

Responsibility of the Licensing and Regulatory Committees	Delegation
<p><b>Health and Environment</b></p> <p><b>- Licensing and Registration Functions</b></p> <p>1 Power to issue licences authorising the use of land as a caravan site. (Section 3(3) of the Caravan Sites and Control of Development Act 1960.</p> <p>2 Power to licence the use of moveable dwellings and camping sites. (Section 269 (i) of the Public Health Act 1936)</p>	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager (Commercial)</li> <li>▪ Head of Community Services (Environment)</li> </ul> <ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager (Commercial)</li> <li>▪ Head of Community Services (Environment)</li> </ul>
<p>3 Power to license premises for acupuncture, tattooing, ear piercing, electrolysis, semi permanent skin colouring and cosmetic piercing (Sections 13 to 17 Local Government (Miscellaneous Provisions Act 1982)</p>	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager (Commercial)</li> <li>▪ Head of Community Services (Environment)</li> </ul>
<p>4 Power to licence pleasure boats and pleasure vessels (Section 94, Public Health Acts Amendment Act 19070</p>	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager (Commercial)</li> <li>▪ Head of Community Services (Environment)</li> </ul>
<p>5 Power to licence scrap yards (Section 1 Scrap, Metal Dealers Act 1964)</p>	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager (Commercial)</li> </ul>
<p>6 Power to issue, amend or replace safety certificates (whether general or special) for sports grounds (Safety of Sports Grounds Act 1975)</p>	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>▪ Environmental Health Manager (Commercial)</li> </ul>
<p>7 Power to licence premises for the breeding of dogs (Section 1, Breeding of Dogs Act 1973 and Section 1 &amp; 8 of Breeding and Sale of Dogs (Welfare) Act 1999</p>	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager (Commercial)</li> <li>▪ Head of Community Services (Environment)</li> </ul>
<p>8 Power to licence pet shops and other establishments where animals are kept (Section 1 of Pet Animals Act 1951, &amp; Section 1 Animal Boarding Establishments Acts 1963 for the purposes of carrying on a business</p>	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager (Commercial)</li> <li>▪ Head of Community Services (Environment)</li> </ul>
<p>9 Power to licence riding establishments under the Riding Establishment Acts 1964 &amp; 1970</p>	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services on advice from a veterinary practitioner.</li> <li>• Environmental Health Manager (Commercial)</li> <li>▪ Head of Community Services (Environment)</li> </ul>
<p>10 Power to register animal trainers and exhibitors (Section 1 of Performing Animals (Regulation) Act 1925</p>	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager (Commercial)</li> <li>▪ Head of Community Services (Environment)</li> </ul>
<p>11 Power to licence zoos (Section 1 of Zoo Licensing Act 1981)</p>	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> </ul>

12	Power to licence dangerous wild animals (Section 1 of Dangerous Wild Animals Act 1976)	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>▪ Environmental Health Manager (Commercial)</li> <li>▪ Head of Community Services (Environment)</li> </ul>
13	Power to licence knackers yards (Section 4 of Slaughterhouse Act 1974 and Animal By-Products Order 1999)	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager (Commercial)</li> <li>▪ Head of Community Services (Environment)</li> </ul>
14	Power to licence persons to collect for charitable and other causes (Section 5 of the Police Factories etc (Miscellaneous Provisions) Act 1916 – Street Collections and Section 2 of the House to House Collection Act 1939 – house to house collections.	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> <li>▪ Environmental Health Manager (Commercial)</li> </ul>
15	Power to grant consents for the operation of a loudspeaker (Schedule 2, Noise and Statutory Nuisances Act 1993)	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager</li> </ul>
16	Power to approve Vertical Directive Premises under EC 853/2004 (meat, dairy and fishery products premises)	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager (Commercial)</li> </ul>
17	Duty to keep register of food premises (Regulation 5 of Food Premises (Registration) Regulations 1991)	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>▪ Environmental Health Manager (Commercial)</li> </ul>
18	Power to register food business premises (Regulation 9 of Food Premises (Registration) Regulations 1991)	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Environmental Health Manager (Commercial)</li> <li>▪ Head of Community Services (Environment)</li> </ul>
19	Serving notices under Anti-Social Behaviour Act 2003 relating to graffiti.	<ul style="list-style-type: none"> <li>• Development</li> <li>• Head of Business &amp; Street Scene Services</li> <li>• Operations Manager</li> </ul>
20	Duty to register Motor Salvage Operators under S2 Vehicles Crime Act 2001.	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• HR</li> </ul>
<b>Health &amp; Safety at Work Functions</b>		
21	<p>Functions under any of the "relevant statutory provisions" within the meaning of Part 1 of the Health and Safety at Work Etc Act 1974 relating to enforcement duties and not in the Authority's capacity as an employer.</p> <ul style="list-style-type: none"> <li>• Power of entry and to authorise entry for persons accompanying Health and Safety Inspector (Section 20)</li> <li>• Improvement notices (Section 21)</li> <li>• Prohibition notices (Section 22)</li> <li>• Transfer and assignment of premises under the Health and Safety (Enforcement Authority) Regulations 1987</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Qualified Environmental Health and technical officers</li> <li>• Delegated to all inspectors appointed under Section 19</li> <li>• Delegated to all inspectors appointed under Section 19, except legal/default action.</li> <li>• Delegated to all Environmental Health Officers appointed under Section 19, except legal/default action.</li> <li>• Delegated to Director of Community &amp; Planning Services / Environmental Health Manager. (Commercial).</li> </ul>

