

LICENSING COMMITTEE: 8 September 2009

Report of the Chief Strategic Planning and Environment Officer

AUTHORISATION OF OFFICERS

1. Delegated Authority to Officers.

- 1.1 In the interests of efficiency two Operational Manager posts, which were vacant, have been deleted from the establishment of the Strategic Planning and Environment Services. As a result the service has been restructured and it is necessary to ensure that the Operational Managers' in the service have the appropriate level of authority to enable them to effectively carry out their licensing functions.
- 1.2 The duties and responsibilities carried out are in connection with those exercised by the Licensing Committee on behalf of the Council. The exercise of the delegated powers will be subject to the protocol in the Scheme of Delegations and the Council Constitution.
- 1.3 David Ivor Holland (Operational Manager - Consumer Protection) and Phil Williams (Operational Manager – Development and Building Control) have roles and duties in respect of public protection issues and therefore need to be properly authorised. In the interests of clarity the officers should be authorised to issue Notices and Orders; to grant and refuse consents; to implement the relevant provisions in respect of offences or other requirements; to give effect to applications for licences, permits and registration and to approve or reject applications; to issue proceedings and to arrange for the execution of works pursuant to the Licensing Act 2003 and the Gambling Act 2005 and any rules, regulations and/or Orders made thereunder (or any replacement or re-enactment thereof).
- 1.4 This authorisation does not revoke or amend any existing delegated powers they may have.

2. Achievability

- 2.1 The recommendations can be achieved. These authorisations and appointments enable the officers to undertake their statutory duties.

3. Legal Implications

- 3.1 The authorisations and appointments proposed will ensure that the staff involved have an appropriate authorisation to carry out the relevant regulatory functions.

4. Financial Implications.

- 4.1 Deletion of the two vacant Operational Manager Posts from the establishment will have savings for the service which will assist in its meeting the savings requirements of the Council.
- 4.2 The allocation of appropriate delegated authority will enable officers to continue to provide the service within the existing budgetary constraints.

5. Recommendations

5.1 That the Committee resolve that:

- (a) David Ivor Holland (Operational Manager - Consumer Protection) and Phil Williams (Operational Manager – Development and Building Control) be authorised to issue Notices and Orders; to grant and refuse consents; to implement the relevant provisions in respect of offences or other requirements; to give effect to applications for registration and to issue licences; and to approve or reject applications; and to arrange for the execution of works pursuant to the Licensing Act 2003 and the Gambling Act 2005 and any rules, regulations and/or Orders made thereunder (or any replacement or re-enactment thereof):-
- (b) For the avoidance of doubt those powers and authorisations previously approved by the Council in relation to the Officers remain unchanged except to the extent that such authorisation would be inconsistent with this report.
- (c) The authorisations shall remain in force until revoked by the Council. For the avoidance of doubt, any authorisation and appointment shall be automatically revoked upon the officers ceasing for whatever reason to occupy a post within Strategic Planning and Environment or ceasing to be in the employment of the Council or its successors.

SEAN HANNABY

31 July 2009

CHIEF STRATEGIC PLANNING AND ENVIRONMENT OFFICER

This report has been prepared in accordance with procedures approved by the Corporate Managers.

Background papers: None