

Recommended Changes to the Constitution

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Provision	Proposal	Amendments to Wording
<p>Responsibility for issuing, granting, refusing, revoking, transferring, renewing, adding condition and setting fees in relation to sex establishments</p> <p>Part 3 Section 2 Licensing Committee Delegation</p>	<p>The Licensing Committee will determine the fees and all new initial applications and revocations of sex establishment licences and any application with representations</p> <p>where they are not delegated to officer at section 2.4.3.1 (v) and (w)</p>	<p><u>Proposed New insertion: Rule 2.4.1.3 (k) is inserted.</u></p> <p>2.4 Licensing Committee</p> <p>2.4.1 Terms of reference</p> <p>2.4.1.1 To undertake and perform all of the Licensing Authority’s statutory functions and duties under the Licensing Act 2003 and to delegate functions in accordance with Guidance issued under Section 182 of that Act.</p> <p>2.4.1.2 To delegate to sub-committees consisting of three members of the Licensing Committee the functions listed at 2.4.2.</p> <p>2.4.1.3 To exercise the functions of the authority as listed in Schedule 2.4.4, where these are not delegated to officers as listed at section 2.4.3, namely:-</p> <p>...</p> <p>(k) Issue, grant, refuse, revoke, transfer, renew, vary, add conditions and set fees in relation to the licensing of sex establishments</p>
<p>Removal of provision under 2.4.3.1 (t) (xi) Licensing Act 2003 table</p>	<p>As all Sex Establishments will be governed by the Miscellaneous Provisions Act, this section to be removed</p> <p>Section 2.4.3.1 (t) (xi) to be deleted</p>	<p><u>Proposed Deletion: Rule 2.4.3.1 (t) (xi) is deleted.</u></p> <p>2.4.3 Delegations to officers</p> <p>2.4.3.1 The Executive Director – Operations is authorised:</p> <p>(t) under the Licensing Act 2003:</p> <p>(xi) to renew licences for sex shops and sex cinemas and in renewing those licences amend or attach any conditions as is necessary in accordance with the Licensing Act 2003;</p>

Provision	Proposal	Amendments to Wording
<p>Responsibility to issue, renew, transfer and add conditions in relation to sex establishments licenses delegation to officer</p> <p>Part 3 Section 2 Delegations to officer</p>	<p>Officers will determine applications for renewals and transfers where no representations have been received or representations have been withdrawn.</p> <p>To be inserted 2.4.3.1 (v)</p>	<p><u>Proposed New insertion: Rule 2.4.3.1 (v) is inserted.</u></p> <p>2.4.3 Delegations to officers</p> <p>2.4.3.1 The Executive Director – Operations is authorised:</p> <p>...</p> <p>(v) To issue/renew/transfer and add conditions in relation to sex establishment licenses where no representations have been received or representations have been withdrawn</p>
<p>Responsibility to vary existing licenses</p> <p>Part 3 Section 2 Delegations to officer</p>	<p>Variations will be determined by officers in consultation with the chair of the licensing committee.</p> <p>To be inserted 2.4.3.1 (w)</p>	<p><u>Proposed New insertion: Rule 2.4.3.1 (w) is inserted</u></p> <p>2.4.3 Delegations to officers</p> <p>2.4.3.1 The Executive Director – Operations is authorised:</p> <p>-</p> <p>...</p> <p>(w) Determine variation applications in relation to sex establishments, in consultation with the Chair of the licensing committee</p>