

BRIDGEND COUNTY BOROUGH COUNCIL
REPORT TO LICENSING ACT 2003 COMMITTEE

21 MAY 2015

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND
REGULATORY SERVICES**

APPOINTMENT OF LICENSING ACT 2003 SUB- COMMITTEE(S)

1. Purpose of Report.

- 1.1 To propose the membership of the Licensing Act 2003 Committee Sub-Committees.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 The proposals are required to effectively discharge the functions of the authority to comply with the Licensing Act 2003 and Gambling Act 2005.

3. Background.

- 3.1 At their meeting on 13 May 2015 Council received a report establishing the membership of the Licensing Act 2003 Committee and Licensing Committee.

4. Current situation / proposal.

- 4.1 Under Sections 6 and 7 of the Licensing Act 2003 all matters relating to the discharge by a licensing authority of its licensing functions are by virtue of Section 7 (1) referred to the Licensing Act 2003 Committee. This means that the majority of decision making is referred to this Committee but in the interests of efficiency provision is made for the formation of further Sub-Committees to deal with individual applications.
- 4.2 In addition, by virtue of Section 154 of the Gambling Act 2005, gambling functions are delegated to this Committee.
- 4.3 A report relating to the setting up of the general sub-committees has already been tabled. This report asks the Committee to approve the formation of further Sub-Committees consisting of three Members of the Licensing Act 2003 Committee to determine applications under the Licensing Act 2003 and Gambling Act 2005. The Committee is asked to note that approval of both the

licensing and gambling policy statements must, by statute, be determined by Council.

- 4.4 It is proposed that the Licensing Act 2003 Sub-Committees are chaired by the Chairperson or Vice Chairperson of the Licensing Act 2003 Committee where possible. In the event that the Chair or Vice Chair are not able to attend, a chair person will be elected.
- 4.5 The functions to be delegated to the Licensing Act 2003 Sub-Committees are set out in the Constitution within Part 3 Responsibility for Functions.

5. Effect upon Policy Framework & Procedure Rules.

- 5.1 The report content has no direct effect upon the Policy Framework and Procedure Rules.

6. Equality Impact Assessment

- 6.1 There are no equality implications arising from this report.

7. Financial Implications.

- 7.1 There are no financial implications to the proposals.

8. Recommendations

- 8.1 The Committee is recommended to:
- 8.2 Approve the formation of Licensing Act 2003 Sub-Committees consisting of three Licensing Act 2003 Committee Members sitting on a rota basis; to be chaired by the Chairperson or Vice Chairperson of the Licensing Act 2003 Committee where possible.
- 8.3 Approve that the relevant functions set out in the Constitution Part 3 Responsibility for Functions are delegated to the Licensing Act 2003 Sub-Committees and officers.

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Background documents

Report to Council 13 May 2015

Council Constitution

Licensing Act 2003 and statutory guidance

Gambling Act 2005 and statutory guidance