

REGULATORY COMMITTEE (cont...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<p>3. Power to decline to determine an application for planning permission contained in Paragraph 70A of the Town and Country Planning Act, 1990.</p> <p>4. Determination whether prior approval is required (including determinations under Parts 11,17,19,20, 21,22,23,26 & 30 of the General Permitted Development Order)</p> <p>5. Determination of approvals to and agreements to certain other matters relating to the exercise of permitted development rights.</p> <p>6. Determination of consent for the display of advertisements.</p> <p>7. Institution of legal proceedings pursuant to Section 224 of the Town and Country Planning Act, 1990 re: unauthorised advertisements.</p> <p>8. Determination of applications for a certificate of existing or proposed lawful use of development.</p>	<p>Development Control Manager</p> <p>Development Control Manager</p> <p>Development Control Manager</p> <p>Development Control Manager</p> <p>Head of Legal and Licensing Services</p> <p>Development Control Manager</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<p>9. Determination of application for listed building consent, and related powers as contained in Sections 16(1) and (2), 17, 27(2) and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990.</p> <p>10. Determination of applications for conservation area consent.</p> <p>11. Determination of applications for hazardous substances consent, and related powers.</p> <p>In exercising delegated powers 1 and 5 to 11 the Development Control Manager will notify electronically all councillors who have e-mail facilities via the Group Mail councillors address on the Council's e-mail system of the applications received at the same time and with broadly the same information as is given to "neighbour" consultees, giving the same time for observations.</p>	<p>Development Control Manager</p> <p>Development Control Manager</p> <p>Development Control Manager</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<p>The Development Control Manager shall not refuse any application (or approve any application which the Council's Space About Dwellings Standards in terms of rear garden length; but meets all other space about dwellings standards in terms of rear garden area and distances between facing principal windows) exercising delegated powers 1 and 5 to 11 without having first notified electronically all councillors by the means set out above and affording the councillors three clear working days to reply to the aforementioned notification.</p> <p>The Development Control Manager shall exercise delegated powers 1 and 5 to 11 only after having taken into account all representations received in response to notification and consultation.</p> <p>The Development Control Manager shall not exercise delegated powers 1 and 5 to 11 when one or more of the following circumstances apply:</p> <p>i) a member makes a written request for it to be referred to Committee.</p>	

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<ul style="list-style-type: none"> ii) the proposed decision is contrary to the policies and proposals of the Development Plan. iii) development of telecommunications involving new masts. iv) the Council is the applicant or landowner. v) the applicant is a member of the Council. vi) the applicant is a member of Development or Building Control Services or a Senior Manager (Management Team/Heads of Service/Service Managers). vii) Where the Development Control Manager has received a letter or e-mail of objection on planning grounds from a member of the public or Parish Council he/she will notify Members electronically of the receipt of such an objection provided it is within the prescribed consultation period; following this 	

