

## Part 3 - Responsibility for Functions

### 4. Planning Policy Sub-Committee

**Membership:** 5 ( Quorum 2 ) [Politically Proportional].

**Comprising:** The Planning Committee shall appoint a Planning Policy Sub-Committee comprising five Members nominated from the Planning Committee.

**Requirement:** Members appointed to the Planning Committee shall be obliged to attend regular and appropriate training and abide by the Planning and Development Code of Practice.

**Frequency**

**of Meetings:** 4 meetings per annum and at other such times as required.

**(a) Role:**

To discharge the following functions:

- (i) Subject to consultation arrangements list below:
  - to make recommendations to the Council on the preparation of a Local Development Framework.
  - to make recommendations to Council relating to the Local Development Planning Policy (Gloucester's Local Development Framework (LDF)).
- (ii) Prior to the Sub-Committee considering an LDF related matter, the following process will have been followed:
  - the Planning Officer shall issue for consultation a draft document in consultation with the Cabinet Member for Regeneration and Culture, the Chair, Vice Chair and Shadow Spokesperson of the Planning Committee.
  - as part of the Consultation exercise, the views of the individual Cabinet Members will be sought.
- (iii) To make recommendations to the Council regarding comments and consultation [responses] to be made in respect of the development of the Regional Spatial Strategy or other strategic planning documents.

### 5. Licensing and Enforcement Committee

The Committee and Sub-Committee shall have functions, powers and responsibilities set out below and in Article 8 of this Constitution.

**Membership:** 13 ( Quorum 4 ) [Proportional to the political composition of the Council].

**Comprising:** Members who are not Members of the Cabinet.

**Requirement:** Members appointed to the Licensing and Enforcement Committee shall be obliged to attend regular and appropriate training and abide by the Probity in Licensing; Guide to Procedures and Protocol.

**Frequency**

**of Meetings:** Monthly meetings.

**(a) Role:**

- (i) to undertake all matters in relation to the statutory licensing and registration functions of the Council (save to the extent that such responsibility has been delegated to another Committee or Officer by the Council) such duties to include liquor, entertainment and late night

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refreshment licensing and the Gambling Act 2005. The committee's role includes the formulation and approval of policy guidelines with the exception of the following which are dealt with by the Council:

- Sex Shop Licensing
  - the criteria which define the types of vehicles which are acceptable for the grant of additional Hackney Carriage Vehicle Licences
  - Licensing Policy Statement - Licensing Act 2003
  - Gambling Act Statement of Principles - Gambling Act 2005
  - Street Trading Licensing
- (ii) to undertake liaison with the County Council on consumer protection matters.
- (iii) to hear and determine licence applications that are contentious and/or where objections have been lodged by statutory consultees, residents, other third parties or where officers have reservations about the appropriateness of an application or the suitability of an applicant. The Committee also hears Hackney Carriage and Private Hire disciplinary matters in accordance with the provisions of the Council's adopted General Conditions for Hackney Carriage and Private Hire Licensing.
- (iv) without prejudice to the above roles and the Council's Scheme of Delegation the Licensing and Enforcement Committee shall be responsible for those matters set out in Part B (Licensing and registration functions) of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, the Licensing Act 2003 and the Gambling Act 2005.
- (v) the Licensing and Enforcement Committee shall be empowered to set up a sub-committee or sub-committees to discharge functions and act in accordance with powers delegated by the Committee. In the context of the Committee's powers under the Gambling Act 2005 sub delegation may extend to the permitted discharge of functions by an officer.

### (b) Delegation to Officers

Those functions relating to statutory licensing and registration functions which have been delegated to officers are set out in the Council's Scheme of Delegation in Part 3 to this Constitution.

## 6. Licensing and Enforcement Sub-Committee

**Membership:** 3 (Quorum 3)

**Comprising:** 3 Members selected from the parent committee by the Group Manager, Legal and Democratic Services if at all possible politically proportional to the composition of the Council and shared between all Members of the parent committee on a rota basis.

**Requirement:** Members appointed to the Licensing and Enforcement Sub-Committee shall be obliged to abide by the Probity in Licensing Guide to Procedures and Protocol.

### Frequency

**of Meetings:** Ad-hoc meetings in consultation with the Licensing and Enforcement Manager and Group Manager, Legal and Democratic Services.

### (a) Role:

- (i) To undertake all matters relating to the discharge of functions in accordance with the powers delegated by the Parent Committee.
- (ii) The Sub-Committee will meet to hear appeals relating to the Licensing Act 2003 and the Gambling Act 2005.