

1. Proposed Amendment to Part 3.2 paragraph 5 shown as track changed extract below

3.2.5 Functions of the Licensing Committee

a) Discharge the functions of the Council as a Licensing Authority under the Licensing Act 2003, ~~and the~~ Gambling Act 2005 (with the exception of any functions which are reserved to Council), and **public safety, animal welfare and other** miscellaneous matters as set out in the Functions Regulations. The Licensing Committee will discharge the functions of the Scrap Metal Dealers Act 2013 (Relevant Sub-Committee to be convened when appropriate to deal with contested applications and hearings).

Reason for Amendment

It is considered the existing wording of 'miscellaneous matters' does cover public safety and animal welfare however it is considered it removes any ambiguity if those functions are specifically set out.

2. Proposed Amendment to Part 3.2 paragraph 2 (v) shown as track changed extract below

3.2.2 Functions of the Planning Committees

- a) Discharge those functions falling within The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, regulations 2 and 3 and Schedule 1 Part A paragraphs 5-31, Part I paragraphs 46-47A and Schedule 2 paragraphs 16-18 and as may be amended.
- b) Those matters referred to in an agreement between South Downs National Park and Horsham District Council, having effect from 1 April 2011, will be discharged by the Planning Committee (South) only.
- c) Determination of applications as follows:
 - i. Applications made by or on behalf of, the Council.
 - ii. Where the application has been made by a Member or an officer or a member of their immediate family.
 - iii. Where a Member of the relevant Planning Committee requests; such request to be in writing (to include e-mail) and received by the Development Manager within 35 days of the date of validation of the application.
 - iv. Where eight or more persons in different households or bodies make a written representation (to include email), which discloses a material planning consideration within the consultation period and is inconsistent with the Development Manager's recommendation.
 - v. Any application that is defined as a departure application under the Town & Country Planning (Development Management Procedure)(England) Order 2015, where the recommendation of the Development Manager would represent a departure to the development plan **and there is no extant planning permission.**
 - vi. Where the Parish or Neighbourhood Council makes a written representation (to include email) which discloses a material planning consideration and is inconsistent with the Development Manager's recommendation, within the consultation period, and wishes to address the Planning Committee.

- vii. Where the Development Manager considers the application should be presented to the Development Management Committee for a decision.

Reason for Amendment

The practical application of this clause was agreed when discussed at the PDAG meeting and so the additional wording will make paragraph (v) clear and not subject to any ambiguity.

3. Proposed Amendment to Part 4b. paragraph 14 shown as track changed extract below.

4b. 14 Policy Development Advisory Groups

a) The purpose of each Policy Development Advisory Group is to advise the relevant Cabinet Member on those functions (including all forthcoming key and non-key decisions) described in part 3 of this constitution.

b) A timetable of six Policy Development Advisory Group meetings per Group per year will be agreed and published at Annual Council.

c) Policy Development Advisory Group meetings will be chaired by the relevant Cabinet Member. In the absence of the relevant Cabinet Member the Policy Development Advisory Group will be chaired by the Leader of the Council, or otherwise in accordance with Article 7.3b.

d) Meetings of the group will be subject to a quorum of three (including the Cabinet Member).

e) The Proper Officer will publish an agenda and notes for each meeting of Policy Development Advisory Groups on the Council's website.

f) Visiting Members may attend Policy Development Advisory Groups and may speak at the discretion of the Chairman.

g) A record of the views of Policy Development Advisory Groups will be created, subject to Part 4b 12b of this constitution.

Reason for Amendment

When Policy Development Advisory Groups were created it was set out that they would be chaired by the relevant Cabinet Member. It is considered setting this out in the Constitution removes any ambiguity. It also sets out clearly that the Leader or another Cabinet Member will chair a Policy Development Advisory Group in the absence of the relevant Cabinet Member.