

**LICENSING COMMITTEE RECOMMENDATION TO FULL COUNCIL 20
JANUARY 2015 - (from 13 January 2015 meeting).**

COUNCIL AGENDA ITEM 9

Schedule 5, Local Government (Miscellaneous Provisions) Act 1982 and sections 115A - 115K Highways Act 1980 - Provision of Highway Amenities - Delegation of powers to both the Licensing Committee and appropriate head of service in respect of Highway Amenity Matters (Licensing Committee minute 5/2015 refers)

RESOLVED to recommend to Council:

- (1) the delegation of this function to the Licensing Committee together with:**
- Delegation to the Head of Health, Safety & Licensing to carry out the administration of all highway amenity matters pursuant to sections 115A - 115K of the Highways Act 1980. To include the power to grant, vary, transfer and renew (but not to refuse or revoke) any individual highway amenity permission for a period of not more than 12 months and subject to such standard and special conditions as considered appropriate.**
 - Delegation to the Head of Health, Safety & Licensing to recommend to the Licensing Committee, from time to time, such fees and/or other reasonable expenses/charges as may be appropriate to recover the costs of administration and compliance with highway amenity permissions.**
 - Delegation to the Head of Health, Safety & Licensing to refund such fee(s) for unsuccessful applications as considered appropriate on individual merit.**
 - Delegation to the Head of Health, Safety & Licensing to give notice of intended refusal/revocation or non-renewal of any amenity permission on individual merit.**
 - Delegation to the Head of Health, Safety & Licensing to establish, amend, vary and/or substitute any hearing procedures, application forms, notes of guidance and other documentation commensurate with these proposals.**
- (2) That the Licensing Committee establishes a panel (drawn from not less than 3 members of the Licensing Committee) to determine and adjudicate on any contested highway amenity applications (where permission is likely to be refused, revoked or not renewed) and whose decision will be final.**