

LICENSING ACT 2003 – DELEGATIONS

(Report by Head of Administration)

1. Introduction

- 1.1 Arising from a report elsewhere on the agenda dealing with a formal delegation to officers to make representations under the Gambling Act 2005, it is considered prudent similarly to formalise the arrangements for delegations under the Licensing Act 2003.

2. Delegations

- 2.1 The Licensing Act 2003 defines the Council as a responsible body as both the local planning authority and the environmental health authority (the authority with the statutory function of minimising the risk of pollution of the environment or of harm to human health). In practice, representations have been made by both the Head of Planning Services and the Head of Environmental Health Services since the introduction of the Act. No challenge has made by an applicant to date in the absence of formal authorisations but this is no guarantee that such a challenge may not be made in the future

3. Conclusion and Recommendations

- 3.1 For the avoidance of doubt, it would be preferable for the Committee to authorise officers to act as the respective responsible authority and it is therefore

RECOMMENDED

- (a) that the Head of Planning Services be authorised to act on behalf of the local planning authority under section 13(4)(d) of the Licensing Act 2003; and
- (b) that the Head of Environmental and Community Health Services be authorised to act on behalf of the environmental health authority under section 13(4)(e) of the Licensing Act 2003.

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Background Papers

Licensing Act 2003

