

LICENSING AND GAMBLING COMMITTEE

Terms of Reference

1. To discharge the functions of a licensing committee as required by the Licensing Act 2003 and the Gambling Act 2005 and to authorise, approve or determine any enforcement matters under the Acts;
2. ~~To discharge on behalf of the Council all matters relating to the grant, refusal, issue, revocation, cancellation and suspension of licences or permits and without prejudice to the generality of the foregoing to discharge these functions in respect of:~~
 - a) ~~Private Hire Operators.~~
 - b) ~~Private Hire and Hackney Carriage Drivers.~~
 - c) ~~Private Hire Vehicles.~~
 - d) ~~Hackney Carriage Vehicles including setting tariffs.~~
 - e) ~~Hypnotism~~
 - f) ~~Lottery Registrations~~
 - g) ~~Street Collections.~~
 - h) ~~House to House Collections.~~
 - i) ~~Street Trading.~~
 - j) ~~Sex Shops & Sexual Entertainment Venues.~~
 - k) ~~Burials in Public Cemeteries.~~
 - l) ~~Reservoirs.~~
 - m) ~~Dangerous Wild Animals.~~
 - n) ~~Animal Boarding Establishments.~~
 - o) ~~Dog Breeding.~~
 - p) ~~Guard Dogs.~~
 - q) ~~Acupuncture\Cosmetic\Piercing\Electrolysis\Tattooing\Semi Permanent Skin Colouring.~~
 - r) ~~Performing Animals.~~
 - s) ~~Pet Shops.~~
 - aa) ~~Zoos.~~
 - bb) ~~Camping Sites.~~
 - cc) ~~Caravan Sites.~~
 - dd) ~~Pleasure Boats.~~
 - ee) ~~Filling Materials.~~
 - ff) ~~Riding Establishments.~~
 - gg) ~~Scrap Metal Dealers.~~
 - hh) ~~Slaughter of Poultry.~~
 - ii) ~~Charities for Disabled Persons and War Charities.~~
 - jj) ~~Explosives.~~
 - kk) ~~Fireworks.~~
 - ll) ~~Petroleum.~~
 - mm) ~~Poisons.~~
 - nn) ~~Sports Grounds.~~
 - oo) ~~Marriage & Civil Partnerships.~~
 - pp) ~~Control of Horses~~
 - qq) ~~Those matters set out in Part B of Schedule 1 of the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001.~~

~~rr) — Such other matters as may from time to time under statute or practice fall to be considered by the Council in a quasi-judicial manner, other than employment appeals or grievances.~~

POWERS DELEGATED TO THE COMMITTEE

All those matters referred to in paragraph 1 above, including a power to delegate to a sub-committee the power to determine matters within the Committee's Terms of Reference.

POWERS DELEGATED TO OFFICERS

POWER	DELEGATED TO
All matters arising from the exercise of the Committee's terms of reference (to include the power to issue licences and permits), with the power to establish one or more sub-committees in accordance with Section 9 of the Licensing Act 2003, and powers under the Gambling Act 2005 and power to delegate its functions under the Licensing Act 2003, and under the Gambling Act 2005 to a sub-committee or to an officer of the authority.	The Chief Executive or a Director or a <u>relevant</u> Head of Service or any of the following officers:- Licensing <u>Manager Officer</u> & Assistant Licensing <u>Manager Officer</u> , Senior Licensing Administrator, Licensing Administrator Trading Standards, Licensing & Registrars Manager Environmental Health Manager *Senior Trading Standards Officer *Senior Environmental Health Officer *Trading Standards Officer *Senior Fair Trading Officer * Environmental Health Officer *Senior Commercial Safety Officer *Commercial Safety Officer *Fair Trading Officer *Enforcement Officer (Directorate of the Environment) (Officers marked * <u>where appropriate</u> are appointed under Section 19(1) of the Health and Safety at Work Act 1974 or any statutory amendment thereto)]
The following officers are designated as authorised for the purposes of the Licensing Act 2003, and of the Gambling Act 2005 and are given delegated powers to act in that capacity.	Head of Public Protection Environmental Health Manager Trading Standards Licensing & Registrars Manager Licensing <u>Manager Officer</u> Assistant Licensing <u>Manager Officer</u> Senior Environmental Health Officer Environmental Health Officer Senior Trading Standards Officer Trading Standards Officer Senior Fair Trading Officer Fair Trading Officer Scientific Officer Senior Commercial Safety Officer <u>Community Safety Manager</u> Commercial Safety Officer

Community Safety Wardens Enforcement Officer

The Council on the _____ approved the following procedural matters in relation to the Licensing and Gambling Committee and the Licensing and Gambling sub-committee, including a procedural change to the Council's Standing Orders, as follows: -

- (a) the quorum for the Licensing and Gambling sub-committee is two. Every effort will be made to maintain the sub-committee at three members present when dealing with an application but there will inevitably be some circumstances where a member is unable to attend at the last minute and a substitute cannot be found or a member part way through needs to declare an interest and withdraw from the hearing. In accordance with our Standing Orders, the chairman will have a casting vote.
- (b) that members serving on the Licensing and Gambling sub-committee will be drawn in rotation from the whole of the Licensing and Gambling Committee. This will allow each member an equal opportunity to contribute to the work of the Committee and will hopefully ensure a fairness to members in the demands being made on them to sit;
- (c) that the chair and vice-chair of the Licensing and Gambling Committee are not automatically on the Licensing and Gambling sub-committee but will be part of the normal rotation;
- (d) that the current restriction within Standing Orders which prohibits a meeting sitting for longer than four hours be removed from applying to the Licensing and Gambling Committees or its sub-committee, subject to a requirement on the committee to take appropriate breaks so as to ensure the comfort of those participating in the meeting.

