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Cambridge City Council

LICENSING COMMITTEE

To: Proposed Membership:

Councillors Brierley, Benstead, Blencowe, Hart, McPherson, Pogonowski, Pippas, Reiner, Rosenstiel, Saunders, Smith, Stuart. Alternates: Boyce, Owers and Wright

Despatched: Wednesday, 18 May 2011

Date: Thursday, 26 May 2011

Time: 12.00 pm

Venue: Council Chamber - Guildhall

Contact: Martin Whelan

Direct Dial: 01223 457012

AGENDA

1 APPOINTMENT OF SUB COMMITTEES

To agree the membership of 4 Subcommittees of 3 members each to undertake the business of the Licensing Committee.

Sub-Committee A

Rosenstiel

Brierley

Hart

Sub-Committee B

Saunders

Pippas

Benstead

Sub-Committee C

Stuart

Reiner

McPherson

Sub-Committee D

Smith

Blencowe

Pogonowski

2 DELEGATIONS TO OFFICERS

At the meeting on 16 May 2011 (minute number 11/25/Civ), the Civic Affairs Committee received a report from the Head of Legal Services regarding updating the scheme of delegation to reflect the corporate restructure.

Subsequently the Committee are recommended to approve the following:

Service Area Delegations: Council or Regulatory Functions

Powers delegated by Licensing Committee to the Director of Environment:

Control and operation of Street Trading except:

- The issue of a consent for a period of more than 6 months to a person who is not a current consent holder;
- The renewal of a consent of a current consent holder, if another person has applied for the consent.

Powers delegated by the Licensing Committee to Head of Refuse and Environment:

Under The Gambling Act 2005:

- The grant and renewal of all Section 34 permits for amusements with prizes machines subject to consultation with the Chair and Spokes of the Licensing Committee in relation to applications for more than 10 machines
- The grant and renewal of Section 16 permits
- The grant and renewal of Section 6 Orders.
- Duty to comply with requirement to provide information to Gambling Commission – section 29
- Functions relating to exchange of information – Section 30
- Power to designate an officer as an authorised person for a purpose relating to premises – Section 304
- To exercise all and any of the powers and provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982
- In consultation with the Director of Resources to draw up a scale of fees to be paid for the use of a sex establishment within the City
- To exercise the powers and provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 in respect of the investigation of any alleged offence relating to sex establishments

- To register societies for the purpose of holding small lotteries
- Grant and renewal of licences for small society lotteries

Powers delegated by the Licensing Act 2003 Committee

Authority to determine the following:

- Application for personal licence if no objection made
- Application for premises licence/ club premises certificate if no relevant representation made
- Application for provisional statement if no relevant representation made
- Application to vary premises licence/ club premises certificate if no relevant representation made
- Application to vary designated premises supervisor if no Police objection
- Request to be removed as designated premises supervisor
- Application for transfer of premises licence if no Police objection
- Applications for interim authorities if no Police objection
- Decision on whether a complaint is irrelevant, frivolous, vexatious etc.
- To authorise officers generally under the Act and specifically Parts 3 and 4 and section 108(5)

Service Area Delegations: Executive and Regulatory Functions

Powers delegated by the Executive and by the Licensing Committee to the Director of Environment:

- Control of dogs and other animals and all matters concerned with animal welfare and control

Powers delegated by the Executive and by the Licensing Committee to the Head of Refuse and Environment:

- Food hygiene and safety
- Health and Safety (including home safety)
- Prevention, control and remedy of statutory nuisances
- Water pollution
- Sale of Game
- Control, and destruction where necessary, of Pests, nuisances and infectious diseases
- Monitoring and control of noise, including management of the Noise Call Out Service and powers under Anti Social Behaviour Act 2003 (NB the delegation to close premises causing a noise problem under the 2003 Act is to the Chief Executive, who in turn authorized the HEHWS to undertake this function (29.4.04)

- Other Public Health regulatory functions not otherwise specified within these delegations
- Acupuncture, tattooing, ear piercing and electrolysis
- Control of caravan sites
- Control and removal of unauthorised encampments
- Hackney carriages, private hire vehicles and trishaws except: the suspension of a driver's or a vehicle licence, unless the driver or proprietor of the vehicle, as appropriate, is informed of the right to appeal to the Taxi Regulation Sub-Committee within 14 days. (In the event of such an appeal, it shall be heard within 7 days of receipt of the appeal.)
- Street collections, house to house collections and the issuing of permits to special interest pressure groups except for the refusal of house to house collection permits.
- Control, regulation and enforcement powers in relation to shops and trading.
- The registration and monitoring of pool betting promoters
- The licensing of scrap metal dealers & businesses which sell/recycle second hand car parts
- To appoint an official veterinary surgeon to carry out duties required at premises licensed under the Food Hygiene (England) Regulations 2006/14
- The power to implement and enforce the provisions of Chapter 1 of Part 1 of the Health Act 2006 and Regulations made under that Act in relation to smoke free premises, places and vehicles.
- The power to authorise in writing any person (whether or not an officer of the City Council), either generally or specifically, to act in matters arising under Chapter 1 of Part 1 of the Health Act 2006 and Regulations made under that Act in relation to smoke free premises, places and vehicles.

Information for the public

Public attendance

You are welcome to attend this meeting as an observer, although it will be necessary to ask you to leave the room during the discussion of matters which are described as confidential.

Public Speaking

You can ask questions on an issue included on either agenda above, or on an issue which is within this committee's powers. Questions can only be asked during the slot on the agenda for this at the beginning of the meeting, not later on when an issue is under discussion by the committee.

If you wish to ask a question related to an agenda item contact the committee officer (listed above under 'contact') **before the meeting starts**. If you wish to ask a question on a matter not included on this agenda, please contact the committee officer by 10.00am the working day before the meeting. Further details concerning the right to speak at committee can be obtained from the committee section.

Fire Alarm

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