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<p>notification a Member may exercise his/her right to refer the application to the Regulatory Committee under sub- paragraph(i) above providing that it is within the prescribed consultation period.</p> <p>The limit to delegation set out above shall not apply:</p> <ul style="list-style-type: none"> i) in relation to the approval of matters reserved for subsequent approval by a condition on a planning permission, but excluding the design, siting, means of access or external appearance of a building. ii) the approval of minor amendments to an approved development where the amendments would not conflict with any consultation responses previously received. <p>12. The determination of responses to consultations with this Council as Local Planning Authority of and by other local authorities and statutory bodies, subject to consultation with the ward members.</p>	<p>Development Control Manager, Landscape Planning Manager or Development Plans Manager as appropriate.</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<p>13. Determination of applications under Pts 6,7,11,17,19,20,21,22,23, 24, 26,30 and 31 of the General Permitted Development Order</p> <p>Applications shall be notified to Parish Councils and to occupiers of properties immediately adjoining the site by the Development Control Manager and a period of 21 days be allowed for the receipt of any representations. In determining applications, the Development Control Manager shall take into account any representations made in respect of the siting and design of the proposed development and the policies of the Development Plan applicable at the time.</p> <p>14. Service of a completion notice</p> <p>15. To enter into or amend an agreement pursuant to Section 106 of the Town and Country Planning Act, 1990.</p> <p>16. To determine commuted sums for Section 106 Agreements relating to adoption of open space</p> <p>17. Power to serve a planning contravention notice</p> <p>18. The authorisation of an Enforcement Notice, Breach of Condition Notice, Section 215 Notice, Stop Notice,</p>	<p>Development Control Manager</p> <p>Development Control Manager</p> <p>Head of Governance and Scrutiny Services</p> <p>Head of Legal and Licensing Services</p> <p>Landscape Planning Manager</p> <p>Head of Governance and Scrutiny Services</p> <p>Head of Governance and Scrutiny Services in consultation with the Development Control Manager</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<p>Listed Building Enforcement Notice, and Conservation Area Enforcement Notice.</p> <p>Before a Notice is issued by the Head of Governance and Scrutiny Services, the Development Control Manager shall have first notified electronically all Councillors of the authorisation of the Notice and have afforded all Councillors 3 clear working days to reply to the notification; the issuing of a Notice will only proceed under these delegated powers where there are no unresolved objections from Councillors.</p> <p>19. The making of Directions under Article 4 of the Town and Country Planning (General Permitted Development Order) 1995, or subsequent legislation.</p> <p>20. To approve direct action pursuant to Section 219 of the Town and Country Planning Act, 1990.</p> <p>21. To carry out or to instruct an appropriate contractor to carry out works comprising direct action authorised pursuant to Section 219 of the Town and Country Planning Act, 1990.</p>	<p>Head of Governance and Scrutiny Services</p> <p>Development Control Manager in consultation with the Head of Legal and Licensing Services</p> <p>Landscape Planning Manager</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<p>22. To take action to recover any costs incurred by the Council in taking direct action under Section 219 of the Town and Country Planning Act, 1990.</p> <p>23. The making of Discontinuance, Revocation and Modification Orders subject to the completion of a covenant not to claim compensation in respect of the Orders.</p> <p>24. Submission of an application for an award of costs re: appeals pursuant to the Town and Country Planning Act, 1990, having regard to Circular 8/93</p> <p>25. Power to apply for an injunction pursuant to Sections 187B of the Town and Country Planning Act, 1990.</p> <p>26. Power to apply for an injunction pursuant to Section 44(A) or 74(3) of the Listed Buildings and Conservation Areas Act, 1990.</p> <p>27. Power to execute urgent works pursuant to Section 54 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to preserve an unoccupied Listed Building and to recover expenses pursuant to Section 55.</p>	<p>Head of Legal and Licensing Services</p> <p>Head of Governance and Scrutiny Services</p> <p>Head of Legal and Licensing Services and the Development Control Manager</p> <p>Head of Legal and Licensing Services</p> <p>Head of Legal and Licensing Services</p> <p>Head of Governance and Scrutiny Services</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<p>28. Action pursuant to Regulations 4, 5, and 10 of the Environmental Impact Assessment Regulations 1999</p> <p>29. To comment on behalf of the Council on:-</p> <p>(a) Consultations from adjoining local planning authorities</p> <p>(b) Applications made under circular 18/84</p> <p>(c) Overhead Lines</p> <p>(d) County Council matters.</p> <p>(e) County Council applications, after consultation with the appropriate ward member(s) electronically through the Council's e-mail system.</p> <p>(f) County Council determinations on applications to divert/extinguish public rights of way, after consultation with the appropriate ward member(s) electronically through the Council's e-mail system.</p> <p>(g) Consultations from outside bodies relating to landscaping /arboricultural matters.</p>	<p>Development Control Manager</p> <p>Development Control Manager</p> <p>Development Control Manager</p> <p>Development Control Manager</p> <p>Development Control Manager</p> <p>Head of Governance and Scrutiny Services</p> <p>Landscape Planning Manager</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
B. Functions relating to Health and Safety at Work	1. Functions under any of the "relevant statutory provisions" within the meaning of Part 1 (health safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.	Environmental Health Manager (Commercial) Services

