

APPENDIX 4

PART 3E: MATTERS RESERVED TO THE LICENSING COMMITTEE AND COMMUNITY COUNCILS EXERCISING LICENSING FUNCTIONS

The Licensing Committee 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 the grant, renewal, variation or transfer of any sex establishment licence;
3. the revocation of any licence (reserved to Licensing Committee) following the successful prosecution of the holder for breach of licence terms, conditions and restrictions;
4. the non-renewal of any licence (reserved to Licensing Committee) following concerns raised by officers regarding the manner of operation under its licence;
5. new designations for sites for street trading;
6. revocation of street trading licences;
7. any application reserved to Community Councils in the event that the relevant Community Council meeting was inquorate or the personal interests or decided views of a large number of Members would be likely to render the meeting inquorate.
8. To consider and determine all licensing applications for venues on or near Community Council boundaries, which will have a material impact on the area of one or more neighbouring Community Councils. The Strategic Director of Environment & Leisure to determine when such boundary proximity is a material factor.

Community Councils to consider:

1. any opposed application for the grant, renewal, transfer or variation of annual public entertainments 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 entertainments 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 entertainments 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.a.m.weekdays and 12 midnight on Sunday);

4. the revocation of any licence (reserved to Community Councils) following the successful prosecution of the holder for breach of licence terms, conditions and restrictions;
5. the non-renewal of any licence (reserved to Community Councils) 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. any application for the grant of new amusement arcade / prize bingo permits;
8. applications made in respect of occasional licenses over 28 days in any 12 month period.

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:

(a) any opposed application for the grant, renewal, transfer or variation of annual public entertainments or night café licences 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;

(b) any opposed application for the grant, renewal or transfer of a special treatments licence;

(c) any opposed application for the grant of any occasional licence;

(d) any application for waiver of any part of the Council's Technical Regulations or for any waiver of the Council's Rules of Management;

(e) 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;

(f) consideration of all issues relating to the grant, renewal, or revocation of door supervisors registrations; and,

(g) all films submitted for local classification under the Cinemas Act 1985.

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:

- Strategic Director of Environment and Leisure
- Head of Streetscene and Public Protection
- Business Support Services Co-ordinator
- Infrastructure and Highways Manager
- Environmental Health and Trading Standards Manager
- Head of Waste Management

(All matters reserved to the Licensing Officer Panel can always be decided by the relevant Community Council, with the exception of (f) and (g) which can be decided upon 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.