

SCHEDULES

SCHEDULE 11

Section 119.

LICENSING PLANNING COMMITTEES

General provisions

- 1 A licensing planning committee shall consist of—
 - (a) a chairman appointed by the Secretary of State ;
 - (b) members appointed from among their number by the licensing justices having jurisdiction in the area ;
 - (c) members appointed by the local planning authorities having jurisdiction in the area.
- 2 (1) The members of a licensing planning committee appointed under sub-paragraphs (b) and (c) of paragraph 1 of this Schedule shall be equal in number; but subject thereto the number of members of any such committee shall be determined by the order constituting the area.

(2) Where there is more than one body of licensing justices or more than one local planning authority having jurisdiction in a licensing planning area, the order constituting the area shall specify how many members are to be appointed by each body of justices or local planning authority.
- 3 The appointment of a member of a licensing planning committee shall be for a term of three years, and shall be subject to such conditions as the Secretary of State may determine, except that a member appointed to fill a casual vacancy shall hold office only until the end of the term of office of the person in whose place he was appointed.
- 4 The provisions of paragraph 3 of this Schedule shall be subject to the termination of the appointment by the expiry of Part VII of this Act, by the variation under section 120 of this Act of the licensing planning area or by the revocation under that section of the order constituting the area.
- 5 If the votes are equal on any question the chairman shall have a casting vote; but subject thereto the chairman shall not vote.
- 6 The proceedings of a licensing planning committee shall not be invalidated by reason of any vacancy in the committee or any defect in the appointment of a member of the committee.
- 7 The clerk to the licensing justices for the licensing district constituting or including the area, or, where the area includes the whole or part of two or more licensing districts, the clerk to the licensing justices for such one of those licensing districts as may be specified in the order, shall, by virtue of his office, be the secretary of the committee.
- 8 An order constituting a licensing planning area may provide—

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- (a) for the appointment of sub-committees of the licensing planning committee for the area ;
 - (b) for authorising or requiring such matters as the order may specify to be referred by the committee to those subcommittees.
- 9 Where an order under section 120 of this Act adds a licensing district or part of a licensing district to a licensing planning area, and the order provides for the appointment of additional members of the licensing planning committee by the licensing justices or a local planning authority having jurisdiction in the added district or part, the order may vary the provisions of the original order constituting the district so as to limit the right of the additional members to vote as members of the licensing planning committee to such matters relating to the added district or part of a district as the order may specify.
- 10 So far as any order makes any provision authorised by paragraph 8 or 9 of this Schedule, it may be varied or revoked by a subsequent order of the Secretary of State made after consultation with the licensing planning committee for the area in question.

London

- 11 Paragraphs 1, 2 and 7 to 10 of this Schedule shall not apply to a licensing planning area that consists of or includes the administrative county of London.
- 12 The licensing planning committee for such a licensing planning area shall consist of—
- (a) a chairman appointed by the Secretary of State as being an independent person;
 - (b) twelve members appointed from among their number by the court of quarter sessions for the county of London;
 - (c) twelve members, appointed one each by the councils of the inner London boroughs ;
 - (d) such number of members as the Secretary of State may by order prescribe, appointed from among their number by the licensing justices for the City of London and an equal number of members appointed by the Common Council of the City of London ;
 - (e) such persons appointed to a sub-committee under paragraph 15(c) of this Schedule and nominated by authorities or bodies concerned with a part of the area outside the administrative county of London as the Secretary of State -may by order prescribe.
- 13 (1) If, after consultation with the court of quarter sessions for the county of London and the councils of the inner London boroughs, it appears to the Secretary of State expedient to do so by reason of the reduction under any enactment (whether passed before or after the commencement of this Act) of the number of petty-sessional divisions in London, the Secretary of State may by order direct that sub-paragraphs (b) and (c) of paragraph 12 of this Schedule shall have effect as if for the number twelve, in each place where it occurs, there were substituted such lower number as the order may specify.
- (2) Where an order under this paragraph lowers the number of members under sub-paragraph (c) of paragraph 12 of this Schedule, the order may specify the manner in which that lower number of members is to be appointed by the councils of the inner London boroughs.

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- 14 The clerk of the peace for the county of London shall, by virtue of his office, be the secretary of the licensing planning committee for any licensing planning area that consists of or includes the administrative county of London.
- 15 The Secretary of State may by order—
- (a) provide for the appointment of sub-committees of the licensing planning committee referred to in paragraph 12 of this Schedule;
 - (b) authorise or require the reference by the committee to those sub-committees of such matters as the order may specify;
 - (c) provide for the addition to those sub-committees, for the purpose of considering and reporting on such matters as may be specified in the order, of persons nominated by such authorities or bodies concerned with the area or any part of it as may be so specified ; and
 - (d) limit the right to vote as members of the committee referred to in paragraph 12 of this Schedule of the persons mentioned in sub-paragraph (e) of that paragraph to such matters relating to the part of the area so mentioned as the order may specify.
- 16 An order under paragraph 13 or paragraph 15 of this Schedule may be varied or revoked by a subsequent order thereunder.