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>C. Functions relating to elections and parishes including :</p> <p>(a) Including functions in relation to parishes and parish councils pursuant to Part II of the Local Government and Rating Act 1997 (c.29) and subordinate legislation under that part.</p> <p>(b) Power to dissolve small parish councils</p> <p>(c) Power to make orders for grouping parishes, dissolving groups and separating parishes from groups.</p> <p>(d) 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.</p>	<ol style="list-style-type: none"> 1. Power to assign officers in relation to requisitions of the registration officer 2. Duty to provide assistance at European Parliamentary elections 3. Duty to divide constituency into polling districts. 4. Power to divide electoral divisions into polling districts at local government elections 5. Powers in respect of holding of elections 6. Power to pay expenses properly incurred by electoral registration officers. 7. Power to fill vacancies in the event of insufficient nominations 8. Duty to declare vacancy in office in certain cases 9. Duty to give public notice of a casual vacancy 10. Power to make temporary appointments to parish councils 11. Power to determine appropriate fees and conditions for supply of copies, or extracts from, election documents. 	<p>Chief Executive</p> <p>Chief Executive</p> <p>Chief Executive</p> <p>Chief Executive</p> <p>Chief Executive</p> <p>Chief Executive</p> <p>Chief Executive</p> <p>Chief Executive</p> <p>Chief Executive</p> <p>Chief Executive</p> <p>Chief Executive</p> <p>Chief Executive</p>

