



Oldham
Council

Delegated Decision

Public Protection Service Scheme of Delegation for licences, permits and registrations

Report to: Executive Director – Economy, Skills and Neighbourhoods

Officer contact: John Garforth
Ext. 5026

Reason for Decision

The purpose of this report is to update the scheme of delegation for licensing matters and other permissions within the Public Protection Service of the Economy, Skills and Neighbourhoods Directorate which was last reviewed in June 2017.

Recommendations

The Executive Director is recommended to:

- a) Note the report;
 - b) Delete the powers under the Licensing Functions listed in the current scheme approved on the 12th June 2017; and
 - c) Delegate powers under the Licensing Functions listed in Columns A and B of Schedule A to this report to the officers listed in Column C to the extent permitted by law and to the extent established in Column D of the same schedule.
-

1 Background

- 1.1 The power to delegate Licensing functions is contained within the Council's Constitution. For matters under the remit of the Licensing Committee these can be further delegated by the Executive Director (Economy, Skills and Neighbourhoods). For matters that are an Executive Function and are not reserved to Cabinet the Executive Director has delegations which, again, can be further delegated to Officers.

2 Current Position

- 2.1 The current scheme of delegation was approved on the 12th June 2017. It has however been highlighted several there are several omissions from required delegations. These are:
- Rejections of temporary event notices;
 - Refusals of house to house and street collection permits;
 - Refusal of a vehicle licence (level of Officer); and
 - Revocations of scrap metal dealer licences.

3 Options/Alternatives

- 3.1 To enable licences and permissions to be determined and monitored an effective scheme of delegation should be in place. If there is not one every decision would have to be taken by either a panel of elected members or the Executive Director.

4 Preferred Option

- 4.1 The Executive Director is requested to approve this report to ensure a delegation scheme is in place to allow Officers to deal with day to day applications and reviews of licences and permissions in order to carry out our statutory responsibilities.

5 Consultation

- 5.1 Consultation has taken place with the relevant teams affected by this report.

6 Financial Implications

- 6.1 The report sets out details of the scheme of delegation for licensing functions from the Executive Director to the Licensing team. There are no financial implications as a result of this proposal. (S.Eade)

7 Legal Services Comments

- 7.1 Under Oldham Council's Scheme of Delegation contained in the Constitution, the Executive Director, Neighbourhoods is authorised to discharge any functions of the council relating to Trading Standards, Licensing and Highways,

with the exception of those matters reserved to the Executive or any Regulatory Committee. Under Part 3 of the Council Constitution, the Licensing Committee (being a Regulatory Committee) has delegated powers to consider and determine all applications for licences and permissions issued by or on behalf of the Council, including attaching conditions thereto, to consider and determine all applications for review, continuation, transfer, variation, renewal, suspension, closure orders, forfeiture or revocation of all licences and permissions issued by or on behalf of the Council, including attaching conditions thereto. In November 2013, the Committee delegated the following functions surrounding licences, registrations and permissions to the Executive Director (Neighbourhoods):- grants, renewals, refusals, variations, suspensions, cancellations and revocations.

- 7.2 The Scheme of Delegation also provides for officers to delegate further any function which has been delegated to them under the Scheme to another officer or officers of suitable experience and seniority. Each Executive Director is required to prepare a Departmental Scheme of Delegations which sets out how decisions will be made in his/her department. This report deals with the Departmental Scheme of Delegations in relation to licensing functions. (A Evans)

8 Co-operative Agenda

- 8.1 Many licences and permissions are granted to businesses who operate in the Borough and, whilst some are refused for good reason, those that are granted are done so having considered the application carefully. In granting a licence it encourages the business to thrive in the operate in the Borough within our improving economic situation.

