

Licensing Functions – Taxi Licensing, Sex Establishments, Charitable Collections and Street Trading

Function	Provision	Full Committee	Sub-Committee	Officer
Taxi Licensing				
Power to licence (first grant, renewal and transfer) hackney carriages and private hire vehicles	Hackney carriages: Town Police Clauses Act 1847; section 47, 57, 60 & 79 Local Government (Miscellaneous Provision) Act 1976 Private Hire Vehicles: sections 48, 57, 60 & 79 Local Government (Miscellaneous Provision) Act 1976		To determine applications where the vehicle does not meet the Council's vehicle conditions and the vehicle passes the inspection.	Officers may grant/renew where the vehicle meets the Council's vehicle conditions and the vehicle passes the inspection. Power to grant consent for the display of signs/advertisements on vehicles in accordance with the Council's vehicle conditions.
Power to suspend or revoke hackney carriage and private hire vehicle licences	Hackney carriages: Town Police Clauses Act 1847; section 58 & 60 Local Government (Miscellaneous Provision) Act 1976 Private Hire Vehicles: sections 58 & 60 Local Government (Miscellaneous Provision) Act 1976		To note reports relating to officer decisions to suspend vehicle licences. The power to revoke vehicle licences.	To suspend vehicle licences Any officer decision to suspend a vehicle licence shall be reported to the next available meeting of the Licensing Committee. The power to issue notices for the return of vehicle plates/discs.
Power to suspend hackney carriage and private hire vehicle licences pending inspection	Section 68 Local Government (Miscellaneous Provision) Act 1976			Power to serve notice requiring vehicle to be presented for test. To serve notice to require the address where a vehicle is kept when not in use To suspend vehicle licences pending inspection as to fitness.
Power to licence (first grant or renewal) operators licences	Sections 55 – 58 & 79 Local Government (Miscellaneous Provision) Act 1976		To determine applications where the Council's requirements are not met.	Officers may grant/renew where the Council's requirements are met.

Power to suspend or revoke operators licences	Section 62 Local Government (Miscellaneous Provision) Act 1976		To note reports relating to officer decisions to suspend operators licences. Power to revoke operators licences.	To suspend operators licences Any officer decision to suspend an operators licence shall be reported to the next available meeting of the Licensing Committee.
Power to licence (first grant or renewal) hackney carriage and private hire drivers	Hackney carriages: Town Police Clauses Act 1847; section 53, 54, 57, 59, 61 & 79 Local Government (Miscellaneous Provision) Act 1976 Private Hire: sections 51, 53, 54, 61 & 79 Local Government (Miscellaneous Provision) Act 1976		To determine applications where the driver does not meet the Council's requirements.	Officers may grant/renew where the driver meets the Council's requirements (such as medical certification, knowledge and satisfactory CRB disclosure)
Power to suspend or revoke hackney carriage and private hire drivers licences	Section 61 Local Government (Miscellaneous Provision) Act 1976		To note reports relating to officer decisions to suspend drivers licences. Power to revoke drivers licences.	To suspend drivers licences Any officer decision to suspend a drivers licence shall be reported to the next available meeting of the Licensing Committee. The power to require the return of drivers badge.
Power to set fees in relation to hackney carriage and private hire drivers, vehicles and operators	Drivers: section 53 Local Government (Miscellaneous Provision) Act 1976 Vehicles/operators: section 70 Local Government (Miscellaneous Provision) Act 1976	Power to set fees.		

Sex Establishments				
Power to licence sex shops and sex cinemas (including first grant, renewal, transfer and variation of standard conditions)	Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3	<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>		<p>Renewal and transfer: the power to renew and transfer where the following apply:</p> <p>(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</p> <p>(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.</p>
Power to set fees for sex establishments	Para 19, Schedule 3 Local Government (Miscellaneous Provisions) Act 1982	Power to set fees		
Charitable Collections				
Power to licence street collection	Section 5 Police, Factories etc (Miscellaneous Provisions) Act 1916		<p>To determine requests for waiver of the Council's street collection regulations.</p> <p>Determines appeals against officer refusal.</p>	To licence street collections in circumstances where the collection complies with Council's street collection regulations.

				The power to waive regulation 10 (in relation to processions) in appropriate circumstances.
Power to licence House to House collection	Section 2 House to House Collections Act 1939		Determines appeals against officer refusal.	To licence House to House collections. Appeal against officer decision to the Licensing Committee
Street Trading				
Power to issue street trading licences or consents	Section 3 and Schedule 4 Local Government (Miscellaneous Provisions) Act 1982		To determine applications for street trading consents where representations have been received (and not withdrawn). To determine applications for street trading licences.	To issue street trading consents where no representations are received (or where any that were received have been withdrawn).
Power to designate streets as consent streets, licence streets or prohibited streets.	Section 3 and Schedule 4 Local Government (Miscellaneous Provisions) Act 1982	Power to designate streets		
Power to set fees in relation to street trading	Paragraph 9, Schedule 4 Local Government (Miscellaneous Provisions) Act 1982	Power to set fees.		