

<b>Description of delegation</b>	<b>Responsibility delegated from</b>
<b>Chief Legal Officer</b>	
<p>6.15 Licensing and Registration:</p> <ul style="list-style-type: none"> <li>• Except where a decision is reserved to Full Council, to manage all licensing and registration functions of the Council including the licensing and registration of pleasure boats, hackney carriage and private hire, sex establishments, street and house to house collections, motor salvage, scrap metal dealers, street trading consents, common land and town or village greens and such other services as may be authorised.</li> <li>• With regard to Licensing Act 2003 matters, to determine:               <ul style="list-style-type: none"> <li>(i) An application for a personal licence, if no objection made;</li> <li>(ii) An application for a premises licence/club premises certificate, if no relevant representation made;</li> <li>(iii) An application for a provisional statement, if no relevant representation made;</li> <li>(iv) An application to vary a premises licence/club premises certificate, if no relevant representation made;</li> <li>(v) An application to vary a designated premises supervisor in all cases other than where there is a police objection;</li> <li>(vi) A request to be removed as a designated premises supervisor;</li> <li>(vii) An application for transfer of premises licence in all cases other than where there is a police objection;</li> <li>(viii) Applications for interim authorities in all cases other than where there is a police objection;</li> <li>(ix) A decision on whether a complaint is irrelevant, frivolous, vexatious, etc.</li> </ul> </li> </ul> <p>Note: A relevant representation is one which relates to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives specified in the Licensing Act 2003 (Council 9 December 2004 &amp; 22 November 2007).</p>	<p>Council Leader/Cabinet</p> <p>Council</p>
<ul style="list-style-type: none"> <li>• With regard to the Licensing Act 2003 (Hearings) Regulations 2005 on matters to be referred to a Licensing Hearing Panel for determination:               <ul style="list-style-type: none"> <li>(i) Subject to (ii), to agree to dispense with a hearing, and give notice to that effect to the parties, if all persons required by the Act have given notice that they agree that such a hearing is unnecessary.</li> <li>(ii) If the agenda for a meeting of a Licensing Hearing</li> </ul> </li> </ul>	<p>Council / Licensing and Safety Committee</p>

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<p>Panel to consider the matter has been despatched, to consult Panel members before agreeing to dispense with the hearing and cancelling the meeting.</p> <p>(iii) Subject to (i) and (ii), to determine the matter under the Act.</p> <p>(iv) Subject to (v), to extend the time limits provided within these Regulations, and give notice to the parties stating the period of the extension and the reasons for it, where this is considered to be necessary in the public interest.</p> <p>(v) If the agenda for a meeting of a Licensing Hearing Panel to consider the matter has been despatched and extending a time limit would require the Panel to meet on an additional specified date or dates, to consult Panel members before agreeing to such an extension.</p> <p>(vi) Subject to Notes 1 and 2, to agree to adjourn (or postpone) a hearing to a specified date or arrange for a hearing to be held on specified additional dates where this is considered necessary for the consideration of any representations or notice made by a party.</p> <p>(vii) To notify forthwith the parties of the date(s), time(s) and place(s) of any reconvened or additional meetings for the hearing.</p> <p>Note 1: Once the agenda for a meeting of a Licensing Hearing Panel has been despatched, unless the hearing is cancelled because it is no longer required, the meeting must commence at the specified time, date and venue, so that the Panel may determine to adjourn the meeting to a later specified date or dates.</p> <p>Note 2: Extending a time limit or adjourning/re-arranging a hearing to a later date or dates may not have the effect that: (a) an application will be treated as granted or rejected under paragraph 4(4), 7(3), 16(4), 19(3) or 26(4) of Schedule 8 of the Act; or (b) there would be a failure to determine a review of a premises licence following a closure order under section 167 of the Act within the specified period.</p> <p>(viii) To disregard any information given by a party to the hearing or any person given permission to attend, which is not relevant to their application, representations or notice, and the promotion of the licensing objectives, having first given the</p>	

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<p>submitting party an opportunity to indicate why they believe the information to be relevant to the hearing.</p> <p>(ix) Subject to (x), to take such steps he or she thinks fit to cure any irregularity resulting from a failure to comply with any provision of the Regulations before a determination is made, if he or she considers that any person may have been prejudiced as a result of the irregularity.</p> <p>(x) If the agenda for a meeting of a Licensing Hearing Panel to consider the matter has been despatched, to consult the Chairman or Vice-Chairman of the Licensing and Safety Committee before taking steps to cure the irregularity.</p> <p>(xi) To correct any clerical mistakes in any document recording a determination or errors arising in such document from an accidental slip or omission.</p>	
<ul style="list-style-type: none"> <li>• With regard to the Gambling Act 2005, to determine: <ul style="list-style-type: none"> <li>(i) Fee setting (when appropriate);</li> <li>(ii) An application for a premises licence, where no representations received/representations have been withdrawn;</li> <li>(iii) An application for a variation to a licence, where no representations received/representations have been withdrawn;</li> <li>(iv) An application for a transfer of a licence, where no representations received from the Commission;</li> <li>(v) An application for a provisional statement, where no representations received/representations have been withdrawn;</li> </ul> </li> </ul>	
<p>(vi) An application for club gaming/club machine permits, where no objections made/objections have been withdrawn;</p> <p>(vii) Applications for other permits;</p> <p>(viii) A cancellation of licensed premises gaming machine permits;</p> <p>(ix) The consideration of a temporary use notice (Council 7 December 2006).</p> <ul style="list-style-type: none"> <li>• With regard to the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009; <ul style="list-style-type: none"> <li>(i) To grant any applications for sex establishments and sexual entertainment venues whereby no</li> </ul> </li> </ul>	

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<p>representations have been received and the Assistant Director is able to agree suitable conditions with the applicant.</p> <ul style="list-style-type: none"> <li>• With regard to the Scrap Metal Dealers Act 2013, to determine: <ul style="list-style-type: none"> <li>(i) Fee setting (when appropriate);</li> <li>(ii) Application for or renewal of a Site or Collector’s licence, where no representations have been received from the applicant or where their representations have been withdrawn;</li> <li>(iii) Application for a variation to a licence, where no representations have been received from the applicant or where their representations have been withdrawn;</li> <li>(iv) To issue a closure notice on non-residential premises being used as a scrap metal dealer’s site;</li> <li>(v) Application to the Magistrate’s Court for a closure order;</li> <li>(vi) Termination of a closure order;</li> <li>(vii) Application to the Magistrate’s Court to discharge a closure order;</li> <li>(viii) Revocation of a licence, where no representations have been received from the applicant or where their representations have been withdrawn;</li> <li>(ix) Consideration of an imposition of conditions;.</li> <li>(x) to determine applications, in consultation with the Licensing Sub-Committee, from applicants for licences under the Scrap Metal Dealers Act 2013 where the authority is minded to refuse, vary or revoke a licence and the applicant has given notice to the authority within the prescribed time that they require the opportunity to make representations about the proposal.</li> </ul> </li> </ul> <p>[Note: The functions outlined at (i) and (x) may not be sub-delegated, whilst those listed at (ii) to (ix) will be sub-delegated, in writing, to the appropriate licensing officer.</p>	Leader/Cabinet
<ul style="list-style-type: none"> <li>• With regard to the registration of land as a town or village green: <ul style="list-style-type: none"> <li>(i) to determine any application for the registration of land as a town or village green where there are no objections received to the application;</li> <li>(ii) to hold public inquiries prior to the determination of applications where necessary and to instruct Counsel in relation to the same.</li> </ul> </li> </ul>	Council