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| <ul style="list-style-type: none"><li>• Power to appoint persons other than Council Officers (Section 19).</li><li>• Powers contained in the Health Act 2006 in relation to Smoke Free legislation, including the authority to delegate functions contained in<ul style="list-style-type: none"><li>• The Smoke Free (Premises and Enforcement) Regulations</li><li>• The Smoke Free (Signs) Regulations</li><li>• The Smoke free (Exemptions and Vehicles)Regulations</li><li>• The Smoke Free (Penalties and Discounted Amounts) Regulations</li><li>• The Smoke Free (Vehicle Operators and Penalty Notices) Regulations</li><li>• To suitably qualified Officers</li></ul></li></ul> | <ul style="list-style-type: none"><li>• Delegated to Director of Community &amp; Planning Services /Environmental Health Manager (Commercial).</li><li>• Delegated to Director of Community &amp; Planning Services.<ul style="list-style-type: none"><li>▪ Environmental Health Manager (Commercial)</li></ul></li></ul> |
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## LICENSING COMMITTEE

Functions of the Licensing Committee	Delegation of Functions
<p>1 Power to licence hackney carriages and private hire vehicles (Town Police Clauses Act 1847 as extended by Section 171 of Public Health Act 1875, and Section 15 of Transport Act 1985 and Sections 47, 57, 58, 60 and 79 of Local Government (Miscellaneous Provisions) Act 1976</p> <p>2 Power to licence drivers of hackney carriages and private hire vehicles (Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.</p> <p>3 Power to licence operators of hackney carriages and private hire vehicles (Sections 55 to 58, 62 and 79 of Local Government (Miscellaneous Provisions) Act 1976</p>	<p>NB All delegation to officers is subject to members being advised of applications on a weekly list.</p> <ul style="list-style-type: none"> <li>• To Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> </ul>
<p>4 Power to register pool promoters (Schedule 2 of Betting, Gaming and Lotteries Act 1963)</p> <p>5 Power to grant track betting licences (Schedule 3 of Betting, Gaming and Lottery Act 1963)</p> <p>6 Power to licence inter-track betting schemes (Schedule 5 of Betting, Gaming and Lottery Act 1963)</p> <p>7 Power to grant permits in respect The Gaming Act 1968 for</p> <ul style="list-style-type: none"> <li>• Section 6 permit – low stake gaming</li> <li>• Section 34 'all cash' permit</li> <li>• Section 34 'coin or token' permit</li> </ul> <p>8 Power to register societies wishing to promote lotteries (Schedule 1 of Lotteries and Amusements Act 1976)</p> <p>9 Power to grant permits in respect of premises where amusements with prizes are provided (Schedule 3 of Lotteries and Amusements Act 1976)</p> <p>*Please note that 4 – 9 above will be removed from September 2007 as they will be incorporated into the Gambling Act</p> <p>10 Determination of small society registrations under the Gambling Act 2005.</p> <p>11 Power to suspend or revoke hackney carriage and private hire driver, vehicle and operator's licences, Local Government (Miscellaneous Provisions) Act 1976 Section 60, 61 (as extended by Section 52 of the Road Safety Act 2006) and 62.</p> <p>12 Power to grant licences, transfers and variations where no objections or representations are received and to grant a private hire / hackney carriage driver's licence where the applicant's driving licence has not been endorsed with 6 or more points or a Court has not awarded points which take the number of points on the licence to or over 6.</p>	<ul style="list-style-type: none"> <li>• To Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> <li>• To Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> </ul> <p>None</p> <ul style="list-style-type: none"> <li>• To Director of Community &amp; Planning Services or Licensing Officer to approve applications for grant or renewal of permits.</li> </ul> <ul style="list-style-type: none"> <li>• To Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> </ul> <ul style="list-style-type: none"> <li>• To Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> </ul> <ul style="list-style-type: none"> <li>• Principal Licensing Officer</li> </ul> <ul style="list-style-type: none"> <li>• Principal Licensing Officer</li> </ul> <ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services and Principal Licensing Officer</li> </ul>