9 Human Resources Comments

- 9.1 None

10 Risk Assessments

- 10.1 None

11 IT Implications

- 11.1 None

12 Property Implications

- 12.1 None

13 Procurement Implications

- 13.1 None

14 Environmental and Health & Safety Implications

- 14.1 None

- 15 **Equality, community cohesion and crime implications**
- 15.1 When considering whether individuals are suitable to hold licences Officers must consider the Council's wider safeguarding a public protection role and well and preventing crime and disorder.
- 16 **Equality Impact Assessment Completed?**
- 16.1 No
- 17 **Key Decision**
- 17.1 No
- 18 **Key Decision Reference**
- 18.1 Not applicable
- 19 **Background Papers**
- 19.1 None
- 20 **Appendices - Appendix I – Scheme of Delegation**

<p>Signed <i>Hlockwood.</i></p> <p>Executive Director Helen Lockwood</p>	<p>Dated: 29/11/17</p>
--	------------------------

Scheme of Delegation

Public Protection Service

November 2017

Background

Section 101 of the Local Government Act 1972 sets out the framework of delegation. That section provides that a Council can arrange for the discharge of its functions through a committee, subcommittee or officer of the authority, or any other local authority. Committees can delegate to subcommittees or to officers, and subcommittees can delegate to officers, unless expressly prohibited.

It is the Council which is entrusted with the power, and it is the Council which must exercise it. Therefore, the appearance of acting under the direction of another body will render the exercise of power unlawful.

Subject only to the very limited exceptions in s101, (for example, setting the council tax, and considering certain reports from designated officers), there are few limits on the extent of the delegation to officers which local authorities are permitted to make.

Within Oldham, Part 3 of the Council's Constitution - 'Responsibility for Functions', sets the Scheme of Delegation to Executive Directors; however, footnotes to the Scheme make it clear, that the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority, but the Director remains responsible for any decision taken pursuant to the delegation arrangements.

Part 3 of the Council's Constitution also sets out that each Executive Director will prepare a Departmental Scheme of Delegations which sets out how decisions will be made in his/her department. This should establish which officers will be given authority to make decisions under the Executive Director's delegated powers, and subject to which terms and conditions. Departmental Schemes of Delegations will be lodged with the Chief Executive and made available to the public on request. It is under this framework that this Scheme of Delegation is prepared.

Contents

This Scheme of Delegation for Trading Standards, Licensing, Animal Welfare and Environmental Health is set out as follows:-

Section	Page
1. Licensing	2
a) Gambling Act 2005:	2
b) Hackney Carriage / Private Hire:	12
c) Highways Act 1980:	17
d) Licensing Act 2003:	18
e) Miscellaneous:	22
f) Sex Establishments:	24
g) Street Trading:	25
2. Trading Standards	26
3. Animal Welfare	27
4. Environmental Health	28

The Scheme sets out the 'Primary Legislation' under which the 'Primary Function' being delegated sits. It then breaks down the 'Primary Function' into individual power(s), and sets out which level of officer the power(s) have been delegated too, and the limitations (if any).

1(a) – Gambling Act 2005

Primary Legislation – Gambling Act 2005			
Team – Licensing			
Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
Adult Gaming Centre Premises Licence	New Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Application for Provisional Statement	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Variation of licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Transfer application	An officer of the rank Assistant Licensing Officer or above and Business Support Officer and above	Unless any relevant representations are received and not withdrawn following mediation
	Review of a licence	None	All cases referred to Committee unless all parties reach agreement and a hearing is dispensed with in which case Senior Officer or above.
	Re-instatement of licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Consideration of whether a representation is irrelevant, frivolous or vexatious.	An officer of the rank Senior Officer or above	None
	Decision to object when Local Authority is a consultee and not the lead authority.	None	All cases are referred to Committee

Primary Legislation – Gambling Act 2005

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Decision to review a licence or lodge a representation	An officer of the rank Senior Officer or above.	None
Betting Premises	New Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Application for Provisional Statement	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Variation of licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Transfer application	An officer of the rank Assistant Licensing Officer or above and Business Support Officer and above.	Unless any relevant representations are received and not withdrawn following mediation
	Review of licence	An officer of the rank Senior Officer or above	All cases ultimately referred to Panel unless agreement reached by all parties and a hearing is dispensed with in which case Senior Officer.
	Re-instatement of licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Consideration of whether a representation is irrelevant, frivolous or vexatious.	An officer of the rank Senior Officer or above	None