REGULATORY COMMITTEE (Cont'd...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>D. Functions relating to public rights of way</p> <p>(a) Power to stop up footpaths and bridleways</p> <p>(b) Power to determine applications for a public path extinguishment order.</p> <p>(c) Power to divert footpaths and bridleways</p> <p>(d) Power to make a public path diversion order</p> <p>(e) Power to decline to determine certain applications</p> <p>(f) Power to extinguish certain public rights of way.</p> <p>(g) Power to extinguish public rights of way over land acquired for clearance</p> <p>(h) Power to extinguish public rights of way over land held for planning purposes</p> <p>(i) Power to provide access in absence of agreement</p>	<p>1. Confirmation of unopposed Orders</p>	<p>Head of Governance and Scrutiny Services</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>E. The Following Miscellaneous Functions</p> <p>(a) Power to make limestone pavement order</p> <p>(b) Power to make closing order with respect to take-away food shops.</p> <p>(c) Powers relating to the protection of important hedgerows.</p>	<p>1. Power to make closing order with respect to take-away food shops.</p> <p>2. Powers relating to the protection of important hedgerows.</p> <p>Subject to the Landscape Planning Manager consulting District Councillors whose Wards comprise the parish in which the application arises the period for such consultation process being 14 days and subject to there being no unresolved objections from councillors.</p> <p>The Landscape Planning Manager shall not refuse any such application without having first notified electronically all councillors for the relevant parish and affording the councillors three working days to reply to the aforementioned notification.</p>	<p>Head of Environmental Health (General) Services</p> <p>Landscape Planning Manager</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>(d) Powers relating to the preservation of trees</p>	<p>3. Determination of applications to fell or carry out works to trees protected by a tree preservation order or trees within conservation areas.</p> <p>Subject to the Landscape Planning Manager having carried out the same consultation as specified for items 1 and 5 to 11 in A (Planning Functions) above of all councillors for the parish in which the application arises and there being no unresolved objections from councillors, save that in the case of applications to fell or carry out works to trees in a conservation area the period for the aforementioned consultation process shall be 14 days.</p> <p>The Landscape Planning Manager shall not refuse any such application without having first notified electronically all councillors for the relevant parish and affording the councillors three working days to reply to the aforementioned notification.</p>	<p>Landscape Planning Manager</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>(e) Determination of complaints under Part 8 of the Anti-Social Behaviour Act, 2003, (High Hedges).</p>	<p>4. Making, amending, or revocation of Tree Preservation Orders</p> <p>Before making, amending, or revoking a Tree Preservation Order, the Head of Governance and Scrutiny Services shall be satisfied that the Landscape Planning Manager has carried out the same consultation exercise as specified for items 1 and 5 to 11 in A (Planning Functions) above and that there are no unresolved objections from councillors.</p>	<p>Head of Governance and Scrutiny Services</p>
	<p>5. Confirmation of unopposed Tree Preservation Orders</p>	<p>Head of Governance and Scrutiny Services</p>
	<p>6. Power to apply for an injunction pursuant to Section 214A of the Town and Country Planning Act, 1990, to restrain works to protected trees.</p>	<p>Head of Legal and Licensing Services</p>
	<p>7. The determination of complaints under Part 8 of the Anti-Social Behaviour Act, 2003 (High Hedges), excluding complaints relating to hedges owned or controlled by the Council.</p>	<p>Landscape Planning Manager</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>(f) To exercise the powers and duties of the Council pursuant to the Clean Neighbourhood and Environment Act, 2005 which may not be the responsibility of a member of the Executive</p> <p>(g) To institute legal proceedings pursuant to the powers and duties of the Council under the Clean Neighbourhood and Environment Act, 2005 which may not be the responsibility of a member of the Executive.</p> <p>(h) Power to make, amend, revoke or re-enact byelaws</p>	<p>Before issuing a decision on a complaint the Landscape Planning Manager shall give the relevant ward member(s) via e.mail three days' notice of the proposed decision, during which period the member(s) may request that the complaint is submitted to the Regulatory Committee for determination.</p> <p>8. To exercise the powers and duties of the Council pursuant to the Clean Neighbourhood and Environment Act, 2005 which may not be the responsibility of a member of the Executive</p> <p>9. To institute legal proceedings pursuant to the powers and duties of the Council under the Clean Neighbourhood and Environment Act, 2005 which may not be the responsibility of a member of the Executive.</p>	<p>Head of Environmental Health (General) Services and Environmental Health Manager (Commercial) Services</p> <p>Head of Legal and Licensing Services</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>(i) Power to promote or oppose local or personal Bills</p> <p>(j) Power to make payments or provide other benefits in cases of maladministration etc.</p> <p>(k) Matters relating to local government pensions as specified in Regulations under Sections 7, 12 or 24 of the Superannuation Act, 1972.</p> <p>(l) The Occupational Pension Scheme (Internal Dispute Resolution Procedures) Regulations, 1996 and the Local Government Pension Scheme (Amendments) Regulations, 2004</p> <p>(m) Duty to make arrangements for proper administration of financial affairs etc as required by Section 151 of the Local Government Act, 1972</p> <p>(n) Duty to approve authority's statement of accounts, income and expenditure and balance sheet, or record of payments and receipts (as the case may be) as required by the Accounts and Audit Regulations.</p>	<p>10. Power to make payments or provide other benefits in cases of maladministration etc.</p> <p>11. Matters relating to local government pensions as specified in Regulations under Sections 7, 12 or 24 of the Superannuation Act, 1972.</p> <p>12. Determination of appeals pursuant to the Local Government Scheme (Amendment) Regulations, 2004.</p> <p>13. Duty to make arrangements for proper administration of financial affairs etc as required by Section 151 of the Local Government Act, 1972.</p> <p>14. Duty to approve authority's statement of accounts, income and expenditure and balance sheet, or record of payments and receipts (as the case may be) as required by the Accounts and Audit Regulations.</p>	<p>Chief Executive, in consultation with the Director of Finance</p> <p>Director of Finance</p> <p>Head of Human Resources in consultation with the Director of Finance</p> <p>Director of Finance</p> <p>Director of Finance</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>(o) To receive reports from the Independent Remuneration Panel and to make recommendations to Council thereon.</p> <p>(p) Power to appoint officers as "proper officers"</p> <p>(q) The authorisation of officers, where necessary for the performance of their duties to enter premises, make inspections, and to enforce legislation contained in statutes, any regulations, order, or other statutory instruments made thereunder such authorities to be provided in writing to the relevant officer specifying the relevant legislation, regulations, orders, or statutory instruments.</p> <p>(r) To take the following actions in respect of contraventions arising from the exercise of any functions which are the responsibility of the Regulatory Committee as contained in Part 3 herein, including inter alia non-compliance with statutory provisions, statutory notices or conditions imposed on grants,</p>	<p>15. Power to appoint officers as "proper officers".</p> <p>16. The authorisation of officers, where necessary for the performance of their duties to enter premises, make inspections, and to enforce legislation contained in statutes, any regulations, order, or other statutory instruments made thereunder such authorities to be provided in writing to the relevant officer specifying the relevant legislation, regulations, orders, or statutory instruments.</p> <p>17. To take the following actions in respect of contraventions arising from the exercise of any functions which are the responsibility of the Regulatory Committee as contained in Part 3 herein, including inter alia non-compliance with statutory provisions, statutory notices or conditions imposed on grants,</p>	<p>Chief Executive</p> <p>Chief Executive</p> <p>Head of Legal and Licensing Services</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>licences, planning permissions and similar matters.</p> <p>i. the institution or defence of legal proceedings</p> <p>ii. the briefing of Counsel within existing budgetary provision</p> <p>iii. the issuing of formal cautions pursuant to Home Office Regulations.</p> <p>(s) Obtaining information concerning interests in land pursuant to Section 330 of the Town and Country Planning Act, 1990 and Section 16 of the Local Government (Miscellaneous Provisions) Act, 1976.</p>	<p>licences, planning permissions and similar matters.</p> <p>i. the institution or defence of legal proceedings</p> <p>ii. the briefing of Counsel within existing budgetary provision</p> <p>iii. the issuing of formal cautions pursuant to Home Office Regulations.</p> <p>18. Obtaining information concerning interests in land pursuant to Section 330 of the Town and Country Planning Act 1990, subject to prior authorisation of the proposed action for which the information is required. (The requirement of prior authorisation of the proposed action for which the information is required shall also be applied to any requisition issued pursuant to Section 16 of the Local Government (Miscellaneous Provisions) Act, 1976 served in connection with the role of the Council as Local Planning Authority).</p>	<p>Head of Governance and Scrutiny Services/Head of Legal and Licensing Services</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>(t) To appoint staff and to determine the terms and conditions on which they hold office, (including approval of any necessary changes to the establishment, subject to any such changes/appointments being funded from within existing staffing/consultancy budgets relevant to the Portfolio/Service Unit) and including procedures for their dismissal.</p>	<p>19. To appoint staff and to determine the terms and conditions on which they hold office, (including approval of any necessary changes to the establishment subject to any such changes/appointments being funded from within existing staffing/consultancy budgets relevant to the Portfolio/Service Unit) and including procedures for their dismissal.</p>	<p>Chief Executive</p>
	<p>The implementation of national pay scales and allowances for employees and members.</p>	<p>Director of Finance</p>
	<p>The determination of job titles</p>	<p>Chief Executive</p>
	<p>Temporary cover for sickness and maternity leave</p>	<p>Head of Human Resources</p>
	<p>Waiver of public advertisement where similar vacancy occurs within 12 months</p>	<p>Head of Human Resources</p>
	<p>The determination of claims up to £500 towards loss or damage to employees belongings during the course of their duties.</p>	<p>Head of Human Resources</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>(u) To carry out all functions contained within Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations, 2000 as amended if not contained within Section A to E above.</p> <p>(v) Approval of the Environmental Health (Commercial Services) Enforcement Policy</p>	<p>Payment of honoraria to non-Human Resources staff based on the difference between the salary of the person undertaking extra responsibility and the bottom of the grade of the person being covered for the relevant period with a factor for the proportion of extra responsibility undertaken.</p> <p>Payment of other honoraria</p> <p>Approval of the Environmental Health (Commercial Services) Enforcement Policy (subject to consultation with the Deputy Leader (Community Services) on those elements of the Policy relating to matters within that portfolio).</p>	<p>Head of Human Resources</p> <p>Chief Executive</p> <p>Environmental Health Manager (Commercial) Services</p>

