

## **Appendix A**

### **Licensing Sub-Committee (Licensing Panels) Terms of Reference**

#### **Matters delegated to the Licensing Sub-Committees (Licensing Panels)**

##### Functions in respect of the Licensing Act 2003

1. The determination of applications where the Executive Director has received a relevant representation under the following matters:

- i) determination of application for premises licence
- ii) determination of application for provisional statement
- iii) determination of application for variation of premises licence
- iv) determination of application to vary designated premises supervisor following police objection
- v) determination of application for transfer of premises licence following police objection
- vi) consideration of police objection made to interim authority notice
- vii) determination of application for club premises certificate,
- viii) determination of application to vary club premises certificate,
- ix) decision to give counter notice following police objection to temporary event notice,
- x) determination of application for grant of personal licence following police objection,
- xi) determination of application for renewal of personal licence following police objection,
- xii) revocation of licence where convictions come to light after grant etc.

2. The determination of reviews under the following matters:

- i) determination of application for review of premises licence in a case where relevant representations have been made;
- ii) determination of application for review of club premises certificate in a case where relevant representations have been made;
- iii) review following closure order, in a case where relevant representations have been made.

All other matters are delegated to the Executive Director Supporting Communities  
Functions in respect of the Gambling Act 2005

3. To make decisions on the following matters:

- i) determination of an application for a premises licence in respect of which representations have been made under section 161 (and not withdrawn)
- ii) determination of an application for the variation of a premises licence in respect of which representations have been made under section 161 as applied by section 187 (and not withdrawn),
- iii) determination of an application for transfer following representations by the Commission,
- iv) determination of an application for a provisional statement under section 204 in respect of which representations have been made under section 161 as applied by section 204 (and not withdrawn)

- v) a review of a premises licence under section 201,
- vi) decision to give a counter notice under section 224,
- vii) in relation to permits under Schedule 12, determination of an application for a club gaming permit or club machine permit in respect of which objections have been made and not withdrawn
- viii) in relation to permits under Schedule 12, the cancellations of a club gaming or club machine permit.

Functions in respect of duties in relation to residual functions and the determination of miscellaneous licensing applications

4. Any matters which in the view of the Executive Director Supporting Communities should be considered by the Sub-Committee.

All other matters are delegated to the Executive Director Supporting Communities

**Matters delegated in respect of powers under the Policing and Crime Act 2009 that amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 in relation to Sexual Entertainment Venues.**

To determine matters relating to:

- (i) Applications for the grant of a sex establishment licence
- (ii) Applications for the renewal of a sex establishment licence
- (iii) Applications for the transfer of a sex establishment licence
- (iv) Applications for the variation of a sex establishment licence
- (v) The revocation of sex establishment licence

**“Sexual entertainment venue”** means any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer

**“Relevant entertainment”** means any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means). An audience can consist of just one person (e.g. where the entertainment takes place in private booths)

Agreed by Council on 2022