Constitution]

### 3. Under Licensing Committee

#### 3.1 Licensing Sub-Committees

##### General Provisions

- (a) To exercise all the functions listed *in these terms of reference* in relation to any premises, site or event where less than 500 persons are to be present;
- (b) The Chair of a Licensing Sub-Committee may, before hearing it, refer any case falling within *these terms of reference* to the Licensing Committee on the grounds of its special significance or difficulty. *This power may also be exercised by the Chair of the Licensing Committee;*
- (c) Licensing Sub-Committees have the power to make final decisions on behalf of the Council on matters within their terms of reference and there is no right of appeal to the Licensing Committee.

##### Functions under both the Licensing Act 2003 and the Gambling Act 2005

- (d) To determine applications for premises licences where relevant representations have been made;
- (e) To determine applications for provisional statements where relevant representations have been made;
- (f) To determine applications for variations of premises licences where relevant representations have been made;

- (g) To determine valid applications for review of premises licences;
- (h) To decide on any other matter where it is necessary or desirable for Members to make that decision;

**Functions under the Licensing Act 2003 alone**

- (i) To determine applications to vary designated premises supervisors following police objections;
- (j) To determine applications for transfer of premises licences following police objections;
- (k) To consider police objections made to interim authority notices;
- (l) To determine applications for club premises certificates where relevant representations have been made;
- (m) To determine applications to vary club premises certificates where relevant representations have been made;
- (n) To determine valid applications for review of club premises certificates;
- (o) To decide whether to give counter notices following police objections to temporary event notices;
- (p) To determine applications for grants of personal licences following police objections;
- (q) To determine applications for renewals of personal licences following police objections;
- (r) To decide on revocation of personal licences where convictions come to light after grant;

**Functions under the Gambling Act 2005 alone**

- (s) *To determine applications for transfers of premises licences following representations by the Gambling Commission or others;*
- (t) *To determine applications for the re-instatement of premises licences where relevant representations have been made;*
- (u) *To decide whether to give counter notices following objections to temporary use notices;*

- (v) To determine applications for the grant of club gaming permits and club machine permits where objections have been received;**
- (w) To determine proposals to cancel club gaming permits and club machine permits where the holder requests a hearing;**
- (x) When the licence holder requests a hearing, to determine officer proposals: (i) to make an order removing the entitlement of an on-premises alcohol licence holder to have one or two gaming machines, or (ii) to cancel or vary a licensed premises gaming machine permit;**
- (y) To determine licensed premises gaming machine permit applications for 5 or more machines and all applications for any number of machines where there is cause for concern about the proper management of the premises;**