

Part 1: Chapter 6

Arrangements to perform Regulatory Functions

6.1 Regulatory Functions of the County Council

Regulation 2 and Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended (“the Functions Regulations”) makes provisions for functions not to be the responsibility of an Authority’s Executive. These functions include:

- 6.1.1 functions relating to Town and Country Planning, and development control;
- 6.1.2 functions relating to name and status of areas;
- 6.1.3 licensing and registration functions;
- 6.1.4 functions relating to health and safety at work;
- 6.1.5 functions relating to public rights of way;
- 6.1.6 functions relating to pensions;
- 6.1.7 miscellaneous functions;
- 6.1.8 functions relating to the terms and conditions of staff;
- 6.1.9 functions relating to elections.

6.2 Local Choice Functions

Regulation 3 and Schedule 2 of the Functions Regulations makes provision for further functions (which may be but need not be) the responsibility of an Authority’s Executive. These functions include:

- 6.2.1 determining appeals against decisions of the County Council;
- 6.2.2 determining certain claims and reviews under the Social Security Act 1998;
- 6.2.3 making arrangements to consider appeals against exclusion of pupils;

6.2.4 making arrangements to consider admissions appeals for school placements;

6.2.5 making arrangements to consider appeals by school governing bodies;

6.3 The County Council considers that these functions can be best performed by a Committee with full delegated power from the County Council to determine issues within its remit, and by virtue of this Constitution the County Council grants such powers;

6.4 **Appointment of and Delegation of Regulatory Functions to Committees;**

The County Council appoints the Regulatory Committee A, Regulatory Committee B, the Audit Committee, the Pension Fund Panel, the Employment in Hampshire County Council Committee and the River Hamble Harbour Board as set out in the Column 1 of the 'Responsibility for Non-Executive Functions' table in Part 2, Chapter 2, Paragraph 2.1 and where appropriate the 'Responsibility for Local Choice Functions' in Part 2, Chapter 2, Paragraph 2.2 of this Constitution, to perform (inter alia) the functions referred to in this Chapter as described in column 1 of such tables.

6.5 The County Council may further appoint Deputy Members to deputise for Members appointed to Regulatory Committee A, and if an Ordinary Member of Regulatory Committee A is unable to attend any Meeting of Regulatory Committee A, then a Deputy Member appointed by the County Council to deputise for such Ordinary Member may attend in his place on notification to the Chief Executive prior to the Meeting by the appropriate Ordinary Member unable to attend that his or her Deputy Member will be attending such Meeting in his place. A Deputy Member may only attend a Meeting when the Ordinary Member will be absent for the whole of the Meeting.

6.6 **Delegations to Chief Officers**

The County Council further grants the delegations of the above functions to Chief Officers as referred to in column 4 of the tables referred to in Part 2, Chapter 2 of this Constitution.