Primary Legislation – Gambling Act 2005

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
Bingo Premises	Decision to object when Local Authority is a consultee and not the lead authority.	None	All cases are referred to Committee
	Decision to review a licence	An officer of the rank Senior Officer or above	None
	Revocation of licence due to failure to pay annual fee	An officer of the rank Senior Officer or above	None
	New Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Application for Provisional Statement	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Variation of licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Transfer application	An officer of the rank Assistant Licensing Officer or above and Business Support Officer and above.	Unless any relevant representations are received and not withdrawn following mediation
	Review of licence	None	All cases referred to Panel unless agreement reached by all parties and a hearing dispensed with in which case Senior Officer or above.
	Re-instatement of licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation.

Primary Legislation – Gambling Act 2005

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Consideration of whether a representation is irrelevant, frivolous or vexatious.	An officer of the rank Senior Officer or above	None
	Decision to object when Local Authority is a consultee and not the lead authority.	None	All cases are referred to Committee
	Decision to review a licence or lodge a representation	An officer of the rank Senior Officer or above	None
	Revocation of licence due to failure to pay annual fee	An officer of the rank Senior Officer or above	None
	Decision to review a licence or lodge a representation	An officer of the rank Senior Officer or above	None
Club Gaming Permit	New Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received
	Renewal	An officer of the rank Licensing Assistant (BSO) or above	Unless any relevant representations are received
	Cancellation	None	All cases referred to Panel
	Cancellation due to failure to pay annual fee	An officer of the rank Senior Officer or above	None
	Notification that premises have ceased to be a qualifying club	An officer of the rank Senior Officer or above	None
Club Gaming Machine Permit	New Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received

Primary Legislation – Gambling Act 2005

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Renewal	An officer of the rank Licensing Assistant (BSO) or above	Unless any relevant representations are received
	Cancellation	An officer of the rank Senior Officer or above	None
	Cancellation due to failure to pay annual fee	An officer of the rank Senior Officer or above	None
	Notification that premises have ceased to be a qualifying club	An officer of the rank Senior Officer or above	None
Club Premises Certificate (Alcohol and Entertainment)	New Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Application for a Provisional Statement	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation.
	Variation of Licence (full)	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Minor Variation Grant or Refusal	An officer of the rank Senior Officer or above	None
	Transfer Application	An officer of the rank Senior Officer or above	Unless a relevant representations is received from the Police
Review of Licence	None	All cases are referred to Panel unless all parties reach agreement and a hearing dispensed with in which case Senior Officer or above.	

Primary Legislation – Gambling Act 2005

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Consideration of whether a representation is irrelevant, frivolous or vexatious, etc	An officer of the rank Senior Officer or above	None
	Decision to Object when Local Authority is a Consultee and not the Lead Authority	None	All cases are referred to Committee
	Withdrawal of certificate where club ceases to be a qualifying club	None	All cases are referred to Committee
	Decision to lodge a review or representation (when commenced)	An officer of the rank Senior Officer or above	None
	Suspension of a licence for non payment of the annual fee	An officer of the rank Senior Officer or above	None
Family Entertainment Centre Permit	New	An officer of the rank Senior Officer or above	None
	Renewal	An officer of the rank Assistant Licensing Officer or above and Business Support Officer and above.	None
	Notification that premises have ceased to be used as a Family Entertainment Centre	An officer of the rank Senior Officer or above	None
Family Entertainment Centre Premises Licence	New Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation

Primary Legislation – Gambling Act 2005

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Application for Provisional Statement	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Variation of licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Transfer application	An officer of the rank Assistant Licensing Officer or above and Business Support Officer and above.	Unless any relevant representations are received and not withdrawn following mediation
	Review of licence	An officer of the rank Senior Officer or above	All cases ultimately referred to Panel unless all parties reach agreement and a hearing dispensed with.
	Re-instatement of licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Consideration of whether a representation is irrelevant, frivolous or vexatious.	An officer of the rank Senior Officer or above	None
	Decision to object when Local Authority is a consultee and not the lead authority.	None	All cases are referred to Committee
	Decision to review a licence or lodge a representation	An officer of the rank Senior Officer or above	None
	Revocation of licence due to failure to pay annual fee	An officer of the rank Senior Officer or above	None

