

CHAPTER 12

LICENSING

	FUNCTION	OFFICER	Non-Executive or Executive Function
	Delegations subject to consultation		
1.	<p>On behalf of the Council, to submit objections and pursue such objections at a public inquiry if needed to:</p> <p>(a) applications for operators licences (including variations) made under the Goods Vehicles (Licensing of Operators) Act 1995; and</p> <p>(b) reviews undertaken of existing licences.</p>	Executive Head of Community, after consultation with appropriate ward councillors.	Non-executive
2.	To approve annual increases in the hackney carriage fare scale, having regard to any objections received.	Executive Head of Community, after consultation with the Chairman and Vice-Chairman of the Licensing Committee.	Non-executive
3.	To consider objections to variations to hackney carriage and private hire licence fees and to determine, subject to no adverse effect on the vehicle licensing budget, amendments to any scale of fees approved by the Council and the new date of implementation.	Executive Head of Community, after consultation with the Chairman and Vice-Chairman of the Licensing Committee.	Non-executive
4.	The determination of applications for street collections which may be required to provide funding to meet a major local/national/international disaster.	Executive Head of Community, after consultation with the Chairman and Vice-Chairman of the Licensing Committee.	Non-executive

	FUNCTION	OFFICER	Non-Executive or Executive Function
Delegations not subject to prior consultation			
5.	<p>Under the Licensing Act 2003</p> <p>(a) to respond to the licensing authority in connection with consultations on applications on behalf of the local planning authority</p> <p>(b) to apply for a review of a premises licence (Section 5(1));</p> <p>(c) to apply for a review of a club premises certificate (Section 87(1));</p>	Executive Head of Regulatory	Non-executive
Licensing Act 2003			
6.	<p>Under the Licensing Act 2003, subsequent amendments and all relevant legislation and regulations</p> <p>(a) to make relevant representation on behalf of the Council for the purposes of Sections 18(3), 31(3), 35(3), 52(3), 72(3), 85(3), 88(3) and 167(5).</p> <p>(b) to apply for a review of a premises licence under Section 51(1).</p> <p>(c) to apply for a review of a club premises certificate under Section 87(1).</p>	Executive Head of Community	Non-executive
7.	To act as an authorised officer of the Council for the purposes of the Licensing Act 2003, subsequent amendments together with any associated regulations.	Executive Head of Community	Non-executive
8.	<p>Under the Licensing Act 2003</p> <p>(a) where no objection or adverse representation is made to an application, to determine the following applications:</p> <ul style="list-style-type: none"> • for a personal licence 	Executive Head of Community	Non-executive

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	<ul style="list-style-type: none"> • for a premises or club premises licence • for a provision statement • to vary a premises certificate or a club premises certificate • to vary a designated premises supervisor • to transfer a premises licence • for an interim authority (to enable someone to act as a designated premises supervisor when this post is unexpectedly vacated); <p>(b) where no objection or adverse representation is made to an application, to acknowledge Temporary Event Notices;</p> <p>(c) in all cases, to determine the following:</p> <ul style="list-style-type: none"> • a request to be removed as a designated premises supervisor • whether a complaint representation is irrelevant, frivolous, vexatious frivolous, vexations etc; <p>(d) to keep a register under Section 8.</p>		
9.	To authorise proceedings in relation to any infringements of the Licensing Act 2003, subsequent amendments and any associated regulations.	Executive Head of Community	Non-executive
10.	To grant or refuse applications for minor variations of a premises licence or club premises certificate	Executive Head of Community	Non-executive
Hackney Carriages and Private Hire			
11.	To grant or refuse applications for private hire and hackney carriage vehicle licences where the Council's standard requirements are not met.	Executive Head of Community	Non-executive

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12.	To issue, revoke, suspend or refuse hackney carriage vehicle and drivers' licences and private hire vehicle, driver and operators' licences and the determination of applications for exemption certificates in respect of the display of private hire vehicle plates.	Executive Head of Community	Non-executive
13.	To prepare draft proposals, advertise and consult in relation to <ul style="list-style-type: none"> • the Hackney Carriage Fare scale • Hackney Carriage and Private Hire licence fees 	Executive Head of Community	Non-executive
14.	To prepare proposals for new, removed or extensions to existing Hackney Carriage taxi stands, advertise and consult in accordance with statutory requirements	Executive Head of Community	Non-executive
15.	To authorise proceedings for offences under the Town Police Clauses Act 1847, Part II of the Local Government (Miscellaneous Provisions) Act 1976, Section 167 Criminal Justice and Public Order Act 1994 and the Council's Hackney Carriage Byelaws.	Executive Head of Community	Non-executive
16.	To act as an authorised officer of the Council for the purposes of Part II of the Local Government (Miscellaneous Provisions) Act 1976.	Executive Head of Community	Non-executive
17.	To approve the design of advertisements for placement on and in hackney carriage and private hire vehicles.	Executive Head of Community	Non-executive
House to House and Street Collections			
18.	To determine applications for house to house collections and street collections in accordance with the Council's policy.	Executive Head of Community	Non-executive

	FUNCTION	OFFICER	Non-Executive or Executive Function
19.	To authorise proceedings for offences under all relevant legislation, regulations and orders relating to street collections and house to house collections.	Executive Head of Community	Non-executive
Gambling Act 2005			
20.	To act as an authorised officer of the Council for the purposes of the Gambling Act 2005 together with any subsequent amendments and associated regulations	Executive Head of Community	Non-executive
21.	<p>Under the Gambling Act 2005</p> <p>(a) to determine applications for the following provided that no representations are received or all representations have been withdrawn:</p> <ul style="list-style-type: none"> • premises licence • variation to a licence • provisional statement • small society lotteries <p>(b) determine applications for registration and register societies as appropriate;</p> <p>(c) consider and revoke where appropriate registrations.</p> <p>(d) to determine applications for the transfer of a licence provided that no representations are received from the Gambling Commission.</p> <p>(e) to determine applications for club gaming/club machine permits provided that no objections are made or all objections have been withdrawn.</p> <p>(f) to determine the following:</p> <ul style="list-style-type: none"> • whether a representation is admissible • applications for other permits • cancellation of licensed premises gaming machine permits • consideration of temporary use notices 	Executive Head of Community	Non-executive

	FUNCTION	OFFICER	Non-Executive or Executive Function
	<ul style="list-style-type: none"> whether an application for review is valid. 		
22.	To authorise proceedings in relation to any infringements of the sections of the Gambling Act 2005 as specified in section 346 of that Act.	Executive Head of Community	Non-executive
General			
23.	To offer formal Cautions in respect of offences committed under the provisions of the Licensing Act 2003, the Gambling Act 2005, the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 (Part II) and any regulations or byelaws made thereunder.	Executive Head of Community	Non-executive
24.	To authorise the seeking of injunctions in the High Court under Section 222 Local Government Act 1972, to prevent unauthorised licensable activities taking place in contravention of the Gambling Act 2005, the Licensing Act 2003 or the Control of Pollution Act 1974.	Executive Head of Community	Non-executive