

Meeting of:- LICENSING COMMITTEE

On:-Thursday 14th September 2006

Agenda Item No.:7-

Topic:- To consider additional items to be included in the Constitution of the Council.

Type of Report:- *Recommendation to Council/Non-Key Decision

1. PURPOSE OF REPORT

At the Licensing Committee meeting 6th July 2006 members were presented with a report on additional items for inclusion of the constitution. The recommendations, which members approved, only referred to Appendix 1 and 2.

In the body of the report were additional items which members were requested to approve, therefore members are requested to consider the following for inclusion in the constitution.

2. PROPOSAL

2.1 Licensing Drivers Panel

To amend the drivers panel functional responsibilities to include the following:

- To make decisions on the continuation of any Private Hire/Hackney Carriage/Dual Drivers Licence following serious complaints against the driver.

2.2 Hackney Carriage and Private Hire Vehicles

To approve the following delegation to Officers and Full Council set out below:

Delegation to Officers

Authority to suspend licences for Hackney Carriage and Private Hire vehicles under the relevant statutory provisions when vehicles are found to be un-roadworthy or fail other aspects of the test such as a taximeter check.

Delegation to Full Council

Authority to approve in respect of Hackney Carriage and Private Hire vehicles, new and revised conditions and pre-licensing standards which have universal application, but do not deprive and licence holder of their livelihood, but are introduced in the interest of the public safety and the raising of standards.

2.5 Licensing General Functions

To approve following changes to the general licensing functions within the Council Constitution following recent changes in legislation:

Removal of activities under point 85 of the constitution (Part 3 – Responsibility for Functions)

Determination of applications for grant or renewal of licences and permits for or registration of:

- Cinemas
- Theatres and Stage Plays

- Theatrical Agents
- Public Entertainments (renewal, transfers and occasional licences) including the registration of Door Staff

To add the following activities under point 85 of the Constitution **(Part 3 – Responsibility for Functions)**

Determination of applications for grant or renewal of licences and permits for or registration of:

Licensing Act 2003

- Premises Licence/ Club Premises Certificate
- Personal Licence
- Provisional Statements
- Variation of Premises Licence/ Club Premises Certificate
- Variation of Designated Premises Supervisor
- Request to be removed as Designated Premises Supervisor
- Transfer of a Premises Licence
- Interim Authorities
- Review of Premises/Club Premises Certificate
- Temporary Event Notice

Gambling Act 2005

- Premises Licence
- Variation of a Premises Licence
- Transfer of a Licence
- Provisional Statement
- Temporary Use Notices
- Club Gaming and Club machine permits
- Amusements with Prizes machines and any other permits for machines
- Review of a Premises Licence
- Cancel Licensed Premises gaming machine permits

5. OPTIONS

1. Approve the delegations and amendments to the Constitution.
2. Refuse the delegations and amendments to the Constitution.
3. Approve selected delegations and changes to the Constitution.

Risks

NONE

Recommendation[s]

To approve the delegations and amendments to the Constitution.

Background Papers:- None

Financial Implications:None

Equalities Implications:-None

Legal Implications:- None

For further details please contact:-Miss Rachel Smith Licensing Officer