

Licensing Committee

Agenda



Date: Thursday, 16 June 2022

Time: 10.00 am

Venue: Guangzhou Room, City Hall, College Green,
Bristol, BS1 5TR

Distribution:

Councillors: Marley Bennett, Sarah Classick, Chris Davies, Richard Eddy, Emma Edwards, Paul Goggin, Katy Grant, Fi Hance, Jonathan Hucker, Philippa Hulme, Brenda Massey, Steve Pearce, Guy Poultney, Christine Townsend and Chris Windows

Issued by: Jeremy Livitt, Democratic Services

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Date: Monday, 6th June 2022 (Re-published Tuesday 7th June 2022)



Agenda

1. Welcome, Introductions and Safety Information

(Pages 4 - 6)

2. Apologies for Absence.

3. Declarations of Interest

To note any declarations of interest from the Councillors. They are asked to indicate the relevant agenda item, the nature of the interest and in particular whether it is a **disclosable pecuniary interest**.

Please note that the Register of Interests is available at

<https://www.bristol.gov.uk/councillors/members-interests-gifts-and-hospitality-register>

Any declarations of interest made at the meeting which is not on the register of interests should be notified to the Monitoring Officer for inclusion.

4. Minutes of Previous Meeting held on Monday 23rd August 2021.

To agree the minutes of the above meeting as a correct record.

(Pages 7 - 9)

5. Public Forum

Any member of the public or Councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Public Forum items should be emailed to democratic.services@bristol.gov.uk and please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest **by 4.30pm on Friday 10th June 2022**.

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest **by 12 Noon on Wednesday 15th June 2022**.



6. Annual Business Report

(Pages 10 - 21)

7. Night Time Economy - Verbal Update by Carly Heath (Night Time Economy Adviser)

10.00 am

8. Date of Next Meeting

The next meeting is scheduled to be held at 10am on Thursday 28th July 2022.



Public Information Sheet

Inspection of Papers - Local Government (Access to Information) Act 1985

You can find papers for all our meetings on our website at www.bristol.gov.uk.

Covid-19: changes to how we hold public meetings

Following changes to government rules, public meetings including Cabinet, Full Council, regulatory meetings (where planning and licensing decisions are made) and scrutiny will now be held at City Hall.

Covid Safety Measures for Attendance at City Hall

Due to Covid Safety requirements we have put the following measures in place:

- All attendees to this meeting are asked to have a Covid lateral flow test 24 hrs prior to the day of the meeting and show the results of a negative test. It's important that you report the results of your test and that you get confirmation sent to your phone. Reception staff may ask to see this on the day of the meeting. If you have a positive test or if you develop any Covid 19 symptoms - high temperature, a new continuous cough, or a loss or change to your sense of smell or taste, you should [book a test on GOV.UK](https://www.gov.uk/book-a-test) and self-isolate while you wait for the results.
- You are required to wear a face mask at all times unless you are exempt. Social distancing rules remain in place.
- Members of the press and public who wish to attend City Hall are advised that you may be asked to watch the meeting on a screen in another room as due to the maximum occupancy of the venue.

Other formats and languages and assistance for those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.

Public Forum

Members of the public may make a written statement ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee Members and will be published on the Council's website before the meeting. Please send it to democratic.services@bristol.gov.uk.



The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **5pm three clear working days before the meeting**.

Any statement submitted should be no longer than one side of A4 paper. If the statement is longer than this, then for reasons of cost, it may be that only the first sheet will be copied and made available at the meeting. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the Committee and published within the minutes. Your statement or question will also be made available to the public via publication on the Council's website and may be provided upon request in response to Freedom of Information Act requests in the future.

We will try to remove personal and identifiable information. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Other committee papers may be placed on the council's website and information within them may be searchable on the internet.

During the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.
- Under our security arrangements, please note that members of the public (and bags) may be searched. This may apply in the interests of helping to ensure a safe meeting environment for all attending.
- As part of the drive to reduce single-use plastics in council-owned buildings, please bring your own water bottle in order to fill up from the water dispenser.