Primary Legislation – Gambling Act 2005

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
Licensed Premises Gaming Machine Permits	Notification for up to two gaming machines	An officer of the rank Licensing Assistant (BSO) or above.	None
	Permit for more than two gaming machines	An officer of the rank Senior Officer or above	None
	Variation of permit	An officer of the rank Senior Officer or above	None
	Transfer of permit	An officer of the rank Assistant Licensing Officer or above and Business Support Officer and above.	None
	Cancellation of permit	None	All cases Referred to Panel
	Removal of authorisation for permit	None	All cases Referred to Panel
	Cancellation of permit due to failure to pay annual fee	An officer of the rank Senior Officer or above	None
Occasional Use Notices (Gambling)	Acknowledgement of an Occasional Use Notice	An officer of the rank Senior Officer or above	None
	Determination of a Representation	None	All cases referred to Panel.
Prize Gaming Permit	New application	An officer of the rank Senior Officer or above	None
	Renewal	An officer of the rank Licensing Assistant (BSO) or above	None
Registration of Small Society Lotteries	New registration	An officer of the rank Licensing Assistant (BSO) or above	None

Primary Legislation – Gambling Act 2005

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
Temporary Use Notices (Gambling)	Revocation	None	All cases to be Referred to a hearing.
	Cancellation due to failure to pay annual fee	An officer of the rank Senior Officer or above	None
	Cancellation of registration at request of society	An officer of the rank Licensing Assistant (BSO) or above	None
	Acknowledgement of a temporary use notice	An officer of the rank Senior Officer or above	None
Track Betting Premises Licence	Determination of a Representation from the Police, Gambling Commission or HM Revenue & Customs.	None	All cases are Referred to Panel
	New Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Application for Provisional Statement	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Variation of licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Transfer application	An officer of the rank Licensing Assistant (BSO) or above	Unless any relevant representations are received and not withdrawn following mediation
	Review of licence	An officer of the rank Senior Officer or above	All cases ultimately referred to Committee unless agreement reached by all parties

Primary Legislation – Gambling Act 2005

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Re-instatement of licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Consideration of whether a representation is irrelevant, frivolous or vexatious.	An officer of the rank Senior Officer or above	None
	Decision to object when Local Authority is a consultee and not the lead authority.	None	All cases are referred to Committee
	Decision to review a licence	An officer of the rank Senior Officer or above	None
	Revocation of licence due to failure to pay annual fee	An officer of the rank Senior Officer or above	None

1(b) – Hackney Carriage / Private hire

Primary Legislation – Local Government (Miscellaneous Provisions) Act 1976 / Town Police Clauses Act 1847 (as amended)			
Team – Licensing			
Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
Hackney Carriage / Private Hire Licences (Drivers, Vehicles, Private Hire Operators)	Driver's Licence – New or Renewal	An officer of the rank Licensing Assistant (BSO) or above	<p>Unless convictions, cautions, warnings, ASBO's, bind-overs or other information is disclosed in line with the Councils guidelines on such matters which in the opinion of a Senior officer or above should be referred to the Licensing Panel for consideration.</p> <p>This does not prevent an Officer of the rank of Trading Standards & Licensing Manager or above refusing an application on one of the following grounds:-</p> <p>(a) the applicant has failed to pass the prescribed written or driven test after eight attempts.</p> <p>(b) the applicant has an offence(s) where the guidelines recommend refusal.</p> <p>(c) the licensing authority is in receipt of intelligence or information about an applicant/licence holder which may jeopardise public safety.</p> <p>(d) the applicant does not have the right to live/work in the UK.</p> <p>No Officer shall grant a licence where there is intelligence or conviction etc. relating to sexual offences other than where a hearing or assessment has previously taken place.</p> <p>No Officer shall grant a licence without a current Disclosure & Baring Service (DBS)</p>

Primary Legislation – Local Government (Miscellaneous Provisions) Act 1976 / Town Police Clauses Act 1847 (as amended)

