

**LICENSING ACT 2003
AUTHORISED OFFICERS
(Report by Head of Administration)**

1. INTRODUCTION

- 1.1 The Licensing Act 2003 enables officers authorised by the Council to inspect or enter premises for a variety of purposes. This report invites the Committee to authorise officers under the Act.

2. AUTHORISATIONS

- 2.1 An authorised person under the Act includes an inspector appointed under the Health and Safety at Work Act and an officer authorised by a local authority for the purposes of exercising one or more of its statutory functions in relation to minimising or preventing the risk of pollution to the environment or of harm to human health.
- 2.2 Guidance also suggests that when carrying out their duties on behalf of the local planning authority, local environmental health authority etc. either as consultees in the licensing process or in undertaking inspections, officers will be acting in that capacity and will already be authorised under the relevant legislation. Authorisations by the Committee need therefore only relate to officers carrying out the functions of the licensing authority under the Act.
- 2.3 The Act enables authorised persons to enter premises before applications are determined and licences are reviewed. In the case of clubs, such inspections can only be made within 14 days of the receipt of an application and subject to 48 hours notice. Authorised persons can also enter premises with a premises licence or club premises certificate or which are the subject of a temporary events notice to make sure that the activities being undertaken comply with the conditions of the permission or notice. There is no right of entry to premises which have a club premises certificate only. An offence is created if an authorised person is intentionally obstructed from acting in accordance with the authorisation.

3. CONCLUSION AND RECOMMENDATION

- 3.1 The Committee is required to authorise officers for the purposes of the Act and it is therefore

RECOMMENDED

that the following officers be authorised under section 13 of the Licensing Act 2003:-

Head of Administration
Central Services Manager
Licensing Officer
Assistant Licensing Officers.

BACKGROUND PAPERS

Nil

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