TAXI AND GENERAL COMMITTEE

Terms of Reference

~~4.~~ ~~To discharge the functions of a licensing committee as required by the Licensing Act 2003 and the Gambling Act 2005 and to authorise, approve or determine any enforcement matters under the Acts;~~

21. To discharge on behalf of the Council all matters relating to the grant, refusal, issue, revocation, cancellation and suspension of licences or permits and without prejudice to the generality of the foregoing to discharge these functions in respect of:

- a) Private Hire Operators.
- b) Private Hire and Hackney Carriage Drivers.
- c) Private Hire Vehicles.
- d) Hackney Carriage ~~Vehicles (including setting tariffs).~~
- e) Hypnotism
- f) Lottery Registrations
- g) Street Collections.
- h) House-to-House Collections.
- i) Street Trading.
- j) Sex Shops & Sexual Entertainment Venues.
- k) Burials in Public Cemeteries.
- l) Reservoirs.
- m) Dangerous Wild Animals.
- n) Animal Boarding Establishments.
- ~~o) Dog Breeding.~~
- p) Guard Dogs.
- q) Acupuncture\Cosmetic\Piercing\Electrolysis\Tattooing\Semi Permanent Skin Colouring.
- r) Performing Animals.
- s) Pet Shops.
- aa) Zoos.
- bb) Camping Sites.
- cc) Caravan Sites.
- dd) Pleasure Boats.
- ee) Filling Materials.
- ff) Riding Establishments.
- ~~gg) Scrap Metal Dealers.~~
- ~~hh) Slaughter of Poultry.~~
- ii) Charities for Disabled Persons and War Charities.
- jj) Explosives.
- kk) Fireworks.
- ll) Petroleum.
- ~~mm) Poisons.~~
- ~~nn) Sports Grounds.~~
- oo) Marriage & Civil Partnerships.
- ~~pp) Control of Horses~~
- ~~pp) qq) Those matters set out in Part B of Schedule 1 of the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 in so far as they are not governed by the~~

Licensing Act 2003 and/or the Gambling Act 2005 or delegated separately under Part 3 of the Council's Constitution

- qq) Such other matters as may from time to time under statute or practice fall to be considered by the Council in a quasi-judicial manner, other than employment appeals or grievances in so far as they are not governed by the Licensing Act 2003 and/or the Gambling Act 2005 or delegated separately under Part 3 of the Council's Constitution

POWERS DELEGATED TO THE COMMITTEE

All those matters listed above, including a power to delegate to a sub-committee the power to determine matters within the Committee's Terms of Reference.

POWERS DELEGATED TO OFFICERS

POWER	DELEGATED TO
<p>All matters arising from the exercise of the Committee's terms of reference (to include the power to issue licences and permits), with the power to establish one or more sub-committees in accordance with Section 9 of the Licensing Act 2003, and powers under the Gambling Act 2005 and power to delegate its functions under the Licensing Act 2003, and under the Gambling Act 2005 to a sub-committee or to an officer of the authority.</p>	<p>The Chief Executive or a Director or a <u>relevant</u> Head of Service or any of the following officers:- Licensing <u>Manager Officer</u> & Assistant Licensing <u>Manager Officer</u>, Senior Licensing Administrator, Licensing Administrator Trading Standards, Licensing & Registrars Manager Environmental Health Manager *Senior Trading Standards Officer *Senior Environmental Health Officer *Trading Standards Officer *Senior Fair Trading Officer * Environmental Health Officer *Senior Commercial Safety Officer *Commercial Safety Officer *Fair Trading Officer *Enforcement Officer (Directorate of the Environment) <u>Acting Parks Manager</u> (Officers marked * <u>where appropriate</u> are appointed under Section 19(1) of the Health and Safety at Work Act 1974 or any statutory amendment thereto)]</p>
<p>The following officers are designated as authorised for the purposes of the Licensing Act 2003, and of the Gambling Act 2005 and are given delegated powers to act in that capacity.</p>	<p>Head of Public Protection Environmental Health Manager Trading Standards Licensing & Registrars Manager Licensing Officer Assistant Licensing Officer Senior Environmental Health Officer Environmental Health Officer Senior Trading Standards Officer</p>

	<i>Trading Standards Officer Senior Fair Trading Officer Fair Trading Officer Scientific Officer Senior Commercial Safety Officer Community Safety Manager Commercial Safety Officer Community Safety Wardens Enforcement Officer</i>
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The Council on the _____ approved the following procedural matters in relation to the Taxi and General Committee and the Taxi and General sub-committee, including a procedural change to the Council's Standing Orders, as follows: -

- (a) *the quorum for the Taxi and General sub-committee is two. Every effort will be made to maintain the sub-committee at three members present when dealing with an application but there will inevitably be some circumstances where a member is unable to attend at the last minute and a substitute cannot be found or a member part way through needs to declare an interest and withdraw from the hearing. In accordance with our Standing Orders, the chairman will have a casting vote.*
- (b) *that members serving on the Taxi and General sub-committee will be drawn in rotation from the whole of the Taxi and General Committee. This will allow each member an equal opportunity to contribute to the work of the Committee and will hopefully ensure a fairness to members in the demands being made on them to sit;*
- (c) *that the chair and vice-chair of the Taxi and General the Licensing Committee are not automatically on the Taxi and General sub-committee but will be part of the normal rotation;*
- (d) *that the current restriction within Standing Orders which prohibits a meeting sitting for longer than four hours be removed from applying to the Taxi and General Committee or its sub-committee, subject to a requirement on the committee to take appropriate breaks so as to ensure the comfort of those participating in the meeting.*