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
			Certificate in force.
	Decision not to extend a drivers licence pending a hearing following an application to renew where the applicants newly notified conviction or other information is so serious that a hearing may refuse the application.	An officer of the rank of Senior Licensing Officer or above	None
	Review of a Driver's Licence	None	All Cases are Referred to Panel unless immediate revocation/suspension by an Officer as per below.
	New Operator's Licence / Renewal	An officer of the rank of Senior Officer or above	Unless unspent convictions are disclosed which in the opinion of a Senior Officer or above would deem the applicant not to be fit and proper to hold a licence in which case the matter should be referred to the Licensing Panel.
	Variation of standard operator conditions	An officer of the rank of Senior Officer or above	None
	Review of an Operator's Licence	None	All Cases are Referred to Panel
	Grant of a Vehicle Licence with standard conditions	An officer of the rank Licensing Assistant (BSO) or above	None
	Grant of an application to renew a Vehicle Licence	An officer of the rank Licensing Assistant (BSO) or above	None

Primary Legislation – Local Government (Miscellaneous Provisions) Act 1976 / Town Police Clauses Act 1847 (as amended)

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Refusal to grant a Vehicle Licence or renewal based on a request to vary standard conditions or it is not in line with council policy or the vehicle is not fit to be licensed.	An Officer of the rank of Senior Licensing Officer or above	None
	Grant of a vehicle licence with varied conditions or variation of standards policy	An Officer of the rank of Senior Licensing Officer or above	None
	Transfer of owner	An officer of the rank Licensing Assistant (BSO) or above	None
	Change of Vehicle	An officer of the rank Licensing Assistant (BSO) or above	None
	Suspension of vehicle licence	An officer of the rank Assistant Licensing Officer or above. This power also extends to a Council Authorised Vehicle Tester.	None
	Suspension of drivers licence (offences, investigations and conduct)	An Officer of the rank of Trading Standards & Licensing Manager or above.	Officer may suspend such licence with immediate effect until such time that the matter is considered by the Licensing Panel.
	Suspension of drivers licence (medical grounds)	An Officer of the rank of Trading Standards & Licensing Manager or above.	A licence may be suspended where there is concern about the drivers' ability to drive a vehicle on medical grounds or where a driver refuses to submit a medical. A suspension may be granted and lifted.
	Suspension of drivers licence where failed to attend driver awareness training	An Officer of the rank of Trading Standards & Licensing Manager or above.	Suspension may be lifted once driver has attended the training.

Primary Legislation – Local Government (Miscellaneous Provisions) Act 1976 / Town Police Clauses Act 1847 (as amended)

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	<p>Revocation of drivers licence where holder has no right to work or live in the UK</p>	<p>An Officer of the rank of Senior Licensing Officer or above.</p>	<p>None</p>
	<p>Revocation of a Vehicle Licence</p>	<p>An Officer of the rank of Trading Standards & Licensing Manager or above</p>	<p>None</p>
	<p>Revocation of driver or vehicle licence where applicant made a false declaration and had no right to hold such a licence</p>	<p>An Officer of the rank of Trading Standards & Licensing Manager or above.</p>	<p>None</p>
	<p>Revocation of driver licence</p>	<p>An Officer of the rank of Trading Standards & Licensing Manager or above</p>	<p>Following a complaint, arrest/interview/summons/charge for a serious offence involving matters of a sexual nature, dishonesty, violence, drugs offences or serious motoring offence against a licensed driver which is so serious a licence may be revoked. In addition where intelligence suggests there is a risk immediate action may be taken by the delegated officer.</p>
	<p>Refusal to grant a Vehicle Licence or renewal based on a request to vary standard conditions or it is not in line with council policy or the vehicle is not fit to be licensed.</p>	<p>An Officer of the rank of Trading Standards & Licensing Manager or above</p>	<p>None</p>

Primary Legislation – Local Government (Miscellaneous Provisions) Act 1976 / Town Police Clauses Act 1847 (as amended)

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	<p>Refusal of an application for the grant, renewal, transfer or new owner hackney carriage vehicle application on the grounds that the vehicle is not to be predominantly used in the Borough in line with the Councils intended use policy.</p>	<p>An Officer of the rank of Trading Standards & Licensing Manager or above</p>	<p>None</p>
	<p>Grant of a vehicle licence with varied conditions or variation of standards policy</p>	<p>An Officer of the rank of Trading Standards & Licensing Manager or above</p>	<p>None</p>

