

## 2. Regulatory and Appeals Committee

Action	Reserved to Council	Reserved to Committee
1. Licensing and registration functions	1. Major new policy initiatives 2. Major new changes in established policies and practices 3. Policy determination	1. Power to refuse to grant a licence in respect of a sexual entertainment venue, sex cinema or sex shop 2. Power to refuse to renew a licence in respect of a sexual entertainment venue, sex cinema or sex shop 3. Power to refuse to transfer a licence in respect of a sexual entertainment venue, sex cinema or sex shop 4. Power to license pleasure boats and pleasure vessels 5. <u>With regard to proposed Policy amendments, all matters where major amendments are required needing consultation be referred to the Committee prior to going out to consultation.</u> 6. To review and revise conditions to be attached to licences relating to taxis (hackney carriages) and private hire vehicles 7. To consider and determine applications for additional taxi (hackney carriage) licences 8. In relation to control of pollution, statutory nuisances and other environmental protection functions, the following matters:- <ul style="list-style-type: none"> <li>• Determining an application from a person for a licence, approval, consent, permission or registration</li> <li>• Direct regulation of a person (with substantial discretion as to the regulatory action)</li> <li>• Enforcement of any such licence, approval, consent, permission or direct regulation, save as may be reserved to full Council or delegated to another Committee / Sub-Committee or officer.</li> </ul>

Action	Reserved to Council	Reserved to Committee
2. Electoral matters	<ol style="list-style-type: none"> <li>1. Duty to appoint an electoral registration officer</li> <li>2. Duty to appoint returning officer for local government elections</li> <li>3. Duty to divide constituency into polling districts</li> <li>4. Power to divide electoral divisions into polling districts at local government elections</li> <li>5. Power to submit proposals to the Secretary of State for an order under Section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000</li> </ol>	<ol style="list-style-type: none"> <li>1. Duty to assign officers in relation to requisitions of the registration officer</li> <li>2. Functions in relation to parishes and parish councils</li> <li>3. Power to pay expenses properly incurred by electoral registration officer</li> <li>4. Power to determine fees and conditions for supply of copies of, or extracts from, elections documents</li> <li>5. Power to appoint persons to fill parish council vacancies until other councillors are elected and take up office and to take any other action which appears to them necessary or expedient for the proper holding of an election or properly constituting a parish council</li> <li>6. Electoral arrangements for parish councils</li> <li>7. <u>Matters not by law the responsibility of the Returning Officer or Electoral Registration Officer or otherwise stated to be non executive functions.</u></li> </ol>
3. Functions relating to name and status of areas and individuals	<ol style="list-style-type: none"> <li>1. Power to change the name of the district</li> <li>2. Power to confer title of Honorary Alderman</li> <li>3. Power to petition for a charter to confer borough status</li> </ol>	<ol style="list-style-type: none"> <li>1. Power to make initial approach in connection with proposal to confer status of Honorary Alderman</li> <li>2. Power to change the name of a parish</li> </ol>
4. Miscellaneous functions	<ol style="list-style-type: none"> <li>1. Power to make standing orders</li> <li>2. Power to make standing orders as to contracts</li> </ol>	<ol style="list-style-type: none"> <li>1. Power to make payments or provide other benefits in cases of maladministration etc.</li> <li>2. To make casual appointments to outside bodies in relation to any functions within the Council's responsibility</li> <li>3. To undertake any functions required in respect of local government pensions under the Superannuation Acts</li> <li>4. Any other non-executive functions (including where appropriate</li> </ol>

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		recommendations to Council) which are not reserved to any other Committee / Sub-Committee or delegated to officers.
5. Appeals		<p>To hear and determine, in accordance with the Committee's Appeals Protocol, the following matters:-</p> <ul style="list-style-type: none"> <li>(i) any appeal against the refusal to grant a street trading consent</li> <li>(ii) any appeal against an applicant's assessed financial contribution towards the cost of works to be carried out under the renovation grant scheme</li> <li>(iii) any appeal by a member of the Council's staff who has been issued with a final written warning or has been dismissed</li> <li>(iv) any appeal against the refusal of registration as a door supervisor</li> <li>(v) Appeals by market traders under the Market Regulations.</li> </ul> <p><b>N.B. Any matter under (i) to (v) and (vii) above will be heard by an Appeals Panel comprising three Members of the Committee; any appeal under (vi) above will be heard by an Appeals Panel comprising two Members of the Committee and a representative of the local entertainments industry</b></p> <ul style="list-style-type: none"> <li>• <del>Determinations of applications relating to land under the control of the Planning Committee or the Planning and Sustainability Service</del></li> <li>• <del>Determination of any application (after initial consideration by the Planning Committee) which in the opinion of the Head of Planning and Sustainability after consultation with the Chairman of the Planning Council would, if determined by that Committee in the manner in which that Committee would wish to see it determined:</del> <ul style="list-style-type: none"> <li>• <del>expose the Council to a substantial risk of incurring or being ordered to pay substantial costs</del></li> <li>• <del>be both substantially inconsistent with adopted or emerging</del></li> </ul> </li> </ul>

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		<del>planning or other policies or programmes and would compromise the future application or implementation of those policies or programmes</del>
6. Monitoring, review and revision of the Constitution	1. Approval of changes	Recommendations for changes.
7. Health and Safety at Work		Health and Safety at Work - any functions allocated as non- executive in relevant legislation to the extent that they are not reserved to full Council or delegated to another Committee / Sub-Committee or to officers.
8. Members' allowances	1. Adoption of scheme of Members' allowances.	Members' allowances - to deal with appointment of independent remuneration Panel; initial consideration of the Panel's report and recommendation to Council in light of report.
<del>9. Electoral Matters</del>		<del>Matters not by law the responsibility of the Returning Officer or the Electoral Registration Officer or otherwise stated to be non-executive functions.</del>
<u>9. Planning Applications</u>		<p><u>Determination of any application (after initial consideration by the Planning Committee) which in the opinion of the Head of Planning and Sustainability after consultation with the Chairman of the Planning Council would, if determined by that Committee in the manner in which that Committee would wish to see it determined:</u></p> <ul style="list-style-type: none"> <li>• <u>expose the Council to a substantial risk of incurring or being ordered to pay substantial costs</u></li> <li>• <u>be both substantially inconsistent with adopted or emerging planning or other policies or programmes and would compromise the future application or implementation of those</u></li> </ul>

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		<u>policies or programmes</u>

**NOTES**

1. Members of the Regulatory and Appeals Committee may not also be Members of Personnel and Development Committee.