

## APPENDIX 4

### APPENDIX E of the revised Council Constitution

#### PART F.7 of the Council's Constitution – Scheme of Delegation to Officers

#### Section 4 – Delegated Powers of the Director of Urban Environment

[the text shown below would be added to the end of the schedule of statutory delegations starting at page 110 of Part F.7 section 4 after the provisions on the Clean Neighbourhoods and Environment Act 2005]

<b>Gambling Act 2005</b>	<b>The delegations below do not include the functions of the Licensing Sub-Committees</b>	
Sections 29, 30, 350 and Schedule 6 Parts 1 & 4	Duties and powers to provide information required or requested by the Gambling Commission or other bodies	<b>AD-Enf</b>
Sections 33, 37, 41, 42, 43 and 44	Power to prosecute and enforce against offences including unlawful use of premises for gambling activities	<b>AD-Enf</b>
Section 156	Duty to make publicly available the register of premises licences and to provide copies on payment of prescribed fees	<b>AD-Enf</b>
Section 161	Power to make representations on applications for premises licences	<b>AD-Enf</b>
Sections 163 to 165 and 167 to 169	Powers to grant or reject applications where valid representations have not been made, to give relevant notices and to impose or exclude conditions	<b>AD-Enf</b>
Section 185	Power to prosecute for failure to keep licence on premises or make it available on request	<b>AD-Enf</b>
Sections 186 to 190	Power to alter or provide copies of premises licence on application and to enforce provisions. Power to vary or transfer a premises licence where valid representations have not been made and to impose or exclude conditions	<b>AD-Enf</b>
Sections 192 to 196	Power to notify surrenders, revoke premises licence on non-payment of fees and to reinstate licence	<b>AD-Enf</b>
Section 197 to 200	Power to grant an application for review of a premises licence or to reject an	<b>AD-Enf</b>

	application under s.198(1), to initiate any review and to make all arrangements connected with the hearing of a review by Members	
Sections 206 to 209	Power to conduct appeals	<b>AD-Enf</b>
Sections 218, 220, 222, 225, 226, 227, 228 and 234	Power to give counter-notice in response to a temporary use notice, to acknowledge temporary use notice, to agree with other parties in the event of objection that a hearing is unnecessary, to dismiss objections, to conduct appeals and to endorse, return and provide copies of temporary use notices and to maintain and make available the register	<b>AD-Enf</b>
Section 242	Power to prosecute for making a gaming machine available for use in contravention of an operating schedule or Regulations	<b>AD-Enf</b>
Section 247 and Schedule 10	Power to grant or reject applications for the grant or renewal of permits for family entertainment gaming machines including consideration of representations, making notifications, replacing permits, the conduct of appeals, maintaining and making available the register, providing copies on payment of fees and enforcement of all provisions	<b>AD-Enf</b>
Section 258 to 261 and Schedule 11	Power to prosecute and enforce in cases of unlawfully promoting or facilitating a lottery and misusing profits of lotteries and exempt lotteries	<b>AD-Enf</b>
Section 262 and Schedule 11 Parts 4 & 5	Power to register or refuse registration of small society and non-commercial society lotteries in accordance with the provisions including cancellations, provision of copies, the conduct of appeals, maintaining and making available records and enforcing all provisions	<b>AD-Enf</b>
Section 274 and Schedule 12	Power to grant or refuse applications for the grant or renewal of club gaming permits or club machine permits in accordance with the provisions including grant by "fast track procedure", variation, cancellation, and surrender of permits, the conduct of appeals, maintaining and making available the register, providing copies on payment of fees and	<b>AD-Enf</b>

	enforcement of all provisions	
Section 283 and Schedule 13	Power to grant, refuse or modify applications for licensed premises gaming machine permits in accordance with the provisions including the variation, transfer or cancellation of permits, the conduct of appeals, maintaining and making available the register, providing copies on payment of fees and enforcement of all provisions	<b>AD-Enf</b>
Section 284	Power to make orders for specific premises removing the right to provide exempt gaming under section 279 or the right to make up to two gaming machines available for use under section 282 in accordance with the requirements for notifications, considering representations and the conduct of appeals	<b>AD-Enf</b>
Section 289 and Schedule 14	Power to grant or refuse applications for prize gaming permits in accordance with the provisions including amendment and renewal of permits, the conduct of appeals, maintaining and making available the register, providing copies on payment of fees and enforcement of all provisions. Power to prepare a draft statement of principles in relation to prize gaming permits for approval by Members	<b>AD-Enf</b>
Section 304	Power to designate officers as authorised persons for the purposes of the Act	<b>AD-Enf delegation to AD only</b>
Section 305	Power to undertake activities to assess compliance with the Act or detect offences	<b>AD-Enf</b>
Section 307, 309, 310, 311, 312, 313, 314, 315, 317, 318, 319, 322 and 326	Power to enter premises in connection with facilities for gambling, gaming machines at family entertainment centres, premises licensed for alcohol, prize gaming permits, clubs, licensed premises, lotteries, temporary use notices, and to exercise all functions under these provisions including application for warrants and enforcement against obstruction	<b>AD-Enf</b>
Section 342	Power to prosecute in relation to persons giving false or misleading information	<b>AD-Enf</b>
Section 346	Power to prosecute for any offence	<b>AD-Enf</b>

	referred to in this section	
Section 349	Power to prepare and consult upon a draft statement of principles and any review or revision of such statement subject to Members' approval of the final statement or revision	<b>AD-Enf</b>