Regulatory Committee – Terms of Reference

The Committee has the responsibility and delegated powers to act on behalf of the Council in respect of regulatory matters within the Borough as follows.

1. To exercise the functions of the Council as Licensing Authority for any and all other licensing and registration function as detailed in schedule 1 (Functions not to be the Responsibility of an Authority's Executive) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 but excluding the Licensing Act 2003 and Gambling Act 2005, save for where those functions are the responsibility of Full Council.

2. To exercise the functions of the Council in respect of any and all other regulatory and public protection legislation (without limitation) including, but not limited to Health & Safety, Fire Safety, Health, Public Protection and Sports Ground Safety.
3. To determine and make payments or provide other benefits in cases of maladministration.

4. To make determinations in respect of common land, village greens and open spaces.

5. To advise full Council or Cabinet on the authority's response to any consultation documents issued by the Secretary of State on Public Protection matters.

6. To establish sub-committees comprising three members as and when required for the purpose of conducting hearings.

7. To consider and determine fees and charges in respect of any of the above matters.

8. To delegate these functions, where appropriate, to the Sub-Committee, appropriate Director or other appropriate employees.

9. To approve, adopt, review, amend and revise codes of best practice, policy and procedure for Licensing and Public Protection matters within its terms of reference and to make the same publicly available.

PROCEDURE

10. As a general rule the Council Procedure Rules govern the way that committees operate but these, with the exception of paragraph 14 of the Council Procedure Rules, may be varied or suspended at the discretion of the Chairman of the Committee in the interests of efficient and effective management of the committee.

11. Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions to ensure a fair hearing.