

# **Scheme of Delegation for the Licensing Committee**

## **Introduction**

1. There are a number of functions delegated to the Licensing Committee by the Full Council. These functions are listed at Annex A to this document.
2. The Committee may then lawfully delegate these functions to a sub committee or to an officer of the authority.
3. Officers may further delegate any of the functions delegated to them.
4. This scheme of delegation for the Licensing Committee does not form part of the Council's constitution. However it is recognised that where there appears to be any doubt, the Articles and Procedure Rules within the Constitution will take precedence.
5. In line with the Councils Constitution, this document is to be considered an amendment to the scheme of delegation approved by the Council on 13 January 2004

## **Delegations**

6. This is a scheme of delegation by exception.

## **Delegations to Officers**

7. All functions listed at Annex A are delegated to the head of service with management responsibility for the functions unless specifically reserved to the Licensing Committee or a sub committee thereof.
8. Any delegation to the head of service with management responsibility for the listed functions may be exercised on his/her behalf by any other officer authorised in writing by her/him, either generally or specifically.

## **Matters reserved to the Committee**

9. The Licensing Committee reserves to itself;
  - The adoption of all policy documents developed within the scope of the functions set out at annex A.
  - All functions as set out in the Statement of Licensing Policy, as agreed by the Council and as amended from time to time
  - All functions as set out in the Statement of Gambling Policy, as agreed and as amended from time to time.

## **Matter reserved to the Sub Committee of the Licensing Committee**

- All functions as set out in the Statement of Licensing Policy, as agreed by the Council and as amended from time to time
- All functions as set out in the Statement of Gambling Policy, as

agreed and as amended from time to time.

And any other officer referred matters seen as appropriate from time to time

### **Urgent decisions**

10. Any matter covered by this scheme of delegation, whether or not reserved to the Licensing Committee or a sub committee thereof may be taken by the Chief Executive on the basis of urgency. Where it has been necessary for the Chief Executive to take a reserved decision he will report the reasons for urgency back to the next full meeting of the Licensing Committee, or where no such meeting exists, back to the Council.

### **Annex A**

<b>Committee</b>	<b>Functions</b>	<b>Delegation of functions</b>
Licensing Committee	Licensing functions relating to Licensing as specified in list B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (The Functions Regulations)	Officers of the Council are authorised to take decisions in accordance with a scheme of delegation approved by the Council on 13 January 2004 and amended from time to time
	Licensing functions arising from the Licensing Act 2003	
	Licensing functions arising from the Gambling Act 2005	
	Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises. Power to institute criminal proceedings for offences under Section 342 of the Gambling Act 2005.	
	Power to exchange information. Functions relating to the determination of fees for premises licences.	