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STATUTORY INSTRUMENTS

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**2008 No. 2867**

**The Local Government (Structural Changes)  
(Transitional Arrangements) (No.2) Regulations 2008**

**PART 5**

**MEMBERSHIP OF CERTAIN LICENSING AND PLANNING COMMITTEES**

**Interpretation of Part 5**

**15.—(1)** In this Part—

“the 1989 Act” means the Local Government and Housing Act 1989(1);

“2009-electing council” means a single tier council to which elections are to be held in 2009;

“licensing function” means any function conferred by or under—

- (a) the Gambling Act 2005(2),
- (b) the Licensing Act 2003(3), or
- (c) any other enactment relating to the licensing of premises for any purpose, where the function is for the time being listed in paragraph B (licensing and registration functions) of Schedule 1 to the 2000 Regulations) (functions not to be the responsibility of an authority’s executive) so far as not covered by any other paragraph of that Schedule;

“planning function” means any function—

- (a) conferred by or under Part 3 of the Town and Country Planning Act 1990(4) (control over development), or
- (b) for the time being listed in Section A of Schedule 1 to the 2000 Regulations (functions relating to town and country planning and development control);

“pre-election period”, in relation to a 2009-electing council, means the period beginning on the reorganisation date and ending on the fourth day after the ordinary day of election of councillors in 2009; and

“relevant committee” means a committee of a 2009-electing council established—

- (a) under section 6(1) of the Licensing Act 2003(5);
- (b) for the purpose of the exercise by the council of any other licensing function; or
- (c) for the purpose of the exercise by the council of any planning function.

(2) For the purposes of this Part—

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(1) 1989 c.42. Subsection(3) of section 13 excepts members of a committee or sub-committee falling within subsection (4) from the restriction on voting imposed by subsection (1).  
(2) 2005 c.19.  
(3) 2003 c.17.  
(4) 1990 c.8.  
(5) 2003 c.17.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (a) a 2009-electing council is related to a preparing council if it succeeds the preparing council on the reorganisation date; and
- (b) a preparing council is related to a predecessor council if it is the successor council to the predecessor council.