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GAMBLING ACT 2005 –Proposed Revisions to the Scheme of Delegation

Gambling Act 2005	Functions	Delegation		
		Full Council	Sub-Committee of Licensing Committee	Solicitor to the Council
Section 163	Determination of application for Premises Licence in respect of which representations have been made (and not withdrawn)		X	
	Determination of application for Premises Licence where no relevant representations received			X
Section 162	Attachment of condition to Premises Licence or exclusion of default condition		X	
Section 162	<i>Decision as to whether representation is vexatious, frivolous, or would certainly not influence the authority's determination of application</i>			X
Section 187	Determination of application to vary Premises Licence in respect of which representations have been made (and not withdrawn)		X	
	Determination of application to vary Premises Licence in respect of which no representation received			X
Section 188	Determination of application for transfer of Premises Licence in respect of which representations have been made (not withdrawn)		X	
	Determination of application for transfer of Premises Licence where no representations received			X

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		Full Council	Sub-Committee of Licensing Committee	Solicitor to the Council
Section 193	<i>Revocation of Premises Licence for failure to pay annual fee</i>			X
Section 194	<i>Determination that a Premises Licence has lapsed</i>			X
Section 195	Reinstatement of lapsed Premises Licence in respect of which representations have been made (and not withdrawn)		X	
	<i>Reinstatement of lapsed Premises Licence where no representation is received</i>			X
Section 198	<i>Rejection of application for review of Premises Licence on various grounds</i>			X
Section 200	<i>Initiation of review of Premises Licence</i>			X
Section 201	<i>Determination that representation about review of Premises Licence is frivolous, vexatious or will certainly not influence a review of a Premises Licence</i>			X
Section 202	Determination of action following review of Premises Licence where the application is heard by the sub committee			
	Determination of action following review of Premises Licence where no hearing is held and all parties agree in advance to the relevant action		X	X
Section 204	Determination of application for provisional statement in respect of Premises Licence where representations have been made (and not withdrawn)		X	
	<i>Determination of application for provisional statement in respect of which no representations received</i>			X
Section 205	<i>Decision to disregard representations made in respect of application for a Premises Licence after issue of provisional statement</i>			X
Section 218	<i>Issue of counter notice to Temporary Use Notice where number of permitted days are exceeded</i>			X

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		Full Council	Sub-Committee of Licensing Committee	Solicitor to the Council
<i>Section 221</i>	<i>Objection to Temporary Use Notice</i>			X
Section 222	Issue of counter notice in response to Temporary Use Notice		X	
Section 284	Making of Order to remove exemptions from specified premises		X	
<i>Section 346</i>	<i>Institution of criminal proceedings in respect of an offence under the provisions of the Act</i>			X
<u>Schedule 10</u> Paragraph 8	Determination of application for Family Entertainment Centre Gaming Machine Permit			X
Paragraphs 14 & 15	Notification of lapse of Family Entertainment Centre Gaming Permit			X
<u>Schedule 11</u> Paragraph 44	<i>Registration of society for small society lottery</i>			X
<i>Paragraph 48</i>	<i>Refusal of application for registration of society for small society lottery</i>			X
<i>Paragraph 50</i>	<i>Revocation of registration of society for small society lottery</i>			X
<i>Paragraph 54</i>	<i>Cancellation of registration of society for small society lottery for non-payment of annual fee</i>			X
<u>Schedule 12</u> Paragraphs 5, 10 & 24	Determination of application for Club Gaming Permit and Club Registration Permit and for renewal of permit in respect of which representations have been made (and not withdrawn)		X	
	Determination of application for Club Gaming Permit and Club Registration Permit and for renewal of permit where no representations received		X	

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		Full Council	Sub-Committee of Licensing Committee	Solicitor to the Council
Paragraph 15	Determination of application for variation of Club Gaming Permit and in respect of which Club Registration Permit and cancellation of permit representations have been made (and not withdrawn)		X	
	Determination of application for variation of Club Gaming Permit and Club Registration Permit and cancellation of permit where no representations received			X
Paragraph 21	Cancellation of Club Gaming Permit and Club Registration Permit		X	
<i>Paragraph 22</i>	<i>Cancellation of Club Gaming Permit and Club Registration Permit for failure to pay annual fee</i>			X
Schedule 13 Paragraphs 4, 15 & 19	Determination of application for grant, variation or transfer of Licensed Premises Gaming Machine Permit			X
Paragraph 16	Cancellation of Licensed Premises Gaming Machine Permit or variation of number or category of machines in respect of which representations received (and not withdrawn)		X	
	Cancellation of Licensing Premises Gaming Machine Permit and variation of number or category of machine where no representations received			X
Paragraph 17	Cancellation of Licensed Premises Gaming Machine Permit for failure to pay annual fee			X
Schedule 14 Paragraphs 9 and 18	Determination of application for Prize Gaming Permit and application for renewal of Permit			X
Paragraph 15	Determination that Prize Gaming Permit has lapsed			X