For further information about procedure rules please refer to our Constitution

<https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>



Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items). If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.

The privacy notice for Democratic Services can be viewed at www.bristol.gov.uk/about-our-website/privacy-and-processing-notice-for-resource-services



Bristol City Council

Minutes of the Licensing Committee

23 August 2021 at 10.00 am



Members Present:-

Councillors: Marley Bennett (Chair), Chris Davies, Richard Eddy, Emma Edwards, Katy Grant, Lorraine Francis, Jonathan Hucker, Philippa Hulme, Ellie King, Brenda Massey and Guy Poultney

Officers in Attendance:-

Nick Carter, Lynne Harvey (Legal Adviser) and Abigail Holman (Licensing Policy Adviser)

1. Welcome, Introductions and Safety Information

The Chair welcomed all parties to the meeting, including Councillor Emma Edwards who had recently been appointed as a member of the Licensing Committee.

Members noted arrangements for vacating City Hall in the event of a fire alarm interrupting proceedings.

2. Apologies for Absence.

Apologies for absence were received from the following Councillors:

Councillor Sarah Classick
Councillor Paul Goggin
Councillor Fi Hance
Councillor Chris Windows

1. Declarations of Interest

There were no Declarations of Interest for this meeting.

1. Minutes of Previous Meeting held on 26th May 2021

It was noted that these minutes were not yet available due to the clerk being on long-term sick leave. Members were advised that they would be formally approved as a correct record at the next Licensing Committee meeting.



1. Public Forum

There was no Public Forum for this meeting.

1. Amendment to Licensing Committee Rules to Permit Remote Meetings - Report of the Service Director (Legal and Democratic Services)

The Chair introduced this report and asked the Licensing Team Leader to explain how the proposed amendment to the Licensing Committees rules would work to permit remote meetings.

The Licensing Team Leader made the following points:

- Existing legislation permitting remote Licensing Committee meetings had ended on 9th May 2021. Since then, all meetings of the Licensing Committee had taken place as physical meetings
- Officers were proposing that the Committee approve changes to Licensing rules to permit remote hearings. A decision on whether or not to hold a remote hearing would be made following consultation between Licensing Officers and the Chair of the Committee and with the agreement of all parties involved in any particular hearing
- Working from home would allow access via alternative means such as smart phones in the event that a remote meeting was agreed. The Appendix of the report setting out the Licensing Procedure Rules identified a number of significant changes that were proposed.

The Committee noted that the technology had worked well and had been an improvement in situations where an item had been withdrawn at very short notice before the meeting.

In response to questions and issues raised by Councillors, the Licensing Team Leader made the following points:

- There was not yet a possibility for holding hybrid meetings due to the limitations caused by technology in the City Hall as it was at the moment. However, it was noted that proposals to investigate this were currently being considered. The Committee's Legal Adviser confirmed that, in the event that members approved the proposed amendments, these would be sufficient to allow any hybrid arrangements to automatically be included within these
- During the period of remote meetings, there had been some change in the number of supporting responses since it was more accessible and straightforward for many of them, particularly as it had enabled access from remote locations and avoided travel
- Any concerns about access for older people or people who might find the technology difficult would be considered on a case by case basis. All discussions about holding remote hearings would take place in consultation with the Chair
- The proposed change would be a permanent one. However, not all meetings would be remote. Flexibility to hold physical meetings as required would remain.



- The mechanism for approving any decision to hold a remote meeting was outlined – it would be formally agreed between the Trading Standards and Licensing Manager and the Chair of the Committee. It was likely to apply in situations where decisions simply required noting or where all parties had reached agreement informally beforehand on a particular application or Temporary Event Notice request
- Licensing Committee Rules: LCR12 – the reference to “ruling to the Chair to be final” should be amended to read “ruling of the Chair to be final”
- Equality Impact Assessment (EIA) Paragraph 1.2: The reference to workforce and service users would be amended to clarify that this would apply to all Councillors on the Licensing Committee

Councillor Richard Eddy moved, seconded by Councillor Brenda Massey that the recommendations contained in the report be approved and to also include the amendment to the wording in LCR12 and to clarify the EIA as set out above.

