
STATUTORY INSTRUMENTS

2008 No. 2867

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

PART 5

MEMBERSHIP OF CERTAIN LICENSING AND PLANNING COMMITTEES

Political balance on certain licensing and planning committees

17.—(1) Section 15 of 1989 Act (duty to allocate seats to political groups) shall not apply in relation to—

- (a) the appointment before the reorganisation date by a preparing council to which paragraph (3) applies of persons to be members of a relevant committee of its related 2009-electing council; or
- (b) the appointment after the reorganisation date by a 2009-electing council of persons to be members of a relevant committee of that council,

where the period of membership falls within the pre-election period.

(2) But, subject to paragraphs (4) and (5), in making appointments of the description specified in paragraph (1), the preparing council or the 2009-electing council (as the case may be) shall—

- (a) so far as practicable, ensure that the seats on the relevant committee are allocated to particular political groups in the same proportion as the seats on the preparing council's Implementation Executive are for the time being or, in the case of appointments by the 2009-electing council, were immediately before the reorganisation date, filled by persons who are members of particular political groups; and
- (b) take into account the membership of particular political groups of the persons (if any) in respect of whom the preparing council has resolved (under regulation 15) that they should be co-opted to the relevant committee concerned.

(3) This paragraph applies to a preparing council which—

- (a) before the reorganisation date is a county council, and
- (b) on that date becomes a 2009-electing council.

(4) At any time before the reorganisation date the Implementation Executive of a preparing council which is a county council may resolve that the requirements of paragraph (2) shall not apply to the making of appointments of the description specified in paragraph (1); but this is subject to paragraph (6).

(5) At any time during the pre-election period, the Implementation Executive of a 2009-electing council may resolve that the requirements of paragraph (2) shall not apply to the making of appointments of the description specified in paragraph (1); but this is subject to paragraph (6).

(6) A resolution may not be passed under paragraph (4) or (5)—

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- (a) unless different provision is made by arrangements approved by the preparing council or, as the case may be, the 2009-electing council in the manner for the time being prescribed in regulations made by the Secretary of State for the purposes of section 17 of the 1989 Act (exceptions to and extensions of political balance requirements); and
- (b) if any member of the Implementation Executive votes against it.