

## Appendix 3

### GENERAL PURPOSES COMMITTEE

#### Membership

- The committee comprises 8 councillors.

#### Terms of Reference

1. Subject to paragraph 10 below, to carry out those functions specified in this Constitution as being the responsibility of the General Purposes Committee, except to the extent that those functions have been delegated to officers or sub-committees of the General Purposes Committee, including but not limited to: -
    - (a) closing and creating footpaths, public rights of way and bridleways;
    - (b) public path and railway extinguishments orders; and
    - (c) agreeing changes to appointments to outside bodies.
  2. To appoint its sub-committees as set out in the Constitution.
  3. To set the Council Tax Base.
  4. To agree the calculation of estimated income from National Non-Domestic Rates.
  5. To determine the terms and conditions on which staff appointed by the Senior Staff Appointments Sub-Committee shall hold office, including procedures for their dismissal, and to determine the grading structure to be applied to posts appointed by the Senior Staff Appointments Sub-Committee.
  6. To determine the overall framework of terms and conditions of service for employees.
  7. To consider workforce equalities and diversity matters referred to it by the Director of Legal and HR Services.
  8. To determine matters referred to it by the Chief Finance Officer or the Pension Fund Sub-Committee concerning the Council's functions under the Local Government Pension Scheme.
  8. ~~To hear and determine applications under licensing legislation (other than the Licensing Act 2003 or the Gambling Act 2005) which are considered significantly contentious by the Strategic Director Regeneration and Environment or in respect of which an applicant is entitled to be heard by a committee or sub-committee of members.~~
- ~~To hear and determine appeals against officer decisions regarding licence applications under the Scrap Metal Dealers Act 2013.~~

9. To carry out any non-executive functions which are not the responsibility of any other person or Council committee or sub-committee, except where prevented by law from doing so or by any other provision in this Constitution.
10. To carry out any other functions which are non-executive functions and which have been delegated to its sub-committees or officers but which the relevant sub-committee or officer is for whatever reason unable or unwilling to so exercise.

## ~~ALCOHOL AND ENTERTAINMENT LICENSING COMMITTEE~~

### Membership

- The Committee comprises 105 members.

### Terms of Reference

1. To ~~oversee the~~ discharge ~~of all~~ (non-executive) licensing functions of the Council ~~as the licensing authority~~ under the Licensing Act 2003 and the Gambling Act 2005, except
  - a. the determination of the Council's Statement of Licensing Policy and the publication of that Statement under either Act;
  - b. the making, and varying or revoking, of an order under section 172A of the Licensing Act (early morning alcohol restriction order); and
  - c. ~~and the making of a resolution not to issue a casino premises licence~~ under section 166 of the Gambling Act.
2. To discharge all of the Council's other licensing and registration functions which are not the responsibility of Cabinet or have not been reserved for Full Council.
3. To consider and review policies, procedures and other issues falling within the terms of reference of the Committee.
4. To establish and appoint to sub-committees to ~~discharge~~determine:
  - a. the Committee's functions matters under the Licensing Act 2003 ~~regarding personal licences, premises licences, club premises certificates, provisional statements, variation of the designated premises supervisor, interim authorities, objections to temporary event notices and any applications requiring a hearing under the Act;~~
  - b. ~~and to determine~~ the Committee's functions matters under the Gambling Act 2005 ~~regarding premises licenses, provisional statements, variations of premises licenses, transfers of premises licenses, reviews of premises licenses and any applications requiring a hearing under the Act;~~ and
  - c. all of the Council's other licensing and registration functions.;
  - c. -
  - c.

- ~~To arrange for the discharge of the functions governed by the Licensing Act 2003 and the Gambling Act 2005 by its sub-committees or by officers except where prohibited from doing so by those or any other statutory provision.~~
5. ~~To arrange for the discharge of its functions by officers as permitted by law.~~
  6. To receive and consider annual reports, where appropriate, on the needs of the local tourist economy, employment and investment in the area and any other matter directly related to the licensing functions in the borough.
  7. To direct officers to report to the Planning Committee, where appropriate, on the situation regarding licensed premises in the area, including the general impact of alcohol related crime and disorder.

## Alcohol and Entertainment Licensing Sub-Committee 'A' / 'B' / 'C'

### Membership

- ~~The Each~~ sub-committee shall comprises of 3 members.
- All members and alternate members must be members of the ~~Alcohol and Entertainment~~ Licensing Committee.

### Terms of Reference

To consider and determine applications and other matters under the Licensing Act 2003 which cannot be determined by officers in accordance with section 10 of the Licensing Act 2003 or any other enactment and any other matter referred to it for determination by the Strategic Director Regeneration and Environment.

To consider and determine applications and other matters under the Gambling Act 2005 which cannot be determined by officers in accordance with section 10 of the Licensing Act 2003, as applied by various provisions of the Gambling Act 2005 or any other enactment, and any other matter referred to it for determination by the Strategic Director Regeneration and Environment.

#### Licensing Act 2003

~~To determine applications for personal licences where the police have served an objection notice.~~

~~To determine applications for premises licences, paragraph 3 sub club provisional statements where a relevant representation is made.~~

~~To determine applications to vary premises licences and club premises certificates where a relevant representation is made.~~

~~To determine applications to vary a designated premises supervisor where a police objection is received.~~

~~To determine applications for transfer of a premises licences where a police objection is received.~~

~~To determine applications to review premises licences and club premises certificates.~~

~~To determine applications for interim authorities notices where a police objection is received.~~

~~To determine an objection to a temporary event notice.~~

~~To determine an objection notice to revoke or suspend a personal licence where a conviction(s) or immigration penalties come to light after grant or renewal of the licence.~~

~~To determine any other matter relating to the Licensing Act 2003 the Strategic Director Regeneration and Environment considers appropriate for the Sub-Committee to consider.~~

## **Regulatory Sub-Committee**

### **Terms of Reference**

- The sub-committee shall comprise of 5 members.
- All members and alternate members must be members of the Licensing Committee.

To discharge all of the Licensing Committee's licensing and registration functions which do not relate to the Licensing Act 2003 or the Gambling Act 2005.

To hear and determine appeals against officer decisions regarding licence applications under the Scrap Metal Dealers Act 2003.

### **General**

13. ~~To determine any application or variation which is capable of being determined by officers but which the Strategic Director Regeneration and Environment considers appropriate for the Sub-Committee to consider.~~