Upon being put to the vote, it was

RESOLVED (unanimously) – that the Licensing Committee Rules are amended as set out in Appendix A and as indicated in the above motion to facilitate remote hearings.

Meeting ended at 10.20 am

CHAIR _____



Annual Licensing Committee

Thursday 16th June 2022



Report of: Service Director – Legal & Democratic Services.

Title: Annual Business Report 2022/23

Ward: N/A

Officer Presenting Report: Jeremy Livitt, Democratic Services

Recommendation

See Recommendations as set out in each paragraph.

Summary

To agree the Annual Business for Municipal Year 2022/23.

A. Membership of Committee.

To note the following members were appointed at Annual Full Council AGM at its meeting on Tuesday 24th May 2022 to serve on the Licensing Committee for 2022/23 Municipal Year with the Chair and Vice-Chair elected at Full Council AGM as indicated:

1. Cllr Marley Bennett (elected as Chair)
2. Cllr Christine Townsend (elected as Vice-Chair)
3. Cllr Sarah Classick
4. Cllr Chris Davies
5. Cllr Richard Eddy
6. Cllr Emma Edwards
7. Cllr Paul Goggin
8. Cllr Katy Grant
9. Cllr Fi Hance
10. Cllr Jonathan Hucker
11. Cllr Philippa Hulme
12. Cllr Brenda Massey
13. Cllr Steve Pearce
14. Cllr Guy Poultney
15. Cllr Chris Windows

B. Confirmation of Chair – Municipal Year 2022/23

- **To note the appointment of Councillor Marley Bennett as chair of for 2022/23 Municipal Year.**

C. Confirmation of Vice - Chair – Municipal Year 2022/23

- **To note the appointment of Councillor Christine Townsend as Vice - Chair of the Committee for the 2022/23 Municipal Year.**

D. Terms of Reference.

- **As set out in Appendices A & B.**

E. Dates and Times of Meetings.

- **To note that meetings of the Licensing Committee and its Sub Committees will be held weekly or biweekly depending on demand throughout the forthcoming municipal year, all scheduled for a 10am start.**

F. Establishment of Special Purposes-Sub Committee.

- **In accordance with Licensing committee Procedure Rule (LCR) 1(iii) the annual meeting needs to establish a special purposes sub-committee comprising the Chair of the Licensing**

committee, its Vice chair and one other committee member. Its terms of reference must enable it to deal with any matters of business which would ordinarily be referred to the next ordinary meeting of the committee but which are, in the opinion of the Licensing Manager (in consultation with the Chair) of such urgency that they cannot await the date of the next ordinary meeting.

Recommended.

- **That the Licensing committee establish a Licensing (Special Purposes) Sub- Committee with the terms of reference set out in Appendix B;**
- **that the membership of the special purposes sub-committee comprise the Chair, the Vice Chair and one other member;**
- **that the committee appoint from amongst its number, one other member to serve on the sub-Committee.**

G. Establishment of other Sub-Committees.

LCR1(iv) requires that the annual meeting establish any other sub committees considered necessary and in respect of each of them

- (a) agree the membership;
- (b) agree the terms of reference.

In accordance with the Licensing Act 2003 sub committees may be established but they must comprise no more and no less than three members each.

At its meeting on 9 February 2005 the Licensing Committee established Licensing (Hearings) sub committees comprising any three members of the Licensing committee. That meeting appointed each member of the Licensing Committee to serve on any such sub-committee (of three) which is convened so as to include him/her in its membership.

It is recommended that this year the Licensing committee continue with this approach.

