

COMMITTEE: CENTRAL LICENSING COMMITTEE
DATE: 5 MARCH 2012
TITLE: AMEND THE COUNCIL'S LICENSING POLICY
PURPOSE: FOR DECISION
AUTHOR: HEAD OF REGULATORY SERVICES

BACKGROUND INFORMATION

Licensing authorities must 'have regard to' guidance issued by the Secretary of State under section 182 of the Licensing Act 2003. The Guidance recommends the level of delegation of certain licensing functions under the Act. These are shown in Appendix 1

The Council adopted a revised Licensing Policy in December 2010. Chapter 12 of the Policy specifies to which level of Committee and officer certain licensing functions will be delegated. These are shown in Appendix 2

The delegation arrangements specified in the Policy do not accord with the recommendations contained in the Guidance in that certain functions are retained by the Central Licensing Committee which should be delegated to a Sub Committee.

Under Section 10(1) of the Licensing Act 2003, the Licensing Committee is empowered to delegate the discharge of any functions exercisable by it by a sub-committee established by it.

PROPOSAL

It is proposed that the delegation arrangements be amended to accord with the Recommendations made in the guidance issued by the Secretary of State.

The effect of adopting this proposal would be that any application where representations have been received would be considered by a Sub Committee established by the Committee and that officers would continue to approve applications where no observations are received.

RECOMMENDATION

That the Committee delegates its functions in respect of licence applications, requests, decisions and determinations to a Sub - Committee established by the Committee and to officers in accordance with the guidance issued by the Secretary of State.