

PROPOSED AMENDMENTS TO THE LICENSING COMMITTEE FUNCTIONS

DECISIONS WHICH WILL BE TAKEN BY THE LICENSING COMMITTEE

All of the responsibilities of the Licensing Committee (detailed in Paragraph 2) are delegated to the Head of Community Services* except the following which are reserved to the Committee:

Function	Proposed action (i.e. delete, amend, add)	Reason for amendment
a) Review of fees and charges, including the annual review, in respect of functions of the Licensing Committee in order to recover the cost of the service as allowed by statute or where statutory provisions do not apply, by the limits set out in the Budget Strategy.	Delete	To reflect current practice whereby the review or fees and charges are included in the annual Budget and Council Tax report which is considered by Cabinet and approved by the Full Council.
b) Approval of fares for Hackney Carriages.	Retain	
c) Power to review and set fees for Private Hire vehicles, Private Hire Operators and Hackney Carriage vehicles (licences) where objections have been received and not withdrawn.	Retain	
d) Approval of all policy related documents regarding Hackney Carriages and Private Hire Vehicles.	Retain	
e) Approval of the Health and Safety Service Plan.	Delete	Delegated to Head of Community Services as this is a business-as-usual function.
f) Approval of the Food Service Plan.	Delete	Delegated to Head of Community Services as this as this is a business-as-usual function with the FSA largely dictating the content, and who externally audits this.
g) Power to issue licences authorising the use of land as a caravan site ("site licences").	Retain	
h) Power to license the use of moveable dwellings and campsites.	Retain	

Function	Proposed action (i.e. delete, amend, add)	Reason for amendment
i) Power to register pool promoters.	Amend	<p>Would create unreasonable delays in determination.</p> <p><i>Power to register pool promoters where objections have been received.</i></p>
j) Power to grant track betting licences and inter-track betting schemes.	Retain	
k) Power to grant permits in respect of premises with amusement machines.	Amend	<p>Would create unreasonable delays in determination. There is also an automatic right to some classes of machines in certain settings and circumstances.</p> <p><i>Power to grant permits in respect of premises with amusement machines where objections have been received.</i></p>
l) Power to register societies wishing to promote lotteries.	Amend	<p>Would create unreasonable delays in determination.</p> <p><i>Power to register societies wishing to promote lotteries where objections have been received</i></p>
m) Power to keep list of persons entitled to sell non-medicinal poisons.	Delete	This is an administrative function.
n) Power to licence all activities under the Animal animal trainers and exhibitors.	Delete	Delegated to the Head of Community Services within the context of the Animal Activities Licensing Regime
o) Power to grant permission for the provision of services, amenities, recreation and refreshment facilities on highways and related powers.	Delete	Delegated to the Head of Community Services as this is covered within the Street Trading Policy
p) Duty to publish notice in respect to propose the grant of permission under Section 115E of the Highways Act 1980.	Remove	Delegate to the Head of Community Services as the Pavement Licensing regime now covers

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		this and could prevent application being determined.
q) Power to set fees for scrap metal dealer sites and mobile collector licences.	Delete	To reflect current practice whereby the review or fees and charges are included in the annual Budget and Council Tax report which is considered by Cabinet and approved by the Full Council.
r) Power to transfer enforcement functions to another enforcement authority under the Smoke-Free (Premises and Enforcement) Regulations 2006.	Retain	
s) Power to consider and license/refuse to license sex establishments in accordance with the Council's policy where objections have been received	Add	Not currently listed as a function.
t) Determination of licences under the Zoo Licensing Act 1981 where objections have been received.	Add	Not currently listed as a function.
u) Determination of applications for licences under the Dangerous Wild Animals Act 1976 where objections have been received.	Add	Not currently listed as a function.
v) Power to license performances of hypnotism where objections have been received.	Add	Not currently listed as a function.
w) Power to license pleasure boats and pleasure vessels where objections have been received.	Add	Not currently listed as a function.

* NB:

- *The Head of Community Services may further delegate these matters as they see fit.*
- *The Head of Community Services may decline to exercise any of the above functions in a particular case and must then refer the matter promptly to the Committee for consideration.*