The recommended terms of reference are set out in Appendix B.

Recommended

- (a) **that the Licensing committee establish Licensing (Hearings) sub committees comprising any three members of the Licensing committee and that each member of the licensing committee be appointed to serve on any such sub-committee which is convened so as to include him or her in its membership; and**
- (b) **that each of the sub committees so established shall have the terms of reference as set out in Appendix A**

H. Delegations to Sub-Committees and Officers.

Section 10 of the Licensing Act 2003 allows the Licensing committee to arrange for the discharge of any functions exercised by it –

- a) by a sub-committee established by it, or
- b) subject to certain statutory limitations, by an officer of the licensing authority

Section 10 of the Licensing Act 2003 also applies to certain Gambling Act 2005 functions that fall within this Committee's terms of reference, that is, those gambling functions that are referred to in paragraph 3 of the Committee's terms of reference.

In previous years the Committee conferred delegated power on each of the sub committees it established to discharge all functions falling within their terms of reference (which for the avoidance of doubt includes all matters ancillary thereto). It is recommend the annual meeting do the same in respect of any sub committees it decides to establish having considered this report.

The functions referred to in paragraphs 2 and 4 of the committee's terms of reference are governed by different law as far as the ability to delegate the decision making process is concerned. Those matters are delegated to the Committee by the full council in exercise of its powers of delegation under section 101 of the Local Government Act 1972. Under that section the Committee itself enjoys the power to delegate those matters to one or more of its sub committees and/or to an officer of the council.

It is anticipated that some applications made under the paragraph 2 and 4 functions may prompt the right to be heard. Therefore, whilst it is anticipated that most decisions connected with the discharge of these functions will fall to be made by a delegated officer, provision has been made in the recommended Terms of Reference of the hearings sub committees for applications to be referred to such a sub-committee by a delegated officer. This particular provision also enables applications under the Licensing or Gambling Act to be decided by a sub-committee notwithstanding the law does not absolutely require this (e.g. because there are no representations). Whilst it is not expected this will often be utilised it does enable matters to be given a public airing where that is judged to be reasonable and appropriate.

Officer delegations.

In accordance with LCR1 the annual meeting should review the delegations to officers. The Committee's responsibilities have greatly expanded since its first annual meeting and this report recommends comprehensive delegations to sub committees and officers covering the vast majority of the Committee's responsibilities whilst continuing to ensure that:

- i. Officers are not authorised to make any decision which by law may only be made by Members meeting as a Committee or duly authorized sub-committee; and
- ii. The delegations reflect the policy of Bristol City Council with regard to the decision whether certain representations are to be disregarded by virtue of being judged to be frivolous or vexatious.

Licensing Act 2003 and Gambling Act 2005

In the discharge of its licensing functions the committee must have regard to the guidance issued by the Secretary of State or the Gambling Commission (as appropriate) and to the Council's own adopted statements of policy. The recommendations in such national guidance reflect the fact that there are many decisions which the law simply does not allow an officer to take. For example an officer cannot determine an application for a premises licence under either Act where relevant representations have been made.

The Council's published statements of licensing policy recommend that the Licensing Committee follow the delegations recommended in national guidance but that, for the reasons set out in the Council's policy statements, the committee should depart from that guidance in respect of decisions about whether or not representations are frivolous or vexatious.

In previous years the committee has effected its delegations in accordance with the Council's adopted statement of licensing policy and it is recommended that this practice should continue for Gambling Act functions as well as for the Licensing Act functions. This is covered in recommendation 1 below.

In respect of the functions referred to in paragraphs 2 and 4 of the Committee's Terms of Reference the Committee will know that the full council has itself effected delegations to the relevant Director in Part 3 of its constitution. The Committee is informed that the relevant Directors have, in line with what is recommended in that constitution, made arrangements under which appropriate subordinate officers assist them in the discharge of these tasks on behalf of the Council as a whole. It is recommended that the Committee note and approve these arrangements.

