

CHESHIRE EAST COUNCIL

LICENSING COMMITTEE

Date of meeting: 13th February 2009
Report of: Kate Khan
Title: Terms of reference

1.0 Purpose of Report

- 1.1 The purpose of the report is to approve the amended terms of reference for the Licensing Committee.

2.0 Decision Required

- 2.1 The Licensing Committee is requested to approve the amended terms of reference relating both to the full Committee and Sub-Committees.

3.0 Financial Implications for Transition Costs

- 3.1 None

4.0 Financial Implications 2009/10 and beyond

- 4.1 None

5.0 Legal Implications

- 5.1 As set out within the report.

6.0 Risk Assessment

- 6.1 There is a risk of legal challenge to decisions taken by the licensing authority the allocation of functions is not clear.

7.0 Background and Options

Background

- 7.1 As Members will recall at is meeting on 19th December the Licensing Committee resolved to approve both terms of reference and the delegation of functions between the full Committee, Sub-Committees and Officers. The Committee noted that the terms of reference may be subject to amendment as

decisions were taken across the Council as to the allocation of functions between service areas.

- 7.2 Attached to this report is an updated version of the terms of reference for the Committee which (i) includes certain functions which were additional to those originally presented to the Committee (for example alcohol disorder zones); (ii) sets out those licensing and registration functions covered within a schedule to the terms of reference; and (iii) illustrates the previous decision of the Committee in relation to the separation of the functions between the full Committee and the Sub-Committees.

8.0 Overview of Day One, Year One and Term One Issues

- 8.1 The requirement to terms of reference for Licensing Committees and Sub-Committees in place is a Day One requirement.

9.0 Reasons for Recommendation

- 9.1 The recommendations are made to ensure that the terms of reference are clear and incorporate all the relevant functional responsibility of the Committees.

For further information:

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Background Documents:

None