REGULATORY COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
<p>(w) To exercise the powers and duties of the Council pursuant to the Health Act, 2006 which may not be the responsibility of a member of the Executive.</p> <p>(x) To consider and determine requests for and to authorise the making of Designation Orders pursuant to the Criminal Justice and Police Act, 2001, to prohibit the consumption of alcohol in public places.</p>	<ol style="list-style-type: none"> 1. Power to enforce offences relating to the display of no-smoking signs. 2. Power to enforce offences relating to smoking in smoke-free places. 3. Power to enforce offences of failing to prevent smoking in smoke-free places. 4. Power to transfer enforcement functions to another enforcement authority (Smoke free (Premises and Enforcement) Regulations, 2006) 	<p>Environmental Health Manager (Commercial) Services</p> <p>Environmental Health Manager (Commercial) Services</p> <p>Environmental Health Manager (Commercial) Services</p> <p>Environmental Health Manager (Commercial) Services</p>

Note: The Regulatory (Appraisals) Sub-Committee will comprise the Leader of the Council, the Leader of the Main Opposition Group (or in the absence of such a Leader, a Councillor, nominated by the Leader of the Council, who shall not be a member of the controlling group on the Council); the Chairman of the Regulatory Committee and the Chairman of the Overview and Scrutiny Committee. The Sub-Committee will carry out appraisals of the Chief Executive and the Deputy Chief Executive.