It is therefore recommended that:

In respect of the functions referred to in paragraphs 1 and 3 of its Terms of Reference the Committee makes the following arrangements: subject to the limitations set out in (a) and (b) below officers occupying the following posts:-

**Regulatory Services Manager
Licensing & Trading Standards Manager
Licensing Team Leader
Senior Licensing Officer
Licensing Officer
Trading Standards Team Leader
Senior Trading Standards
Officer
Trading Standards Officer**

Trading Standards Investigator
Senior Environmental Health Officer (Regulatory Services)
Environmental Health Officer (Regulatory Services)
Principal/Team Leader/Lead Environmental Health Officer (Regulatory Services) to include Lead Officers in each of the following specialisms:
 Food Safety
 Pollution Control and Pest Control
 Port Health
 Health and Safety
 Food Safety and Infectious Disease control
Assistant Environmental Health Officer (Regulatory Services)
Senior Pollution Control Officer
Pollution Control Officer
Public Health Services Manager
Neighbourhood Enforcement and Street Scene Manager
Team Leader Neighbourhood Enforcement
Senior Neighbourhood Enforcement Officer
Neighbourhood Enforcement Officer

are authorised to discharge any function which in law may be discharged by an officer of the licensing authority.

Limitations

(a) The power to decide whether representations are frivolous or vexatious may only be made in respect of applications that officers would be empowered to proceed to determine themselves should it be decided that the representation under consideration is either frivolous or vexatious.

(b) An Officer may not decide whether to grant or refuse an application under the Licensing Act 2003 for a personal license in any case where there are unspent convictions.

- In respect of the functions referred to in paragraphs 2 (a) and (b), 4(a) – (f) and 4(g) to (i) inclusive of the Committee's Terms of Reference the committee notes the arrangements made by the full council and the delegated Director under which his subordinate officers assist him in discharging functions on behalf of the Council. The Committee approves the continuation of such arrangements as if they had been made directly and particularly by this committee
- For the avoidance of doubt the Service Director - Legal Services and officers within his team who assist him in this task shall continue to be authorised to institute and defend legal proceedings of any kind falling within this Committee's terms of reference.
- The possession of delegated powers shall not prevent a delegated officer bringing a matter before an appropriate body of Members but this should only be done following consultation with the Chair of the Licensing committee.

Authorisations in respect of Bristol International Balloon Fiesta 2022.

The Balloon Fiesta takes place annually in Ashton Court. This is in the jurisdictional district of North Somerset. One of the key entry points is via Kennel Lodge Road. This road and the surrounding network are in the jurisdictional area of Bristol City Council.

Historically, each year there are a number of relatively minor enforcement problems associated with the event within the Bristol City boundary such as illegal street trading and on one occasion the illegal sale of alcohol from a van.

Whilst Bristol City Council do have an enforcement presence throughout the event, to increase regulatory capacity and deployment, over recent years officers from North Somerset have been authorised by Bristol City Council to act on its behalf for the duration of the event.

The event is scheduled to take place between 11th-14th August 2022.

At this point in time it is not known which officers will be deployed by North Somerset Council for the event. Therefore for the purpose of the authorization, these will be determined in accordance with the provisions of S.113 of the Local Government Act 1972 enabling staff from one authority to be placed at the disposal of another is in place for this purpose.

Authorisations in respect of other Licensing functions such as Street Trading fall outside the scope of the Licensing Committee but will be secured if and when necessary.

RECOMMENDED:

- 1. That all sub committees established by the Licensing Committee shall have delegated authority to discharge all functions falling within their terms of reference;**
- 2. That the Committee approves delegations to officers as recommended in paragraph H of this report (including North Somerset Officers); and**
- 3. That for the avoidance of doubt any authority conferred upon a sub committee or an officer in connection with the discharge of any function includes the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of the function concerned.**

Public Sector Equality Duties

Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.

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- ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
- remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
- tackle prejudice; and
 - promote understanding.

