



Part 3, Section B: Responsibility for Council Functions

B.2.1 REGULATORY COMMITTEE

The primary purpose of the Regulatory Committee will be to exercise and undertake those licensing, registration and regulatory functions of the Council that may be delegated under S101 of the Local Government Act 1972 and are not:

- Executive or overview and scrutiny functions;
- already delegated elsewhere by the Council, or are statutory committee functions (such as those matters under the Licensing Act 2003);
- already delegated by the Council to Officers of the Council;
- exercisable only by the Council itself; or
- exercised in a way which breaches or has the effect of breaching policies, strategies and overall budgets approved by the Council or have adverse legal implications.

B.2.2 Membership

- a) **Appointment.** The Regulatory Committee will consist of nine Members, appointed by the Council at, or as soon as reasonably practicable after, the Annual Council meeting, in accordance with the proportionality rules of the Local Government and Housing Act 1989. There shall be no power to co-opt.
- b) **Chairman.** The Chairman and Vice-Chairman of the Committee shall be appointed annually by that committee at its first meeting following the Annual Council meeting and before proceeding to any other business.
- c) **Quorum.** Except where authorised by statute or ordered by the Council the quorum shall be one-quarter of the total membership of the Committee or three members, whichever is the greater.

B.2.3 Regulatory Panels (Sub-Committees)

- a) **Appointment.** The Regulatory Committee will appoint one or more Panels to act as sub-committees to undertake hearings for regulatory licensing functions, consisting of four members of the Committee. Delegated decisions shall not be subject to call-in procedures because this body hears evidence and makes its decision in quasi-judicial circumstances.

- b) **Chairman.** The Chairman shall be appointed at the first meeting following the Annual Council meeting, and before proceeding to any other business.
- c) **Quorum.** Except where authorised by a statute or ordered by the Council, business shall not be transacted at a meeting of the Committee unless at least three Members are present.

B.2.4 Functions

The Regulatory Committee will exercise the following functions and those matters which flow from them (which are not Executive functions by virtue of Schedule 1 or 2 to the Functions Regulations)

Function	Delegation on to:
A. General licensing and registration functions	
1. Power to issue licences authorising the use of land as a caravan site ("site licences").	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
2. Power to license the use of moveable dwellings and camping sites.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
3. Power to license hackney carriages and private hire vehicles.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
4. Power to license drivers of hackney carriages and private hire vehicles.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance

Function	Delegation on to:
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A. General licensing and registration functions	
5. Power to license operators of hackney carriages and private hire vehicles.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
6. Power to license sex shops and sex cinemas.	Reserved to Committee
7. Power to license premises for acupuncture, tattooing, ear piercing and electrolysis.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
8. Power to license pleasure boats and pleasure vessels.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
9. Power to license market and street trading.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
10. Power to register and license premises for the preparation of food.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
11. Power to license scrap yards.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
12. Power to license premises for the breeding of dogs.	<u>The Director responsible for Regulatory Functions</u> Director, Law and

	<u>Governance</u>
13. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
14. Power to register animal trainers and exhibitors.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
15. Power to license zoos.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
16. Power to license dangerous wild animals.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
17. Power to license knackers' yards.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
18. Power to license persons to collect for charitable and other causes.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
Function	Delegation on to:
A. General licensing and registration functions	

19. Power to grant consent for the operation of a loudspeaker.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
20. Power to authorise erection of stiles etc. on footpaths or bridleways.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
21. Power to approve meat product premises.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
22. Power to approve premises for the production of minced meat or meat preparations.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
23. Power to approve dairy establishments.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
24. Power to approve egg product establishments.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
25. Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
26. Power to approve fish products premises.	<u>The Director responsible for Regulatory</u>

	Functions Director, Law and Governance
27. Power to approve dispatch or purification centres.	<u>The Director responsible for Regulatory</u> Functions Director, Law and Governance
28. Power to register fishing vessels on board which shrimps or molluscs are cooked.	<u>The Director responsible for Regulatory</u> Functions Director, Law and Governance
29. Power to approve factory vessels and fishery product establishments.	<u>The Director responsible for Regulatory</u> Functions Director, Law and Governance
30. Power to register auction and wholesale markets.	<u>The Director responsible for Regulatory</u> Functions Director, Law and Governance
31. Duty to keep register of food business premises.	<u>The Director responsible for Regulatory</u> Functions Director, Law and Governance

Function	Delegation on to:
A. General licensing and registration functions	
32. Power to register food business premises.	<u>The Director responsible for Regulatory</u> Functions Director, Law and Governance

33. Power to register motor salvage operators.	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance
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Function	Delegation on to:
B. Powers relating to complaints about high hedges	<u>The Director responsible for Regulatory Functions</u> Director, Law and Governance

Function	Delegation on to:
C. Functions relating to health and safety	
<p>Functions under any of the "relevant statutory provisions" within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, <i>which for the avoidance of doubt includes Section 19</i>, and Schedule 1 to that Act, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.</p>	<p>Chief Executive – who is authorised to appoint inspectors under the Health and Safety at Work Act to exercise the powers of an inspector for the purposes of the relevant statutory provisions and to institute, after consultation with the Director, Law and Governance <u>Monitoring Officer</u>, such proceedings as he or she considers necessary.</p>