

APPENDIX 1

PART 3G: MATTERS RESERVED TO THE LICENSING COMMITTEE, AND THE 1st TIER OFFICER AND OFFICER PANEL EXERCISING LICENSING FUNCTIONS

The Licensing Committee and the sub-committees appointed by it to exercise licensing functions to consider:

1. any application for the grant, renewal, variation or transfer of any General Safety Certificate in respect of Sports Stadium or Regulated Stands;
2. any application for a personal licence which is the subject of a police objection.
3. any application for a personal licence by a person with unspent criminal convictions.
4. any application for a premises licence or a club premises certificate which is the subject of a relevant representation
5. any application for a provisional statement which is the subject of a relevant representation
6. any application to vary a premises licence or club premises certificate which is the subject of a relevant representation
7. any application to vary a designated premises supervisor which is the subject of a police objection.
8. any application for a transfer of a premises licence which is the subject of a police objection.
9. any applications for interim authorities which are the subject of a police objection.
10. any application to review a premises licence or club premises certificate.
11. any decision to object when the local authority is a consultee and not the relevant authority considering the application.
12. any determination of a police objection to a temporary event notice.
13. any application for the grant of new amusement arcade/prize bingo permits.
14. any application for the grant, renewal, variation or transfer of any sex establishment license.
15. new designations for sites for street trading.
16. revocation of street trading licenses.

17. to consider and determine the following applications in accordance with the London Government Act 1963 and associated legislation:¹
 1. any opposed application for the grant, renewal, transfer or variation of annual public entertainment's or night café licence where there is evidence which gives rise to consideration of whether the applicant is a fit and proper person;
 2. any opposed application for the new annual grant of a public entertainment's licence in respect of any premises capable of accommodating 150 or more persons;
 3. any opposed application for either the new annual grant of a public entertainment's licence or application for the variation of an existing licence which seeks hours of operation beyond the latest hour permitted for the sale of alcohol under a Justices special hours certificate (i.e. 2 am weekdays and 12 midnight on Sunday);
 4. the revocation of any licence following the successful prosecution of the holder for breach of licence terms, conditions and restrictions;
 5. the non-renewal of any licence following concerns raised by officers regarding the manner of operation of the premises under its licence;
 6. any application for consent to provide striptease or hypnotism or like entertainment.
 7. applications made in respect of occasional licenses over 28 days in any 12 month period.

Matters Delegated to the 1st Tier Officer

1. any application for a personal licence which is without police objection.
2. any application for a premises licence or a club premises certificate if no relevant representation has been made.
3. any application for a provisional statement if no relevant representation has been made.
4. any application to vary a premises licence or club premises certificate if no relevant representation has been made.
5. any application to vary a designated premises supervisor which is without police objection.
6. any request to be removed as a designated premises supervisor.
7. any application for a transfer of a premises licence which is without police objection.

¹ Either the licensing committee or community councils previously considered these applications. The functions have now been returned to the licensing committee with effect from February 7 2004.

8. any applications for interim authorities which are without police objection.
9. any decision on whether a complaint is irrelevant frivolous or vexatious.

Matters Delegated to the 1st Tier Officer and considered by the Licensing Officer Panel

The Panel to make recommendations to the 1st Tier Officer on the following matters:

1. any opposed application for the grant, renewal, transfer or variation of annual public entertainments or night café licenses which:
 - (i) relates to a venue capable of accommodating fewer than 150 persons; or
 - (ii) relates to an application made for operating hours within the terminal hours under a Justices Special Hours Certificate; or
 - (iii) where consideration of whether the applicant is a fit and proper person is not an issue;
2. any opposed application for the grant of any occasional licence;
3. any application for waiver of any part of the Council's Technical Regulations or for any waiver of the Council's Rules of Management;
4. any application for renewal of provisional licences where specified public safety and / or acoustic sound insulation works have not been undertaken in the previous licence term;
5. consideration of all issues relating to the grant, renewal, or revocation of door supervisors registrations; (*Note this function is to be transferred to the Securities Industry Authority from April 2005*).
6. all films submitted for local classification under the Cinemas Act 1985.
7. any opposed application for the grant, renewal or transfer of a special treatments license.

NOTES

1. All matters not reserved as above are delegated to the appropriate Chief Officer, 1st Tier Officers or Business Unit Manager, except that authority to initiate prosecutions is delegated to:

Licensing

- Strategic Director of Environment and Leisure
- Head of Streetscene and Public Protection
- Head of Waste Management
- Environmental Health and Trading Standards Manager

Street Trading

- Strategic Director of Environment and Leisure
- Head of Streetscene and Public Protection
- Head of Waste Management
- Client and Enforcement Manager, Waste Management Division
- Environmental Health and Trading Standards Manager

(All matters reserved to the Licensing Officer Panel can always be decided by the Licensing Committee.)

2. Each Chief Officer and/or 1st Tier Officer in making decisions under the above scheme is required to do so within the internal scheme of management for their own department. This will include appropriate monitoring arrangements, and dissemination of information both internally and externally to the Council.