1(c) – Highways Act 1980

Primary Legislation – Highways Act 1980				
Team – Licensing				
Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations	
Licence to Build Over Highways	Any	An officer of the rank Senior Officer or above	None	
Licence to Plant Trees and Shrubs in Highway	Any	An officer of the rank Senior Officer or above	None	
Permission to Place Items on the Highway	Grant / Variation / Cancellation	An officer of the rank Senior Officer or above	None	
Scaffolding and Hoarding Licence	Renewal Permit	An officer of the rank Assistant Licensing Officer or above and Business Support Officer and above.	None	
	New Licence	An officer of the rank Licensing Assistant (BSO) or above	None	
	Renewal Licence	An officer of the rank Licensing Assistant (BSO) or above	None	
Skip Permit	Grant or renewal of a permit	An officer of the rank Licensing Assistant (BSO) or above	None	
	Revocation	An officer of the rank Senior Officer or above	None	
	The above delegations also extend to an Officer within the Highways Team			

1(d) – Licensing Act 2003

Primary Legislation – Licensing Act 2003			
Team – Licensing			
Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
Club Premises Certificate (Alcohol and Entertainment)	New Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Application for a Provisional Statement	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation.
	Variation of Licence (full)	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Minor Variation - Grant or Refusal	An officer of the rank Senior Officer or above	None
	Transfer Application	An officer of the rank Senior Licensing Assistant or above	Unless a relevant representations is received from the Police
	Review of Licence	None	All cases are referred to Panel unless all parties reach agreement and a hearing dispensed with in which case Senior Officer or above.
	Consideration of whether a representation is irrelevant, frivolous or vexatious, etc	An officer of the rank Senior Officer or above	None
	Decision to Object when Local Authority is a Consultee and not the Lead Authority	None	All cases are referred to Committee

Primary Legislation – Licensing Act 2003

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Withdrawal of certificate where club ceases to be a qualifying club	None	All cases are referred to Committee
	Decision to lodge a review or representation (when commenced)	An officer of the rank Senior Officer or above	None
	Suspension of a licence for non-payment of the annual fee	An officer of the rank Senior Officer or above	None
Early Morning Alcohol Restriction Orders	Consideration of whether a representation is irrelevant, frivolous or vexatious.	An officer of the rank Senior Officer or above	None
	Authority to extend the time limits for a hearing in the public interest	An officer of the rank Senior Officer or above	None
Personal Licence (Alcohol Supply)	New Licence	An officer of the rank Assistant Licensing Officer or above and Business Support Officer and above.	Unless a relevant representation is made and not withdrawn in which case refer to Panel.
Premises Licence (Alcohol, Entertainment and Late Night Refreshment)	New Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Application for a Provisional Statement	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Variation of Licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation

Primary Legislation – Licensing Act 2003

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Minor Variation - Grant or Refusal	An officer of the rank Senior Officer or above	None
	Application to vary Designated Premises Supervisor	An officer of the rank Licensing Assistant (BSO) or above	Unless a relevant representations is received from the Police
	Request to be Removed as Designated Premises Supervisor	An officer of the rank Licensing Assistant (BSO) or above	None
	Transfer Application	An officer of the rank Licensing Assistant (BSO) or above	Unless a relevant representations is received from the Police
	Application for an Interim Authority	An officer of the rank Senior Officer or above	Unless a relevant representations is received from the Police
	Review of Licence	None	All cases are referred to Panel unless all parties agree that a hearing is not necessary and agreement reached in which case Senior Officer or above.
	Consideration of whether a representation is irrelevant, frivolous or vexatious, etc	An officer of the rank Senior Officer or above	None
	Decision to Object when Local Authority is a Consultee and not the Lead Authority	None	All cases are referred to Committee
	Authority to extend the time limits for a hearing in the public interest	An officer of the rank Senior Officer or above	None

