

**SECTION 3
RESPONSIBILITY FOR FUNCTIONS**

PART TWO - Responsibility for Licensing Functions under the Licensing Act 2003

Function	Licensing Sub-Committee	Officer
Application for personal licence	If a police objection is made due to relevant offence	If no objection is made and application is complete
Application for premises licence or club premises certificate	If a relevant representation is made and remains	If no relevant representation is made or a relevant representation has been withdrawn
Application for provisional statement	If a relevant representation is made	If no relevant representation is made
Application to vary premises licence or club premises certificate	If a relevant representation is made	If no relevant representation is made
Application to vary Designated Premises Supervisor	If a police objection is made	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection is made	All other cases
Application for interim authorities	If a police objection is made	All other cases
Application to review premises licence or club premises certificate	All cases	
Decision on whether a Representation is irrelevant, frivolous, vexatious, etc	All cases	All cases
Decision to object when Local Authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a police objection and/or environmental health objection to a temporary event notice	All cases where there is a objection notice that has not been withdrawn	
Making a representation on behalf of the Licensing Authority		Licensing Manager
Initiating a review on behalf of the Licensing Authority		Licensing Manager
Authority to extend for a specified period a time limit provided for in the Licensing Act 2003 (Hearings) Regulations 2005, where it is considered necessary in the public interest.		Strategic Director Environment, Housing & Regeneration / Executive Head of Safer and Stronger Communities
Authority to defend appeals or agree consent orders in relation to determinations made by Licensing Sub Committees		Strategic Director Environment, Housing & Regeneration / Executive Head of Safer and Stronger Communities in conjunction with three members of the Licensing Committee

Function	Licensing Sub-Committee	Officer
Application to vary premises licence at community premises to include alternative licence condition	Where there is a relevant Representation	If no relevant Representation is made or withdrawn
Decision whether to consult other responsible authorities on minor variation applications		All cases
Application for a minor variation		All cases
Withdrawal of a club premises certificate (S.90)		All cases
To administer and carry out all other functions of the Licensing Authority capable of delegation under The Licensing Act 2003 which is not otherwise delegated to the Authority, The Licensing Committee or its Sub Committees	All cases	All cases

Responsibility for Licensing Functions under the Gambling Act 2005

Matter to be dealt with	Full Council	Sub-Committee	Officers
Three year licensing policy	All cases		
Policy not to permit casinos	All cases		
Fee Setting		Licensing Committee	
Application for premises licences		Where representations have been received and not withdrawn and there is an Operating Licence in force	Where no representations received / representations have been withdrawn and there is an Operating Licence in force
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for transfer of a licence		Where representations have been received from Responsible Authorities	Where no representations received from Responsible Authorities
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations have been received / representations have been withdrawn
Review of a premises licence		All cases	

Matter to be dealt with	Full Council	Sub-Committee	Officers
Application for club gaming / club machine permits		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Cancellation of club gaming / club machine permits		All cases	
Applications for other permits		All cases	All cases
Cancellation of licensed premises gaming machine permits			All cases
Consideration of temporary use notice			All cases
Decision to give a counter notice to a temporary use notice		All cases	
Determination as to whether a person is an Interested Party		All cases	All cases
Determination as to whether representations are relevant		All cases	All cases
Determination as to whether a representation is frivolous, vexatious or repetitive		All cases	All cases
Propose to attach default or mandatory conditions to a premises licence in accordance with section 169(1)(a)			All cases
Propose the exclusion of a default or mandatory condition from a premises licence under section 169(1)(b)			All cases

Matter to be dealt with	Full Council	Sub-Committee	Officers
To request a review of a premises licence under section 200			All cases
Give a notice of objection to a temporary use notice under section 221			All cases
Revoke a premises licence for non-payment of the annual fee (s193)			All cases
Serve notification of intended refusal of any of the following:- Family Entertainment Centre Gaming Machine Permit (Sch 10 para 10) Prize gaming Permits (Sch 14 para 11) Licensed Premises Gaming Machine Permits (Sch 13 para 6)			All cases
Notice of intention to grant the application but for a smaller number of machines than specified and/or a different category of machines from that specified in the application			All cases
Serve notification of lapse of a Family Entertainment Centre Gaming Machine Permit (Sch 10 para 14 and 15 (1)(b))			All cases
Serve notice of intention to cancel or vary a Club Gaming permit or Club Gaming Machine permit (Sch 12 para 21)			All cases

Matter to be dealt with	Full Council	Sub-Committee	Officers
<p>Create and amend the Authority's application procedures in relation to applications for the following in accordance with any relevant legislation:- Family Entertainment Centre Gaming Machine Permits (sch10 paras 5 and 7) Licensed Premises Gaming Machine Permits (Sch 13 para 2) Prize Gaming Permits (Sch 14 paras 6 and 8)</p>			All cases
<p>The power to appoint authorised persons under section 304 of the Act</p>			Executive Head of Safer and Stronger Communities.
<p>Power to issue formal cautions and/or Instruct the Solicitor to the Council to commence and defend proceedings under the Gambling Act 2005</p>			Executive Head of Safer and Stronger Communities.
<p>To administer and carry out all other functions of the Licensing Authority capable of delegation under The Gambling Act 2005 which is not otherwise delegated to the Authority, The Licensing Committee or its Sub Committees</p>			Executive Head of Safer and Stronger Communities.

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