

SECTION 9

LICENSING BOARD

- 1.1 Role and functions
- 1.2 Membership
- 1.3 Licensing sub-committees
- 1.4 Meetings
- 1.5 Rules of procedure and debate

9.1 Role and Functions

- 9.1.1 The Licensing Board ('the Board') is responsible for all statutory licensing and registration functions of the Council as specified in Section 18 (Responsibility for Functions). These include functions relating to the Licensing Act 2003, the Gambling Act 2005, taxi licensing, food safety and environmental health.
- 9.1.2 The Board has delegated the exercise of many of its functions to its sub-committees and to officers, as detailed in Section 9.3 and in Section 18, Schedule 1.

9.2 Membership

- 9.1.1 The Board is made up of 15 members of the Council appointed at the Annual Meeting of the Council. It ~~will include at least three members of each Community Partnership and~~ will be politically balanced.
- 9.2.2 Members will not take part in any decision relating to any licensing application or other regulatory matter coming before by the Board or any sub-committee unless they have received appropriate training on licensing matters, as considered necessary from time to time by the Chair of the Board in consultation with the ~~relevant Manager(s).~~ Group Manager for Community Health.
- 9.2.3 Members will not take part in making any decision under the Licensing Act 2003 if they have made representations about the relevant application on behalf of any interested party. Otherwise, members may take part in decisions under the 2003 Act which relate to premises in their ward or people living in their ward, subject to complying with the rules in the

Members' Code of Conduct on personal and prejudicial interests, as set out in Appendix A.

9.3 Licensing sub-committees

9.3.1 The Board appoints sub-committees to decide applications made under the Licensing Act 2003 and in relation to taxis and private hire vehicles (see Section 18, Schedule B for full details of functions delegated to the sub-committees under the Council's Licensing Policy).

9.3.2 Each sub-committee consists of at least three members and the quorum for meetings is three members. If any member is unable to attend a sub-committee hearing, any other member of the Board who has received relevant training may act as a substitute.

9.3.3 The Board may itself decide to determine any matter which could have been dealt with by a sub-committee, for example matters which it considers to be of major public importance. It will set criteria for matters which should normally be referred to the Board for a decision.

9.4 Meetings

9.4.1 The Board will normally meet on a monthly basis but meetings may be cancelled at the discretion of the Chair if there is no significant business to be dealt with.

9.4.2 Extraordinary meetings may be called from time to time where the Chair, on the advice of the proper officer, considers that it is necessary for the Board to consider any issue before its next scheduled meeting.

9.4.3 The Chair and Vice-Chair of the Board will be elected at the Annual Meeting of the Council by the members of the Board only.

9.5 Principles of decision-making

9.5.1 In making its decisions, the Board will:

- a) abide by all relevant policies of the Council and any relevant government guidance

b) ensure that decisions under the Licensing Act 2003 are based on the following licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance and
- The protection of children from harm

c) determine all applications in an open, transparent and fair manner in accordance with any relevant Council Licensing Policy, any other relevant Council policies, the Council's Constitution and the law, including the Human Rights Act 1998

d) ensure that licence conditions are enforced in accordance with the Council's Corporate Enforcement Policy

9.6 Rules of procedure and debate

9.6.1 When the Board or any sub-committee is exercising any of the Council's statutory functions in relation to licensing or registration, it will follow the procedures set out in Appendices I (1) and (2) to ensure that it acts in a fair and reasonable manner at all times. Details of these procedures may be varied from time to time in accordance with government and other relevant guidance.

9.6.2 Meetings of the Board dealing with other matters will be conducted in accordance with the rules for conducting meetings contained in Section 15.