Legal and Resource Implications

Legal

Not applicable

Financial

(a) Revenue

Not applicable

(b) Capital

Not applicable

Land

Not applicable

Personnel

Not applicable

Appendices:

Appendix A – Terms of Reference - Licensing Committee.

Appendix B – Terms of Reference – Licensing Sub-Committees.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: None

Terms of Reference – Licensing Committee.**Appendix A****Overview**

Functions relating to licensing and gambling as set out below.

Licensing Act 2003 (“the 2003 Act”)

1. All those matters relating to the discharge of licensing functions that are referred to the committee by virtue of section 7(1) of the 2003 Act;
2. Other functions which full Council has arranged for the Licensing Committee to discharge, namely:
 - a) Power to grant permission for provision etc of services, amenities, recreation and refreshment facilities on the highway and related powers (sections 115E, 115F & 115K of the Highways Act 1980);
 - b) Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption (section 13(2) of the Criminal Justice and Police Act 2001 (c.16));
 - c) Power to make or revoke an order designating a locality as an alcohol disorder zone (Section 16 Violent Crime Reduction Act 2006);
 - d) The Council’s functions under the third schedule to the Local Government (Miscellaneous Provisions) Act 1982 (as amended); and
 - e) Powers to make and cancel closure notices; make applications for closure orders; issue certificates of termination of closure orders; defend applications for the discharge of closure orders; appeal against the refusal to make closure orders; enforce closure orders; and prosecute for obstruction of authorised officers or for offences in connection with closure orders (sections 19 to 28) of the Criminal Justice and Police Act 2001);

Gambling Act 2005 (“the 2005 Act”)

3. All of those functions under Part 8 of the 2005 Act that are delegated to the Committee by virtue of section 154 of the 2005 Act;
4. Other gambling functions which the full Council has arranged for the Licensing Committee to discharge, namely:
 - a) Duty to comply with requirements to provide information to the Gambling Commission (s.29 of the 2005 Act);
 - b) Functions relating to exchange of information (s.30 of the 2005 Act);
 - c) Functions relating to occasional use notices (s.39 of the 2005 Act);
 - d) Power to designate officer of a licensing authority as an Authorised Person for a purpose relating to premises (section 304 of the 2005 Act);
 - e) Power to make order disapplying section 279 or 282(1) of the Act in relation to specified premises (s. 284 of the 2005 Act);

- f) Power to exchange information (section 350 of the 2005 Act);
- g) Power to institute criminal proceedings (section 346 of the 2005 Act);
- h) Functions relating to the determination of fees for premises licences (the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (S.I. 2007/479));
- i) Functions relating to the registration and regulation of small society lotteries (Part 5 of Sch 11 to the 2005 Act);

Appendix B

TERMS OF REFERENCE - Licensing (Hearings) Sub-Committees

Any three members of the Licensing committee may constitute a Licensing (Hearings) Sub-Committee having the following terms of reference:

To discharge the following functions:-
Under the Licensing Act 2003:

1. Determination of application for premises licence where representations have been made;
2. Determination of application for provisional statement where presentations have been made;
3. Determination of application for variation of premises licence where representations have been made;
4. Determination of application to vary designated premises supervisor following police objections;
5. Determination of application for transfer of premises licence following police objections;
6. Consideration of police objection made to interim authority notice;
7. Determination of application for club premises certificate where representations have been made;
8. Determination of application to vary club premises certificate where representations have been made;
9. Decision to give counter-notice following police objection to temporary event notice;
10. Determination of application for grant of personal licence following police objections;
11. Determination of application for renewal of personal licence following police objections;

12. Revocation of personal licence where convictions come to light after grant etc;
13. Determination of application for review of premises licence in a case where relevant representations (within the meaning of Section 52 (7) of the Act) have been made;
14. Determination of application for review of club premises certificate in a case where relevant representations (within the meaning of Section 88 (7)) have been made;