

Part 7 – Terms of Reference

Licensing & Gambling Scheme of Delegation

This Scheme of Delegation lists the delegations made by Full Council under the Licensing Act 2003 and Gambling Act 2005 in respect of its powers under those acts.

Matter to be dealt with	Full Council	Committee / Sub-committee	Officers
Final approval of Licensing Policy and Statement of Gambling Principles	x		
Review of Licensing Policy and Statement of Gambling Principles		x (full committee only)	
Policy not to permit casinos	x		
Fee setting (where appropriate)			x (Director)
Applications for premises licence and club premises certificates		Where representations are received and not withdrawn	Where representations are not received or are withdrawn
Application for a variation to a licence or club premises certificates		Where representations are received and not withdrawn	Where representations are not received or are withdrawn
Review of premises licence or club premises certificates		x	

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Matter to be dealt with	Full Council	Committee / Sub-committee	Officers
Application for a transfer of a licence		Where representations are received and not withdrawn	Where representations are not received or are withdrawn
Application for a provisional statement		Where representations are received and not withdrawn	Where representations are not received or are withdrawn
Application for club gaming/club machine permits		Where objections are made and not withdrawn	Where objections are not received or are withdrawn
Cancellation of club gaming/club machine permits		x	
Applications for other permits		Where objections are made and not withdrawn	Where objections are not received or are withdrawn
Cancellation of licensed premises gaming machines			x
Applications for small scale lotteries registration		Where objections are made and not withdrawn	Where objections are not made or are withdrawn
Application for variation of designated premises supervisor		Where police objection and not withdrawn	Where police objections are not received or are withdrawn
Application for interim authority		Where police objection and not withdrawn	Where police objections are not received or are withdrawn

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Matter to be dealt with	Full Council	Committee / Sub-committee	Officers
Application for personal licence		Where police objections or applicant has unspent convictions	Where police objections are not received or no unspent convictions
Application for Temporary Event Notice		Where there are police objections	x
Application for temporary use notice		Decision whether to issue counter notice	Receipt and initial consideration
Decision to give a counter notice to a temporary use notice		x	
Determination of irrelevant, frivolous or vexatious or otherwise not “relevant” objections under the 2003 Act			x
Determination of vexatious or frivolous representations or representations which will certainly not influence the authority under the 2005 Act		x	X (so far as it is lawful to do so)

Delegations to Specific Officers under the Licensing Act 2003 & Gambling Act 2005

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These delegations are to be read in conjunction with the table above and the Licensing Act and Gambling Act Committee terms of reference.

1. To carry out all functions delegated to officers unless specified otherwise in this Scheme:
 - a. Team Manager, Licensing;
 - b. [Service Manager – Regulatory Services](#); and
 - c. Strategic Director Neighbourhoods and Commercial
2. To set all fees:
 - a. Strategic Director Neighbourhoods and Commercial
3. To exercise all powers of inspection, entry and enforcement:
 - a. Team Manager, Licensing;
 - b. [Service Manager – Regulatory Services](#) and
 - c. Licensing Enforcement Officers.

Where an officer's job title changes, the delegated powers above will automatically transfer to any new post(s) which discharges the functions of the replaced post in whole or part pending the amendment of this Scheme to reflect the changes.

Agreed by full Council on 25 April 2019.