

8.04 LICENSING COMMITTEE (AND SUB-COMMITTEES APPOINTED BY THE COMMITTEE)

(a) Introduction

The Committee discharges the Council's functions under the Licensing Act 2003, Gambling Act 2005, Sex Establishment Venue Licences under the Local Government (Miscellaneous Provisions) Act 1982, Street Trading determination functions under the London Local Authorities Act 1990 **and the Scrap Metal Dealers Act 2013**, which are statutory in nature.

(b) Membership

(no change proposed)

(c) Terms of Reference

1. To oversee the discharge of all licensing functions of the Council as the licensing authority under the Licensing Act 2003, Gambling Act 2005, Local Government (Miscellaneous Provisions) Act 1982, London Local Authorities Act 1990 **and the Scrap Metal Dealers Act 2013**, except, in respect of each, the determination of the Council's Statement of Licensing Policy and the publication of that Statement.
2. To establish and appoint sub-committees to determine any applications requiring a hearing under the Licensing Act 2003, Gambling Act 2005, Local Government (Miscellaneous Provisions) Act 1982, London Local Authorities Act 1990 **and the Scrap Metal Dealers Act 2013** or otherwise the determination of any application not delegated to officers.
3. To arrange for the discharge of the functions governed by the Licensing Act 2003, Gambling Act 2005, Local Government (Miscellaneous Provisions) Act 1982, London Local Authorities Act 1990 **and the Scrap Metal Dealers Act 2013** by its sub-committees or by officers except where prohibited by the Licensing Act 2003 and Gambling Act 2005
4. To receive and consider 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.

Proposed additional Terms of References for the Licensing Sub-Committees

In relation to the Scrap Metal Dealers Act 2013, the Licensing Sub-Committee should hold a hearing to listen to representations of an applicant or licensee, and make a determination, in the following situations:

- Where an application for the issue of a site or collector's licence is proposed for refusal and the applicant has made relevant representations contesting the proposal.

- Where an application for a variation to a site or collector's licence is proposed for refusal and the applicant has made relevant representations contesting the proposal.
- Where the Licensing Service proposes to revoke a site or collector's licence and the licensee has made relevant representations contesting the proposal.
- Where the Licensing Service proposes to serve a closure notice, on a site that is being used for a scrap metal dealing business without a licence.