

REGULATORY PANELS

Licensing and Regulatory Panel

The Licensing and Regulatory Panel is authorised to discharge¹ the following functions:²

1. To discharge all Council (non-executive)³ functions relating to:
 - (a) licensing and registration functions⁴ in respect of:
 - (i) caravan sites⁵
 - (ii) hackney carriages and private hire vehicles⁶
 - (iii) pool promoters^{7*}
 - (iv) track betting licences^{8*}
 - (v) amusement machines^{9*}
 - (vi) lotteries^{10*}
 - (vii) amusements with prizes^{11*}
 - (viii) sex shops and sex cinemas¹²
 - (ix) performances of hypnotism¹³
 - (x) acupuncture, ear-piercing and electrolysis¹⁴
 - (xi) pleasure boats and vessels¹⁵
 - (xii) market and street trading¹⁶
 - (xiii) game¹⁷
 - (xiv) premises for the preparation of food¹⁸
 - (xv) scrap yards¹⁹
 - (xvi) dog breeding, pet shops, animal breeding, animal trainers and exhibitors, zoos, wild animals²⁰
 - (xvii) knackers' yards²¹

¹ With the exception of any licensing function under the Licensing Act 2003, the Panel and the Council may arrange for any of these functions to be discharged by an officer – the functions for the time being so delegated are detailed in Section 2 of Part 3 of this Constitution

² "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

³ Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended (the 2000 Regulations).

⁴ Para. B of Schedule 1 to the 2000 Regulations

⁵ Items 1 and 2 of Para. B of Schedule 1 to the 2000 Regulations

⁶ Item 3 – 5 of Para. B of Schedule 1 to the 2000 Regulations

⁷ Item 6 of Para. B of Schedule 1 to the 2000 Regulations

⁸ Items 7 and 8 of Para. B of Schedule 1 to the 2000 Regulations

⁹ Item 9 of Para. B of Schedule 1 to the 2000 Regulations

¹⁰ Item 10 of Para. B of Schedule 1 to the 2000 Regulations

¹¹ Item 11 of Para. B of Schedule 1 to the 2000 Regulations

¹² Item 15 of Para. B of Schedule 1 to the 2000 Regulations

¹³ Item 16 of Para. B of Schedule 1 to the 2000 Regulations

¹⁴ Item 17 of Para. B of Schedule 1 to the 2000 Regulations

¹⁵ Item 18 of Para. B of Schedule 1 to the 2000 Regulations

¹⁶ Item 20 of Para. B of Schedule 1 to the 2000 Regulations

¹⁷ Item 23 of Para. B of Schedule 1 to the 2000 Regulations

¹⁸ Item 24 of Para. B of Schedule 1 to the 2000 Regulations

¹⁹ Item 25 of Para. B of Schedule 1 to the 2000 Regulations

²⁰ Items 29 - 33 of Para. B of Schedule 1 to the 2000 Regulations

Council Committees' Terms of Reference

- (xviii) the employment of children²²
- (xix) premises for the solemnisation of marriage²³
- (xx) charitable collections²⁴
- (xxi) operation of loudspeakers²⁵
- (xxii) movement and sale of pigs and cattle²⁶
- (xxiii) storage of celluloid²⁷
- (xxiv) meat product premises and dairy establishments²⁸
- (xxv) egg products, butchers and fish products²⁹
- (xxvi) auction and wholesale markets³⁰
- (xxvii) food business premises³¹
- (xxviii) motor salvage operators³²

*From 1 September 2007 these licences will be granted under the Gambling Act 2005, except as provided for by the Gambling Act Order³³

- (b) health and safety at work³⁴ to the extent that those functions are discharged otherwise than in the authority's capacity as an employer; and
- (c) smoke-free premises under the Health Act 2006 and regulations.³⁵

2. In respect of any approval, consent, licence, permission, or registration which they may grant,

- (a) To impose conditions limitations or restrictions;
- (b) To determine any terms;
- (c) To determine whether and how to enforce any failure to comply;
- (d) To amend, modify, vary or revoke;
- (e) To determine whether a charge should be made or the amount of such a charge.

3. To discharge any licensing function³⁶, where full Council has referred a matter to the Panel.³⁷

²¹ Item 34 of Para. B of Schedule 1 to the 2000 Regulations

²² Item 35 of Para. B of Schedule 1 to the 2000 Regulations

²³ Item 36 of Para. B of Schedule 1 to the 2000 Regulations

²⁴ Item 39 of Para. B of Schedule 1 to the 2000 Regulations

²⁵ Item 40 of Para. B of Schedule 1 to the 2000 Regulations

²⁶ Items 43 – 46 of Para. B of Schedule 1 to the 2000 Regulations

²⁷ Item 56 of Para. B of Schedule 1 to the 2000 Regulations

²⁸ Items 57 – 59 of Para. B of Schedule 1 to the 2000 Regulations

²⁹ Items 60 - 63 of Para. B of Schedule 1 to the 2000 Regulations

³⁰ Item 66 of Para. B of Schedule 1 to the 2000 Regulations

³¹ Items 67-68 of Para. B of Schedule 1 to the 2000 Regulations

³² Item 71 of Para. B of Schedule 1 to the 2000 Regulations

³³ That is, the Gambling Act 2005 (Commencement No 6 and Transitional Provisions) Order 2006

³⁴ Para. C of Schedule 1 to the 2000 Regulations

³⁵ Para FA, of Schedule 1 to the 2000 Regulations.

³⁶ Under the Licensing Act 2003

³⁷ (Section 7(5)(a) of the Licensing Act 2003). The matter must relate to

- a licensing function of the licensing authority under the Licensing Act 2003 and
- a function which is not a licensing function.

Unless the matter is urgent, the Panel must consider a report of the Licensing Committee in respect of the matter before discharging the function concerned (Section 7(6)).