

SCHEME OF DELEGATIONS

Licensing Committee

The following is added to paragraph 6.2.3(a) of Part 3 – Schedule 2 to the Constitution by virtue of Section 154 of the Gambling Act 2005:-

- Administration of the Gambling Act 2005;

Licensing Sub-Committees (A) and (B)

That the terms of reference in paragraph 6.3.3 of Part 3 – Schedule 2 to the Constitution be extended for the consideration and determination of applications under the Gambling Act 2005 (where representations have been made, and not withdrawn) in respect of the following cases:

- i. Application for Premises Licences;
- ii. Application for Variation to a Licence;
- iii. Application for a Transfer of a Licence;
- iv. Application for a Provisional Statement;
- v. Review of a Premises Licence;
- vi. Application for Club Gaming/Club Machine Permit;
- vii. Cancellation of a Club Gaming/Club Machine Permit;
- viii. Decision to give a Counter-Notice to a Temporary Use Notice (Section 224);
- ix. Matters referred to the Sub-Committee by officers, notwithstanding the delegations set out below.

In addition, the Gambling Act 2005 should be referred to in Paragraph 6.3.4 and 6.4.3 of Part 3 – Schedule 2 to the Constitution.

Delegation to Chief Officers

A new Paragraph 9.5 "Gambling Act 2005" to be added to the delegations, pending a general review of the delegations to the Director of Technical and Environmental Services.

- "9.5.1 To the Assistant Director (Planning and Regulatory Services), the Group Manager (Regulatory Services), the Team Manager (Food, Safety and Licensing) and the Principal Environmental Health Officer (Safety and Licensing): The approval of applications where no representations have been made (or where representations have been made but withdrawn) in respect of:-

- i. Applications for Personal Licences;
- ii. Application for Variation to a Licence;
- iii. Application for a Transfer of a Licence;
- iv. Application for a Provisional Statement;
- v. Application for a Club Gaming/Club Machine Permit;
- vi. Applications for other Permits;
- vii. Cancellation of a licensed premises Gaming Machine Permit;
- viii. Consideration of a Temporary Use Notice (including the issue of Counter-Notices under Section 218).

9.5.2. To the Director of Technical and Environmental Services:

- Setting of fees (within legislative limits), in consultation with the Portfolio holder, Opposition Group Leaders and the Borough Treasurer.

9.5.3. All professional and technical officers for the time being employed within the Food, Safety and Licensing Service, and all professional officers for the time being employed within the Environmental Protection Service:-

- Appointed as "authorised persons";
- Authorised to make representation in respect of applications;
- Authorised to apply for reviews and to make representations in respect of reviews.

9.5.4. To the Assistant Director (Planning and Regulatory Services), the Group Manager (Regulatory Services), the Team Manager (Food, Safety and Licensing), the Principal Environmental Health Officer (Safety and Licensing), and to Licensing Enforcement Officers within the Food, Safety and Licensing Team:-

- Appointed as "authorised local authority officers";
- Authorised to make representations in respect of applications on behalf of the Licensing Authority;
- Authorised to apply for reviews and to make representation in respect of reviews, on behalf of the Licensing Authority.
- Authorised to determine the validity of representations made under the Act.

To the Assistant Director (Planning and Regulatory Services), Group Manager (Regulatory Services) and the Group Manager (Development Control):-

- Appointed as "authorised persons".

- Authorised to make representations in respect of applications;
- Authorised to apply for reviews and to make representation in respect of reviews."

In addition, to the delegations to the Director of Children and Learning to add Paragraph 6.2(J).

"6.2(J) To the Director of Children and Learning, Assistant Directors of Children and Learning having responsibility for the protection of children from harm, and to the Children Protection and Safeguarding Co-ordinator:-

- Appointed as "authorised persons";
- Authorised to make representations in respect of applications;
- Authorised to apply for reviews and to make representation in respect of reviews. (These authorisations to apply also in respect of the Licensing Act 2003)."