

Proforma Responses

		YES	NO
1	Do you feel the policy is clearly written and easy to understand?	9	1
2	The Licensing Authority (LA) will be looking for licensed premises to take a more pro-active role in addressing the issues raised by their operation and seeking to enhance partnership working. Is this the correct approach.	9	
3	Are you satisfied with the suggested measures to counteract crime and disorder?	10	
4	Are you satisfied with the suggested measures to counteract possible nuisance?	7	3
5	Are you satisfied with the suggested measures to protect children?	10	1
6	Are you satisfied with the suggested measures to protect public safety?	9	1
7	The LA is minded to enforce responsibility for all litter and rubbish that is clearly attributable to the licensed venue (eg branded postages, flyers). Is this the correct step to take?	8	1
8	Do you agree with the proposals relating to cumulative impact?	9	
9	Should there be a policy that conditions will be imposed to maintain minimum prices for alcoholic drinks and discourage binge drinking?	10	
10	The LA will not have powers to regulate whether small scale temporary events should take place, but will work closely with other agencies to ensure safety, public order and noise issues are addressed. Is this the correct approach?	9	

CONSTITUTION AMENDMENTS

- (a) ARTICLE 4 – THE FULL COUNCIL – Pages 14-16 – ‘Licensing Policy’ has been added under the Policy Framework heading.
- (b) ARTICLE 12 – OFFICERS – Pages 33-37 – The responsibilities of the Director of Development and Environment have been amended to include Licensing.
- (c) SCHEDULE 5 : CONSULTATION FORUMS – TERMS OF REFERENCE – PAGES 74-81 – PUBLIC PROTECTION FORUM - The terms of reference have been amended to delete Liquor Licensing and add Licences issued under the Licensing Act 2003.
- (d) PART 3 : RESPONSIBILITY FOR FUNCTIONS – Pages 83-97 – RESPONSIBILITY FOR COUNCIL FUNCTIONS – The delegated powers of the Licensing Committee have been amended and are attached (**Appendix 2.1**).
- (e) PART 3 : RESPONSIBILITY FOR FUNCTIONS – Pages 83-96 – RESPONSIBILITY FOR COUNCIL FUNCTIONS – These have been amended to include a Licensing Panel and are attached (**Appendix 2.2**).
- (f) PART 3 : RESPONSIBILITY FOR FUNCTIONS – SCHEME OF DELEGATION TO OFFICERS – Pages 97-148 – All Officers delegated powers in relation to Licensing have been amended, where appropriate and are attached (**Appendix 2.3**).

Appendix 2.1

COMMITTEE	NO. OF MEMBERS	TERMS OF REFERENCE	DELEGATED POWERS
<p>Licensing Committee</p>	<p>11</p>	<p>Insofar as they are delegated to the licensing Committee, to exercise the powers and functions of the Council in relation to its licensing functions.</p> <p>If appropriate, to also consider any other Licensing and Environmental Protection issues which are not covered by the specific delegations detailed in this table and make recommendations to Council thereon.</p>	<p>Subject, as hereinafter provided, and insofar as the Council has not delegated the power to Officers and the Scheme of Delegation (detailed later in this Schedule), to exercise the powers and functions of the Council in relation to :-</p> <p>the licensing of the provision of betting facilities on tracks and the registration of pool promoters;</p> <p>the licensing of premises or persons under the Pet Animals Act 1951, the Animal Boarding Establishments Act 1963, the Breeding of Dogs Act 1973 and the Dangerous Wild Animals Act 1976;</p> <p>the licensing of sex establishments under the Local Government (Miscellaneous Provisions) Act 1982;</p> <p>the granting, renewal or refusal of permits for the provision of machines for gaming by way of amusements with prizes under Sections (34(1) and 34(5E) of the Gaming Act 1968;</p> <p>the granting, refusal, revocation of suspension of licences in respect of hackney carriages and private hire vehicles and the</p>

COMMITTEE	NO. OF MEMBERS	TERMS OF REFERENCE	DELEGATED POWERS
			<p>drivers and operators of such vehicles and to exercise the powers of the Council under the provisions of the Town Police Clauses Act 1874 with respect of hackney carriages and Part II of the Local Government (Miscellaneous Provisions) Act 1976;</p> <p>Street Collections;</p> <p>the registration of societies under Schedule 1 to the Lotteries and Amusements Act 1976 and the grant, renewal or refusal of permits for the provision of amusements with prizes under Section 16 of the said Act;</p> <p>the Hypnotism Act 1952;</p> <p>except insofar as the subject matter may fall within the duties of any other Committee, exercise the powers and duties of the Council with respect to the licensing and registration of persons or properties for any purpose;</p> <p>secure compliance with such Regulations.</p> <p>Discharge the functions of the Council as Local Planning Authority in relation to the stopping up and diversion of highways under Part X of the Town and Country Planning Act 1990.</p>

Appendix 2.2

COMMITTEE	NO. OF MEMBERS	TERMS OF REFERENCE	DELEGATED POWERS
Licensing Panels	3	Insofar as they are delegated to the Licensing Panel, to exercise the powers and functions of the Council in relation to its licensing function.	<ol style="list-style-type: none"> 1. To determine applications for premises licence/club premises certificate where relevant representations have been made. 2. To determine applications for provisional statement where relevant representations have been made. 3. To determine applications for variation of premises licence/club premises certificate where relevant representations have been made. 4. To determine applications to vary designated premises supervisor following police objection. 5. To determine applications for transfer of premises licence following police objection. 6. To consider police objections made to interim authority notice. 7. To determine a Police objection to a Temporary Event Notice. 8. To determine applications for grant/renewal of personal licence following police objection. 9. To determine applications for

COMMITTEE	NO. OF MEMBERS	TERMS OF REFERENCE	DELEGATED POWERS
			<p>grant/renewal of personal licence with unspent convictions.</p> <p>10. Revocation of personal licence where convictions come to light after grant etc.</p> <p>11. To determine application for review of premises licence/club registration certificate in cases where relevant representations have been made.</p>

Director of Development and Environment

Delegated Power	Formally Reported
9 maintain the following register	
(m) Licensing Act 2003	
21 to authorise officers under the	
(iii) Licensing Act 2003	
22. in respect of Licensing Matters :-	
(a) determine urgent street collection applications (in consultation with the Chair and Vice-Chair of the Licensing Committee).	
(b) To determine applications for premises Licence/Club Premises Certificate where no relevant representations have been made.	
(c) To determine applications for provisional statement where no relevant representations have been made.	
(d) To determine applications for variation of premises licence/Club Premises Certificate where no relevant representations have been made.	
(e) To determine applications to vary designated premises supervisor where no police objections have been received.	
(f) To determine applications for transfer of premises licence where no police objections have been received.	
(g) To consider applications for interim authority notice where no police objections have been received.	
(h) To determine applications for grant/renewal of personal licence where no police objections have been received.	
(i) To determine requests to be removed as designated premises supervisor.	
(j) To determine whether a complaint is irrelevant, frivolous, vexatious etc.	

Director of Community Services

Delegated Power	Formally Reported
E in respect of General Matters	
1. In connection with appointment of officers, appoint officers or agents with the relevant qualifications to enforce the provisions of and institute proceedings with regard to the following:	
(c) Anti-social Behaviour Act 2003 – Section 43, 44 and 45	
(d) Road Traffic (Vehicle Emission) (Fixed Penalty) (England) Regulations 2002	