Primary Legislation – Licensing Act 2003

Team – Licensing

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Suspension of premises licence for non-payment of annual fee	An Officer of the rank of Senior Officer or above	None
	Decision to lodge a representation relating to a premises application	An Officer of the rank of Licensing Officer or above	None
	Decision to lodge a review of a premises licence	An Officer of the rank of Senior Officer or above	None
Temporary Event Notice	Acknowledgement of a Temporary Event Notice	An officer of the rank Licensing Assistant (BSO) or above	None
	Determination of a Representation from the Police	None	All Cases are Referred to Panel
	Refusing when a TEN has hit limits on duration or number served.	An officer of the rank Licensing Assistant (BSO) or above	
	Refusal of a TEN under any other circumstance including following a hearing	An Officer of the rank of Senior Officer or above	None

1(e) – Miscellaneous

Primary Legislation – Various				
Team – Licensing Team				
Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations	
Boatman's Licence	Any	An officer of the rank Licensing Assistant (BSO) or above	None	
Pleasure Craft Licence	Any	An officer of the rank Licensing Assistant (BSO) or above	None	
Hypnotism Licence	Any	An officer of the rank of Senior Officer or above	None	
Car Boot Sales, temporary non-council markets and table top sales permissions	Any	An officer of the rank Licensing Officer or above	None	
Temporary Markets	Any	An officer of the rank Senior Officer or above	None	
Marriage Premises Licence	Any	An officer of the rank Trading Standards & Licensing Manager or above	None	
Second Hand Dealers Registration	Any	An officer of the rank Licensing Assistant (BSO) or above	None	
Distribution of Free Printed Matter (Flyers Consent)	New consent	An officer of the rank Assistant Licensing Officer or above and Business Support Officer and above.	None	
	Variation	An officer of the rank Senior Officer or above	None	
	Revocation	An officer of the rank Senior Officer or above	None	
	Revocation	None	All cases to be Referred to a hearing.	

Primary Legislation – Various

Team – Licensing Team

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Cancellation due to failure to pay annual fee	An officer of the rank Senior Officer or above	None
	Cancellation of registration at request of society	An officer of the rank Licensing Assistant (BSO) or above	None
Street Collections Licence	Grant	An officer of the rank Licensing Assistant (BSO) or above	Unless an application is received requiring a variation to standard conditions whereby referral to a Senior Officer or above for determination
	All other matters	An officer of the rank Senior Officer or above	None
House to House Collections Licence	Grant	An officer of the rank Licensing Assistant (BSO) or above	None
	All other matters	An officer of the rank Senior Officer or above	None
Scrap Metal Dealers Licence	Grant or Renewal	An officer of the rank Senior Officer or above	None
	Refusal	An Officer of the rank of Trading Standards and Licensing Manager or above	None
	Variation	An officer of the rank Senior Officer or above	None
	Revocation	An Officer of the rank of Trading Standards and Licensing Manager or above	None

1(f) – Sexual Entertainment Venues

Primary Legislation – Local Government (Miscellaneous Provisions) Act 1982			
Team – Licensing Team			
Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
Sex Shop / Cinema Licence	New Application	None	All Cases are Referred to Panel.
	Renewal Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Variation of Licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Transfer of Licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
Sex Establishment Licence	New Application	An officer of the rank Principal Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Renewal Application	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Variation of Licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Transfer of Licence	An officer of the rank Senior Officer or above	Unless any relevant representations are received and not withdrawn following mediation
	Review of licence	None	Referred to committee unless agreement reached by all parties

1(g) – Street Trading

Primary Legislation – Local Government (Miscellaneous Provisions) Act 1982				
Team – Licensing Team				
Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations	
Street Trading Licence	Grant	An officer of the rank Licensing Assistant (BSO) or above	Unless any objections are received or a refusal to grant	
	Refusal or Revocation	None	All Cases Referred to Panel with the exception of daily permissions which may be determined by a Senior Officer or above.	
Street Trading Consent	Grant or Renewal	An officer of the rank Licensing Assistant (BSO) or above	None	
	Variation, Refusal or Revocation	An officer of the rank Senior Officer or above	None	

