

**ASSISTANT CHIEF EXECUTIVE (CORPORATE GOVERNANCE)**

1. The Assistant Chief Executive (Corporate Governance) is the Monitoring Officer for the Council.
2. The Assistant Chief Executive (Corporate Governance) is deputy Electoral Registration Officer.<sup>1</sup>
3. Subject to the exceptions listed below, the Assistant Chief Executive (Corporate Governance) is authorised to discharge the following Council (non-executive) functions:

**Licensing and Regulatory:**

(a)	To license hackney carriages and private hire vehicles	(a) As to hackney carriages, the Town Police Clauses Act 1847 as extended by section 171 of the Public Health Act 1875 and section 15 of the Transport Act 1985 and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (b) As to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976
(b)	To license drivers of hackney carriages and private hire vehicles	Section 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976
(c)	To license operators of hackney carriages and private hire vehicles	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976
(d)	*To register pool promoters♦	Schedule 2 to the Betting, Gaming and Lotteries Act 1963
(e)	*To grant track betting licences♦	Schedule 3 to the Betting, Gaming and Lotteries Act 1963
(f)	*To licence inter-track betting schemes♦	Schedule 5ZA to the Betting, Gaming and Lotteries Act 1963
(g)	*To grant permits in respect of premises with amusement machines♦	Schedule 9 to the Gaming Act 1968
(h)	*To register societies wishing to promote lotteries♦	Schedule 1 to the Lotteries Amusements Act 1976
(i)	*To grant permits in respect of premises where amusements with prizes are provided♦	Schedule 3 to the Lotteries and Amusements Act 1976
(j)	*To licence sex shops and sex cinemas	The Local Government (Miscellaneous Provisions) Act 1982, Section 2, Schedule 3
(p)	*To license dealers in game and the killing and selling of game	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831; sections 2 to 16 of the Game Licensing Act 1860 section 4 of the customs and Inland Revenue Act 1883, sections 12(3)

<sup>1</sup> The Chief Officer (Legal Licensing and Registration) and the Electoral Services Manager are also appointed as deputy Electoral Services Managers

*Officer Delegation Scheme (Council (non-executive) functions)*

		and 27 of the Local Government Act 1874 and section 213 of the Local Government Act 1972
(q)	*To license scrap yards	Section 1 of the Scrap Metal Dealers Act 1964
(r)	*To approve premises for the solemnisation of marriages	Section 46A of the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995(SI 1995/510)
(s)	*To license persons to collect for charitable and other causes	Section 5 of the Police, Factories etc (Miscellaneous Provisions) Act 1916 and section 2 of the House to House Collections Act 1939
(t)	To register motor salvage operators	Part I of the Vehicles (Crime) Act 2001

♦ From 1 September 2007 licences will be granted under the Gambling Act 2005 by the Licensing Committee, except as provided for by the Gambling Act Order<sup>2</sup>,

**Functions relating to elections:**

(a)	Functions in relation to parishes and parish councils	Part IV of the Local Government and Public Involvement in Health Act 2007 <sup>3</sup> and subordinate legislation under that Part
(b)	To dissolve small parish councils	Section 10 of the Local Government Act 1972
(c)	To make orders for grouping parishes, dissolving groups and separating parishes from groups	Section 11 of the Local Government Act 1972
(d)	To make temporary appointments to parish councils	Section 91 of the Local Government Act 1972

**Functions relating to changing governance arrangements:**

(a)	To consult prior to drawing up proposals <sup>4</sup>	S33E Local Government Act 2000
(b)	To make arrangements to hold a referendum <sup>5</sup>	S33K(2) Local Government Act 2000
(c)	To publish a notice if proposals are not approved in referendum	S33K(6) Local Government Act 2000
(d)	To implement new governance arrangements	S33G and S33H Local Government Act 2000
(e)	To comply with any direction from the Secretary of State	S33I Local Government Act 2000

**Functions relating to standing orders:**

(a)	To make standing orders	Section 106 of, and paragraph 42 of
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<sup>2</sup> That is, the Gambling Act 2005 (Commencement No 6 and Transitional Provisions) Order 2006

<sup>3</sup> Subject to any recommendations made under sections 87- 92 of the Local Government and Public Involvement in Health Act 2007 being referred to General Purposes Committee to make recommendations to Full Council to make a re-organisation order under section 86 of the Local Government and Public Involvement in Health Act 2007

<sup>4</sup> Subject to consultation with party Leaders about the consultation plan

<sup>5</sup> Where the Council has decided to hold a referendum

		Schedule 12 to the Local Government Act 1972
(b)	To make standing orders as to contracts	Section 135 of the Local Government Act 1972

**Exceptions<sup>6</sup>:**

The Assistant Chief Executive (Corporate Governance) is not authorised to discharge those functions marked \*above where objections have been received.

**Licensing Functions delegated by Licensing Committee:**

<p>Subject to the exceptions listed below, the Assistant Chief Executive (Corporate Governance) is authorised to discharge the licensing functions<sup>8</sup> of the licensing authority.</p> <p><b><u>Exceptions:</u></b></p> <ul style="list-style-type: none"> <li>• any licensing function<sup>7</sup> reserved to full Council;<sup>9</sup> and</li> <li>• any licensing function where full Council has referred a matter to a committee other than the Licensing Committee;<sup>10</sup> and</li> <li>• any licensing function within the terms of reference of the Licensing Sub-committees<sup>11</sup>; and</li> <li>• any function under Section 52(2) or (3) of the 2003 Act; and</li> <li>• any function under Section 88(2) or (3) of the 2003 Act; and</li> <li>• any function under Section 167(5) of the 2003 Act; and</li> <li>• to determine whether Section 20(3) or 74(3) of the 2003 Act applies to a film and make recommendations about the admission of children to that film; and</li> <li>• to object when the Authority is consultee and not the relevant authority considering an application under the 2003 Act</li> <li>• any function under Section 198 of the 2005 Act</li> <li>• any function under Section 201 of the 2005 Act</li> <li>• any function under Section 202 of the 2005 Act</li> </ul>	Licensing Act 2003 and the Gambling Act 2005.
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<sup>6</sup> Under this delegation scheme (council functions). The Licensing and Regulatory Panel may however arrange for the discharge of any of its functions by the Assistant Chief Executive (Corporate Governance) - (Section 101(2) Local Government Act 1972.

<sup>8</sup> "Licensing functions" means functions under the 2003 Act and the 2005 Act.

<sup>9</sup> Part 3, Section 2A of the Constitution sets out licensing functions reserved to full Council, as licensing authority under the 2003 Act.

<sup>10</sup> Under the provisions of Section 7(5)(a) of the 2003 Act.

<sup>11</sup> Except where a Licensing sub-committee has arranged for the discharge of any of their functions to an Officer.

**Appointments to Committees Boards and Panels**

To appoint members to vacancies during the period between the local elections and the Annual Council meeting, in consultation with appropriate whips, in order to secure that meetings necessary to be held during that period can proceed with adequate and appropriate membership levels.