

*Council Committees' Terms of Reference***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) sex shops and sex cinemas⁷
 - (iv) performances of hypnotism⁸
 - (v) acupuncture, ear-piercing and electrolysis⁹
 - (vi) pleasure boats and vessels¹⁰
 - (vii) market and street trading¹¹
 - (viii) scrap yards¹²
 - (ix) dog breeding, pet shops, animal breeding, animal trainers and exhibitors, zoos, wild animals¹³
 - (x) the employment of children¹⁴
 - (xi) premises for the solemnisation of marriage¹⁵
 - (xii) charitable collections¹⁶
 - (xiii) operation of loudspeakers¹⁷
 - (xiv) movement and sale of pigs and cattle¹⁸
 - (xv) storage of celluloid¹⁹
 - (xvi) meat product premises and dairy establishments²⁰

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

⁸ Item 16 of Para. B of Schedule 1 to the 2000 Regulations

⁹ Item 17 of Para. B of Schedule 1 to the 2000 Regulations

¹⁰ Item 18 of Para. B of Schedule 1 to the 2000 Regulations

¹¹ Item 20 of Para. B of Schedule 1 to the 2000 Regulations

¹² Item 25 of Para. B of Schedule 1 to the 2000 Regulations

¹³ Items 29 - 33 of Para. B of Schedule 1 to the 2000 Regulations

¹⁴ Item 35 of Para. B of Schedule 1 to the 2000 Regulations

¹⁵ Item 36 of Para. B of Schedule 1 to the 2000 Regulations

¹⁶ Item 39 of Para. B of Schedule 1 to the 2000 Regulations

¹⁷ Item 40 of Para. B of Schedule 1 to the 2000 Regulations

¹⁸ Items 43 – 46 of Para. B of Schedule 1 to the 2000 Regulations

¹⁹ Item 56 of Para. B of Schedule 1 to the 2000 Regulations

²⁰ Items 57 – 59 of Para. B of Schedule 1 to the 2000 Regulations

(xvii) motor salvage operators²¹

(b) health and safety at work²² 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.²³

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 function²⁴, where full Council has referred a matter to the Panel.²⁵

²¹ Item 71 of Para. B of Schedule 1 to the 2000 Regulations

²² Para. C of Schedule 1 to the 2000 Regulations

²³ Para FA, of Schedule 1 to the 2000 Regulations.

²⁴ Under the Licensing Act 2003

²⁵ (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)).