



<b>TITLE:</b>	<b>APPOINTMENT OF OFFICERS OF THE LICENSING AUTHORITY</b>
<b>TO/ON:</b>	<b>LICENSING COMMITTEE MONDAY 24<sup>TH</sup> OCTOBER 2005</b>
<b>BY:</b>	<b>SUSAN CHADWICK, LICENSING MANAGER</b>
<b>LEAD MEMBER:</b>	<b>PETER STEEN, STREET SCENE AND LIVEABILITY</b>
<b>STATUS:</b>	<b>FOR PUBLICATION</b>

## **1. PURPOSE OF THE REPORT**

- 1.1 To confirm the delegation of appropriate licensing functions to the Licensing Manager under the Licensing Act 2003.

## **2. RECOMMENDATIONS**

- 2.1 The Licensing Committee are recommended to:
- a) exercise their powers under Section 10(1)(b) Licensing Act 2003 to appoint the Licensing Manager as an officer of the Licensing Authority.

## **3. REPORT AND REASONS FOR RECOMMENDATIONS AND TIMETABLE FOR IMPLEMENTATION**

- 3.1 Section 7(1) Licensing Act 2003 requires all "licensing Functions" under the Act to be discharged by a Licensing Committee. Council as the Licensing Authority resolved to appoint that Committee on 25<sup>th</sup> June 2004 and amend the Constitution of the Council accordingly.
- 3.2 The Committee is empowered under Section 10 of the Licensing Act 2003 to arrange for the discharge of functions to an officer of the Authority. The Statement of Licensing Policy currently recognises the delegation of functions to the Licensing Officer. This is contained within Appendix B of that document, including the authority to issue Personal and Premises Licences. (see Appendix 1).
- 3.3 The Committee delegated the functions referred to in 3.2 above to the previous Licensing Manager. The purpose of this report is to approve the same delegation to the current Licensing Manager.

#### **4. CORPORATE IMPROVEMENT PRIORITIES**

**Risk Management, Performance Management, Customer Services**

##### **4.1 FINANCE AND RISK MANAGEMENT**

4.1.1 The recommendations reduce risk of legal challenges and the financial burden of such challenges

##### **4.2 MEMBER DEVELOPMENT AND POLITICAL ARRANGEMENTS**

4.2.1 **Not applicable**

##### **4.3 HUMAN RESOURCES**

4.3.1 Use is made of existing resources to achieve Best Value

##### **4.4 ANY OTHER RELEVANT CORPORATE PRIORITIES**

4.4.1 Quality Services for Local People, Confident Communities, Effective Partnerships and Culture and Leisure

#### **5. RISK**

5.1 There is a theoretical risk of legal challenge without formal appointment of officers

#### **6. LEGAL IMPLICATIONS ARISING FROM THE REPORT**

6.1 All legal implications are identified in the report

#### **7. EQUALITIES ISSUES ARISING FROM THE REPORT**

7.1 Nil

#### **8. WARDS AFFECTED**

8.1 All wards

#### **9. CONSULTATIONS**

9.1 Institute of Licensing

Background documents:

Statement of Licensing Policy previously distributed to members.

For further information on the details of this report, please contact:

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