2 – Trading Standards

Primary Legislation –			
Team – Trading Standards			
Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
Public Weighbridge Operators Licence	Any	Chief Inspector of Weights and Measures or Deputy	None
Small bakers exemption from record keeping permit	Any	Chief Inspector of Weights and Measures or Deputy	None
Sulphur Content in Liquid Fuels Permit	Any	Chief Inspector of Weights and Measures or Deputy	None

3 – Animal Welfare

Primary Legislation –			
Team – Animal Welfare			
Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
Animal Boarding Establishments	Any	An officer of the rank Animal Welfare Officer or above	Revocations or refusals will either be dealt with by the Trading Standards and Licensing Manager or be referral to a hearing before the Licensing Panel.
Animal Movement	Any	An officer of the rank Animal Welfare Officer or above	
Breeding of Dogs Licence	Any	An officer of the rank Animal Welfare Officer or above	
Dangerous Wild Animals Licence	Any	An officer of the rank Animal Welfare Officer or above	
Dog Breeding Licence	Any	An officer of the rank Animal Welfare Officer or above	
Pet Shops	Any	An officer of the rank Animal Welfare Officer or above	
Riding Establishments Licence	Any	An officer of the rank Animal Welfare Officer or above	
Zoo Licence	Any	An officer of the rank Animal Welfare Officer or above	

4 – Environmental Health

Primary Legislation –			
Team – Environmental Health			
Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
Air Pollution Control Authorisation	Any	An officer of the rank of Environmental Health Manager or above	None
Caravan and Camping Site Licences	Any	An officer of the rank of Environmental Health Officer or above	None
Houses in Multiple Occupation	Grant of a Licence	An officer of the rank of Environmental Health Officer or above	None
	Refusal of Licence (not relating to the fit and proper person test but with regards to proposed management arrangements or most appropriate person)	An officer of the rank of Environmental Health Manager or above	None
	Refusal of a licence (relating to fit and proper person test) Applicant committed any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the sexual Offences Act 2003 (c.42) (offences attracting notification requirements); or Applicant practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or connection with.	A panel of three Senior Council Officers consisting of at least Environmental Health Manager rank or above.	None

Primary Legislation –

Team – Environmental Health

Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	Refusal of licence Applicant contravened any provision of the law relating to housing.	An officer of the rank of Environmental Health Manager or above	None
	Refusal of licence Applicant contravened any provision of the law relating to the landlord and tenant law.	An officer of the rank of Environmental Health Manager or above	None
	Review of licence	An officer of the rank of Environmental Health Officer or above	None
	Revocation of licence	An officer of the rank of Environmental Health Manager or above	None
	Granting of a temporary exemption notice	An officer of the rank of Environmental Health Officer or above	None
Housing – Selective Licensing	Grant of a licence	An officer of the rank of Assistant Environmental Health Manager (Selective Licensing) or above	None
	Refusal of a Licence (not relating to the fit and proper person test but with regards to proposed management arrangements or most appropriate person)	An officer of the rank of Assistant Environmental Health Manager (Selective Licensing) or above	None
	Refusal of a Licence (relating to fit and proper person test): Applicant committed any offence involving fraud or other	A panel of three Senior Council Officers consisting of at least Environmental Health Manager rank or above.	None

Primary Legislation --			
Team – Environmental Health			
Column A - Primary Function	Column B - Sub Function	Column C - Delegated Officers	Column D - Limitations
	dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the sexual Offences Act 2003 (c.42) (offences attracting notification requirements); or Applicant practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or connection with.		
	Refusal of licence - Applicant contravened any provision of the law relating to housing.	An officer of the rank of Environmental Health Manager or above	None
	Refusal of licence - Applicant contravened any provision of the law relating to the landlord and tenant law.	An officer of the rank of Environmental Health Manager or above	None
	Review of licence	An officer of the rank of Assistant Environmental Health Manager (Selective Licensing) or above	None
	Revocation of licence	An officer of the rank of Environmental Health Manager or above	None
	Granting of a temporary exemption notice	An officer of the rank of Assistant Environmental Health Manager (Selective Licensing) or above	None
Skin Piercers Licence	Any	An officer of the rank Environmental Health Officer or above	None