(C) FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE LICENSING COMMITTEE

Note : (a) Unless otherwise stated, all functions set out in Column 1 below are delegated to the Licensing Committee. Delegations of those functions to officers are indicated in Column 2, together with the extent of and limit(s) to the delegation. The delegated powers in Section C shall not be exercised so as to conflict with approved Council policy or budgetary provision.

(b) The Committee will comprise 15 Councillors appointed by the Council at its Annual Meeting.

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO	
		Delegated To Sub-Committees	Delegated To Head Of Legal & Licensing Services
1. The Functions of the Council pursuant to the Licensing Act, 2003 (excluding Executive matters)	1. The determination of the following in accordance with the Council's Licensing Policy:-		
	application for personal licence	If a police objection received	If no objection made
	application for personal licence with unspent convictions	All cases	
	application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
	application for provisional statement	If a relevant representation made	If no relevant representation made
	application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
	application to vary designated premises supervisor	If a police objection received	All other cases
	request to be removed as designated premises supervisor		All cases

LICENSING COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO	
		Delegated To Sub-Committees	Delegated To Head Of Legal & Licensing Services
	application for transfer of premises licence	If a police objection received	All other cases
	applications for interim authorities	If a police objection received	All other cases
	application to review premises licence/club premises certificate	All cases	
	decision on whether an application, representation or complaint is irrelevant, frivolous, vexatious etc.		All cases
	decision to make representations when the local authority is a consultee and not the relevant authority considering the application	All cases	
	responding to a temporary event notice.		All cases
	determination of a police objection to a temporary event notice	All cases	

LICENSING COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO	
<p>2. To make representations on applications received by the Council pursuant to the Licensing Act, 2003</p>	<p>As Local Planning Authority</p> <p>As enforcing Authority within the meaning of Section 18 of the Health and Safety at Work Act 1974.</p> <p>As the Authority having statutory functions for minimising or preventing the risk of pollution of the Environment or of harm to human health</p>	<p>Development Control Manager</p> <p>Environmental Health Manager (Commercial) Services</p> <p>Head of Environmental Health (General) Services</p>	
		3. DELEGATED TO	
<p>3. The Functions of the Council pursuant to the Gambling Act, 2005</p>	<p>(a) All functions excluding the passing of a "no casinos resolution" pursuant to Section 166 and the production of the three year gambling policy pursuant to Section 349.</p>	Delegated To Sub-Committees	Delegated To Head Of Legal & Licensing Services
		<p>a) Determination of an application for a premises licence in respect of which of representations have been made under s161 (and not withdrawn),</p> <p>b) Determination of an application for the variation of a premises licence in respect of which representations have been made under s161 as applied by s187 (and not withdrawn),</p>	<p>All matters delegated to the Licensing Committee excluding:</p> <p>a) Determination of an application for a premises licence in respect of which of representations have been made under s161 (and not withdrawn),</p> <p>b) Determination of an application for the variation of a premises licence in respect of which representations have been made under s161 as applied by s187 (and not withdrawn),</p>

LICENSING COMMITTEE (cont)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO	
		Delegated To Sub-Committees	Delegated To Head Of Legal & Licensing Services
	<p>(b) Making recommendations to Council regarding the adoption of:</p> <p>(i) a "no casinos" resolutions pursuant to Section 166.</p> <p>(ii) the approval/adoption of the three year licensing policy pursuant to Section 349.</p>	<p>c) Determination of an application to transfer following representations by the Gambling Commission</p> <p>d) Determination of an application for a provisional statement under s204 in respect of which representations have been made under s161 as applied by s204 (and not withdrawn), and</p> <p>e) A review of a premises licence under s201.</p>	<p>c) Determination of an application to transfer following representations by the Gambling Commission</p> <p>d) Determination of an application for a provisional statement under s204 in respect of which representations have been made under s161 as applied by s204 (and not withdrawn), and</p> <p>e) A review of a premises licence under s201.</p>
1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO	
<p>4. Other Licensing and Registration Functions</p>	<p>1. Determination of applications for caravan site licences.</p> <p>2. Determination of applications for camping site licences.</p> <p>3. Determination of applications to license Hackney Carriages and Private Hire Vehicles</p> <p>4. Determination of applications to license drivers of hackney carriages and private hire vehicles.</p>	<p>Environmental Health Manager (Commercial) Services</p> <p>Environmental Health Manager (Commercial) Services</p> <p>Head of Legal and Licensing Services</p> <p>Head of Legal and Licensing Services</p>	

