

Appendix 3 - Changes to the Constitution – Planning & Regulatory Functions

Note: strikethrough indicates text removed. Underline indicates new text.

| Section | Part 5 Section 6 - The Planning Code |
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| Proposed Changes | <p>PART 1 - THE ROLE OF COUNCILLORS WHO ARE <u>VOTING</u> MEMBERS OF THE COMMITTEE</p> <p>add after 5.6.9:</p> <p><u>The above rules apply to all decision makers on committee i.e. those who are voting members.</u></p> <p><u>A ward member who is a member of the committee is not a voting member of the committee.</u></p> <p><u>A member of the committee who does not intend to take part in any discussion or vote (because they have either predetermined a matter or have an interest) is not a voting member of the committee.</u></p> <p><u>Non-voting members of the committees may speak to applicants without adherence to the above restrictions, since they are not able to vote on that item.</u></p> <p>PART 2 - THE ROLE OF COUNCILLORS WHO ARE NOT MEMBERS OF THE COMMITTEE <u>(OR NON-VOTING MEMBERS OF THE COMMITTEE)</u></p> |
| Section | Part 4 Procedure Rules at Section 8 Planning Rules |
| Proposed Changes | <p>4.8.9 At Committee the ward member will have an automatic right to start and close the member debate on the application concerned, subject to the provisions on the declaration of interests as reflected in the Planning Code of Conduct (Part 5 section 6). In the case of the ward member not being a member of the Committee, they would be invited to address the Committee for that item. [In the case of the ward member being a member of the appropriate Committee, they will not vote on that item, and act as the ward member as set out above.] To this extent all members have the opportunity of expressing their own views, and those of their constituents as they see fit, outside the regulatory controls of the Committee concerned. The ward member would initially address the Committee immediately after the public speaking.</p> <p><u>In the case of the ward member who isn't a member of the Committee, they would be invited to address the Committee for that item. They are not a decision maker and cannot vote.</u></p> <p><u>In the case of the ward member who is a member of the Committee, they can act as the ward member as set out above but, as a decision maker, cannot vote on that item.</u></p> |

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| | <u>To this extent all members have the opportunity of expressing their own views, and those of their constituents as they see fit, outside the regulatory controls of the Committee concerned.</u> |
| Section | Part 3 Section 5 Other Functions |
| Proposed changes | 3.5.7 <u>(p) Applications for licensing Sex Establishments under the Local Government (Miscellaneous Provisions) Act 1982.</u> |
| Section | Part 3 Section 5 Other Functions |
| Proposed Changes | 3.5.5 Licensing functions <u>3.5.6 The Council has delegated its licensing functions to the Planning and Regulatory committee. The committee shall have responsibility (including policy and strategy) for all licensing matters (including as licensing committee under Licensing Act 2003) other than for functions which have been reserved to Council (in para 2.a and 3.a of Part 3 Section 1) or delegated to an officer (Part 3 Section Appendix). The licensing committee has delegated functions to the licensing subcommittee or officers in accordance with Part 3 Section the Appendix. are to be taken or carried out by the licensing subcommittee.</u> |
| Section | Part 2 Article 8 Functions |
| Proposed Changes | 2.8.3 The committee comprises 15 councillors, one of whom will be appointed by Council to be the standing chairperson of the licensing sub-committee. <u>The committee shall act as the council's Licensing Committee for the purposes of section 6 of the Licensing Act 2003.</u> 2.8.5 The committee <u>determines all policy and guidance in relation to its functions other than for functions which have been reserved to Council (in para 2.a and 3.a of Part 3 Section 1) or delegated to an officer (Part 3 Section Appendix), and:</u> |
| Section | Part 3 Section 1 Council Functions |
| Proposed Changes | 3a Other polices Licensing authority policy statements under s5 Licensing Act 2003 Taxi and private hire policy Pay policy statement under s38 of the Localism Act 2011 <u>Sex Establishment Venue policy under the Local Government (Miscellaneous Provisions) Act 1982</u> <u>Tattooing, Body Piercing and Skins Policy under the Local Government (Miscellaneous Provisions) Act 1982</u> |