Functions of the Licensing Committee	Delegation of Functions
13 Power to grant licences, transfers and variations in light of a driving licence endorsement expiring close to the renewal date, such that the total number of points after the endorsement has expired will be less than 6.	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services / Principal Licensing Officer in consultation with the Chairman/Vice-Chairman of the Licensing Committee.</li> </ul>
14 Power to determine where there is legal / default action.	<ul style="list-style-type: none"> <li>• Licensing Committee</li> </ul>
15 Licensing Act 2003 Granting of Provisional Statement (S29)	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services or Principal Licensing Officer. (If no relevant representation made) .</li> <li>• Licensing Sub-Committee (relevant representation).</li> </ul>
16 Licensing Act 2003 Variation of Premises Licence (S34) / Club Premises Certificate (S84)	<ul style="list-style-type: none"> <li>• Licensing Sub-Committee</li> </ul>
17 Licensing Act 2003 Variation of designated Premises Supervisor (S37)	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services or Principal Licensing Officer (no objections)</li> <li>• Licensing Sub Committee (objections).</li> <li>• Director of Community &amp; Planning Services or Principal Licensing Officer – (All cases)</li> </ul>
18 Licensing Act 2003 Request to be Removed as designated Premises Supervisor (S41)	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services or Principal Licensing Officer (no objections)</li> <li>• Licensing Sub Committee (Police objection).</li> </ul>
19 Licensing Act 2003 Transfer of Premises licence (S42)	<ul style="list-style-type: none"> <li>• Licensing Sub Committee (Police objection).</li> <li>• Director of Community &amp; Planning Services or Principal Licensing Officer (All other cases)</li> </ul>
20 Licensing Act 2003 - Granting of interim authorities (S47)	<ul style="list-style-type: none"> <li>• Licensing Sub Committee</li> </ul>
21 Licensing Act 2003 - Application to Review Premise Licence (S51) / Club Premises Certificate (S87)	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services or Principal Licensing Officer (All cases)</li> </ul>
22 Licensing Act 2003 Decision whether a complaint is irrelevant, frivolous, vexatious or repetitious	<ul style="list-style-type: none"> <li>• Licensing Sub Committee</li> </ul>
23 Licensing Act 2003 - Determinations of a Police objection to Temporary Events Notice (S105)	<ul style="list-style-type: none"> <li>• Licensing Sub Committee</li> </ul>
24 Licensing Act 2003 - Decision to object when the local authority is a consultee and not the relevant authority considering the application	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services or Principal Licensing Officer (If no objection made)</li> </ul>
25 Licensing Act 2003 - Application for personal licence (S117)	<ul style="list-style-type: none"> <li>• Licensing Sub Committee</li> </ul>
26 Licensing Act 2003 - Determination of personal licence with unspent convictions (S118)	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services or Principal Licensing Officer</li> </ul>
27 Licensing Act 2003 - Application for a premises licence (S17) / Club premises Certificate (S71)	
28 Licensing Act 2003 Gaming & Gaming Machines on Alcohol Licensed Premises – granting of permits for Amusement with prizes machines.	

Functions of the Licensing Committee	Delegation of Functions
29 Enforcement of the provisions of the Gambling Act, 2005, in accordance with the Act, relevant statutory guidance and / or codes of practice	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> </ul>
30 Authorisation persons in accordance with Section 304 of the Act.'	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> </ul>
31 To act on behalf of the Licensing Authority as a Responsible Authority under section 157 of the Gambling Act 2005.	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> </ul>
32 To determine the following applications under the Gambling Act 2005: Applications for a Premises Licence Application For a Variation to a Licence Application for a transfer of a licence Application for a provisional statement	<p>where no representations have been received or where representations have been withdrawn</p> <ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> </ul>
33 Consideration of temporary use notice, occasional use notice.	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> </ul>
34 Application For Alcohol Licensed Premises Gaming Machine Permit.	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> </ul>
35 Application for Prize Gaming Permit/Unlicensed Family Entertainment Centre.	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> </ul>
36 Deciding whether representations are vexatious, frivolous or will not influence the authorities determination	<ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> </ul>
37 Review of a Premises Licence	<p>where it is by responsible authority /interested party</p> <ul style="list-style-type: none"> <li>• Director of Community &amp; Planning Services</li> <li>• Principal Licensing Officer</li> </ul>
38 Fee Setting in relation to the Gambling Act	None
39 Refusal or cancellation of club gamins/club machine permit	None
40 Temporary Use Notice, counter-notice(s224)	None

