

1A. Current terms of referenceGeneral Licensing Sub-Committee (page 95)

Function	Full Committee	Sub-Committee
Power to licence sex shops and sex cinemas (including first grant, renewal, transfer and variation of standard conditions)	<p>First grant: all cases before the licensing Committee.</p> <p>Renewal: if there are objections which are not withdrawn and which cannot be dealt with under the authority delegated to officers</p> <p>Transfer: if there are objections which are not withdrawn and which cannot be dealt with under the authority delegated to officers</p> <p>Variation of standard conditions</p>	

Schedule of functions (page 97)

All Council (non-executive) functions relating to:

(a) licensing and registration functions in respect of:

(iii) sex shops and sex cinemas

1B. Proposed terms of referenceGeneral Licensing Sub-Committee

Function	Full Committee	Sub-Committee
<i>Power to licence sex establishments (including first grant, renewal, transfer and variation of conditions)</i>		<p><i>First grant.</i></p> <p><i>Renewal: if objections are received and are not withdrawn</i></p> <p><i>Transfer: if objections are received and not</i></p>

		<i>withdrawn</i> <i>Variation of conditions</i>
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Schedule of functions

All Council (non-executive) functions relating to:

(b) licensing and registration functions in respect of:

(iii) sex establishments

2A. Current delegations in relation to sex establishments

(pages 134/135)

25.2 Subject to the exceptions listed below, the Head of Safer and Stronger Communities is authorised to discharge the following licensing functions:-

25.2.5 Power to renew or transfer licences for sex shops and sex cinemas where:-

25.2.5.1 there has been no material change to the character of the relevant locality or to the use to which any premises in the vicinity are put or to the layout, character or condition of the premises in respect of which the application is made; and

25.2.5.2 no objections have been received, or those that have been received should in the officer's opinion be set aside on the grounds that the Council could not lawfully take them into account.

25.3 In the following circumstances, the power delegated to the Head of Safer and Stronger Communities in respect of general licensing functions shall stand referred to the body set out below:-

25.3.4 The determination of applications for the renewal or transfer of licences for sex shops and sex cinemas where there are objections which are not be withdrawn and cannot be dealt with under the authority delegated to officers be referred to the Licensing Committee.

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Subject to the exceptions listed below the Head of Safer and Stronger Communities is authorised to discharge the following Council (non-executive) functions.

(h)	<i>Power to renew or transfer licences for sex shops and sex cinemas</i> [where (i) there has been no material change	Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.
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	to the character of the relevant locality or to the use to which any premises in the vicinity are put or to the layout, character or condition of the premises in respect of which the application is made; and (ii) no objections have been received or those that have been received should in the officer's opinion be set aside on the ground that the Council could not lawfully take them into account]	
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(iv) The determination of applications for the renewal or transfer of licences for sex shops and sex cinemas where there are objections which are not be withdrawn and cannot be dealt with under the authority delegated to officers be referred to the Licensing Committee.

2B. Proposed delegations in relation to sex establishments

25.2 Subject to the exceptions listed below, the Head of Safer and Stronger Communities is authorised to discharge the following licensing functions:-

25.2.5 Power to renew or transfer licences for sex establishments where:-

25.2.5.1 there has been no material change to the character of the relevant locality or to the use to which any premises in the vicinity are put or to the layout, character or condition of the premises in respect of which the application is made; and

25.2.5.2 no objections have been received, or those that have been received have been withdrawn.

25.3 In the following circumstances, the power delegated to the Head of Safer and Stronger Communities in respect of general licensing functions shall stand referred to the body set out below:-

25.3.4 The determination of applications for the renewal or transfer of licences for establishments where objections have been received and have not been withdrawn, shall be referred to the General Licensing Sub-Committee.

Subject to the exceptions listed below the Head of Safer and Stronger Communities is authorised to discharge the following Council (non-executive) functions.

(h)	<p><i>Power to renew or transfer licences for sex establishments</i></p> <p><i>Where (i) there has been no material change to the character of the relevant locality or to the use to which any premises in the vicinity are put or to the layout, character or condition of the premises in respect of which the application is made; and (ii) no objections have been received</i></p>	<p><i>Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.</i></p>
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(iv) The determination of applications for the renewal or transfer of licences for sex establishments where objections are received and have not been withdrawn, shall be referred to the General Licensing Sub- Committee.