LICENSING COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<p>5. Determination of applications to license operators of hackney carriages and private hire vehicles</p> <p>6. Determination of applications to register pool promoters.</p> <p>7. Determination of applications for granting track betting licences</p> <p>8. Determination of applications to licence inter-track betting schemes.</p> <p>9. Determination of applications to grant permits in respect of premises with amusement machines</p> <p>10. Determination of applications to register societies wishing to promote lotteries.</p> <p>11. Determination of applications to grant permits in respect of premises where amusements with prizes are provided.</p> <p>12. Determination of applications for sex shop and sex cinema licences.</p>	<p>Head of Legal and Licensing Services</p> <p>Head of Legal and Licensing Services</p> <p>Head of Legal and Licensing Services</p> <p>Head of Legal and Licensing Services</p> <p>Head of Legal and Licensing Services</p> <p>Head of Legal and Licensing Services</p> <p>Head of Legal and Licensing Services</p> <p>Head of Legal and Licensing Services</p>

LICENSING COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<p>14. Determination of applications for registration of acupuncturists, tattooist, ear piercers, hairdressers and the providers of electrolysis.</p> <p>15. Determination of applications to license pleasure boats and pleasure vessels</p> <p>16. Determination of applications to license scrap yards</p> <p>17. Determination of applications to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business</p> <p>18. Determination of applications for a Licence under the Dangerous Wild Animals Act, 1976</p> <p>19. Determination of applications under the Zoo Licensing Act, 1981</p> <p>20. Determination of applications to license knackers' yards</p>	<p>Environmental Health Manager (Commercial) Services</p> <p>Head of Legal and Licensing Services</p> <p>Head of Legal and Licensing Services</p> <p>Environmental Health Manager (Commercial) Services</p> <p>Environmental Health Manager (Commercial) Services</p> <p>Environmental Health Manager (Commercial) Services</p> <p>Environmental Health Manager (Commercial) Services</p>

LICENSING COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	<p>21. Determination of applications to license persons to collect for charitable and other causes.</p> <p>22. Determination of applications for consents for the operation of a loudspeaker.</p> <p>23. Determination of applications for approval of premises for product-specific establishments subject to approval under Regulation 853/2004, and live bivalve molluscs and fresh meat establishments.</p> <p>24. Determination of applications for approval of shellfish dispatch or purification centres.</p> <p>25. Determination of applications for registration of auction and wholesale markets</p> <p>26. To maintain the Food Safety Act, 1990</p> <p>27. Imposition of appropriate conditions on licences, permits and registration referred to at 1-26 above.</p>	<p>Head of Legal and Licensing Services</p> <p>Head of Environmental Health (General) Services</p> <p>Environmental Health Manager (Commercial) Services</p> <p>Environmental Health Manager (Commercial) Services</p> <p>Head of Legal and Licensing Services</p> <p>Environmental Health Manager (Commercial) Services</p> <p>The appropriate Head of Service/Service Manager exercising delegated powers as referred to at 1-26 above.</p>

LICENSING COMMITTEE (cont ...)

1. FUNCTION	2. DELEGATION AND ASSOCIATED LIMITS TO THE DELEGATION	3. DELEGATED TO
	28. Enforcement of the functions referred to at 1-26 above. 29. Authority to set fees and charges relevant to the functions referred to at 1,2,13,14, and 17-20 above.	The appropriate Head of Service/Service Manager exercising delegated powers as referred to at 1-26 above. Environmental Health Manager (Commercial) Services

Note: **The Licensing Committee will appoint sub-committees each comprising 3 members of the Licensing Committee, to determine:**

- (1) Licensing Act, 2003, matters delegated to Sub-Committees.**
- (2) Internal appeals in respect of licensing decisions made by officers pursuant to delegated powers.**
- (3) Gambling Act, 2005, matters delegated to Sub-Committees**