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## **PART 3G: LICENSING COMMITTEE AND SUB-COMMITTEES, THE HEAD OF SERVICE AND OFFICER PANEL EXERCISING LICENSING FUNCTIONS**

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### **ROLE AND FUNCTIONS**

1. To approve the council's policies in respect of all licensing and registration matters except the licensing and gambling statements of policy.
2. To consider the future process by which the decisions with respect to licensing applications are to be taken.
3. To establish policies and procedures for considering and determining additional licensing functions conferred on the authority by statute.
4. To consider and determine the following applications:
  - the grant, renewal, variation or transfer of any general safety certificate in respect of a sports stadium or regulated stands
  - street trading and markets
  - film classification
  - any other licensing responsibilities of the authority created by statute and delegated to the committee.
5. Where appropriate to hear and consider the case for the applicant either by way of written or oral representation and consider objections and representations to the application from authorised persons and interested parties or their designated representatives.
6. To consider and determine the revocation of licences and registrations reserved to the licensing committee.
7. To consider the designation of new sites for street trading and markets.
8. To establish sub-committees under the relevant statutory provisions empowered to discharge any and all of the authority's licensing functions.

### **MATTERS RESERVED FOR DECISION**

#### **Matters reserved for decision by the licensing committee**

9. Approve the council's policies in respect of all licensing and registration matters, except the statement of licensing policy and the statement of gambling policy.<sup>1</sup>
10. To establish policies and procedures for considering and determining additional licensing functions conferred on the authority by statute.

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<sup>1</sup> The approval of the licensing and gambling statements of policy is a matter reserved to council assembly.

## **Matters reserved for decision by the licensing committee and its sub-committees**

### Licensing Act 2003

11. Any application for a personal licence which is the subject of a police objection.
12. Any application for a personal licence by a person with unspent criminal convictions.
13. Any application for a premises licence or a club premises certificate which is the subject of a relevant representation.
14. Any application for a provisional statement which is the subject of a relevant representation.
15. Any application to vary a premises licence or club premises certificate which is the subject of a relevant representation, except a minor variation.
16. Any application to vary a premises licence or club premises certificate which is the subject of a relevant representation.
17. Any application to vary a designated premises supervisor which is the subject of a police objection.
18. Any application for a transfer of a premises licence which is the subject of a police objection.
19. Any applications for interim authorities which are the subject of a police objection.
20. Any application to review a premises licence or club premises certificate.
21. Any decision to object when the local authority is a consultee and not the relevant authority considering the application.
22. Any determination of a police objection to a temporary event notice.

### Gambling Act 2005

23. Any application for a premises licence where representations have been received and not withdrawn.
24. Any application for a variation to a licence where representations have been received and not withdrawn.
25. Any application for a transfer of a licence where representations have been received from the Gambling Commission.
26. Any application for a provisional statement where representations have been received and not withdrawn.
27. Any application to review a premises licence.
28. Any application for a club gaming/club machine permits where representations have been received and not withdrawn.

29. Cancellations of club gaming/club machine permits.
30. Decision to give a counter notice to a temporary use notice.

#### **Other reserved decisions**

31. Any application for the grant, renewal, variation or transfer of any sex establishment licence.
32. New designations for sites for street trading and markets.
33. Revocation of permanent street trading licences and markets.
34. To determine the revocation of any licence following successful prosecution of the holder for breach of licence terms, conditions and restriction.
35. Any application for consent to provide hypnotism or like entertainment.
36. Any application for the grant, renewal, variation or transfer of any general safety certificate in respect of a sports stadium or regulated stands.
37. Any application for the grant, renewal or variation of any scrap metal licence which involves the applicant making representations.
38. Revocation of any scrap metal licence.

#### **Matters delegated to the head of service and considered by the licensing officer panel**

The panel to make recommendations to the head of service on the following matters:

39. All films submitted for local classification under the Cinemas Act 1985.
40. Any opposed application for the grant, renewal or transfer of a special treatments licence.

#### **Matters delegated to the head of service**

41. Any minor variation to a premises licence or club premises certificate where such variations will not impact adversely on the licensing objectives, falling into the following categories:
  - Minor change to the structure or layout of a premises
  - Small adjustments to licensing hours
  - The removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions
  - The addition of certain licensable activities such as the addition of live music unless there is likely to be an adverse impact on the licensing objectives.
  - The revocation of temporary street trading licences under the Food Act 1984 and the London Local Authorities Act 1990 (as amended).

## Notes

- a) All matters not reserved as above are delegated to the appropriate chief officer, head of service or business unit manager. All matters reserved to the licensing officer panel can always be decided by the licensing committee or its sub-committees.
- b) Each chief officer and/or head of service 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.
- c) Minor variations now fall under delegated authority following an amendment to the guidance to section 41 of the Licensing Act 2003 (as amended) to be determined at officer level (as set out in the relevant departmental scheme of management).