

## **Part B – The Council**

### **Section B5:- Committee Procedure Rules**

#### **In Part B:-**

**Section B1** of the Constitution explains the process of electing Councillors (or “Members”) to the Council and then goes on to explain about meetings of the Council. It then sets out the roles, responsibilities and functions of the Council.

**Section B2** sets out the details of the each of the authority’s committees. There is an overview of what the committee does and a detailed terms of reference section which sets out the extent of the committee’s powers. Membership details of committees are available from the Council’s website.

**Section B3** sets out the roles and attributes of all Councillors, and then explains about the additional requirements of Councillors who undertake certain roles. The additional requirements in respect of Cabinet roles are set out in Section C2.

**Section B4** sets out the rules that govern Council meetings.

**This Section (B5)** sets out the rules that govern Committee meetings.

## **Part B – The Council**

### **Section B5:- Committee Procedure Rules**

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## **1. Constituting and Appointing to Committees**

### **The Role of Council**

- 1.1 At each Annual Council the Council will constitute any committees that it considers appropriate to deal with matters which are not reserved to the Council, allocated to the Cabinet, or delegated to Officers.
- 1.2 The Council will set out the terms of reference for each committee and appoint Members to its committees in accordance with any rules that apply to political proportionality or composition of the committee in question.
- 1.3 The Council will also appoint a Chairman and Deputy Chairman to each of its committees from the Members of the committee in question. If a Chairman or Deputy Chairman has not been appointed by Council by the time the committee first meets, then the committee will appoint a Chairman and Deputy Chairman from its membership.

### **Opposition Spokespersons**

- 1.4 Opposition groups may appoint one of their Members from each committee to act as the Spokesperson for that committee.

### **Meeting Dates**

- 1.5 Council will approve and publish a calendar of meetings each year.
- 1.6 There will be a presumption against alterations to the calendar but the relevant Chairman may, in consultation with the Spokesperson and Monitoring Officer alter the time, date or location of any meeting or convene a special meeting if necessary.

### **Reviewing Arrangements**

- 1.7 These arrangements (and so the Term of Office of committee Members) are usually reviewed at each Annual Council, but the Council may review or alter any of its committee arrangements at any Ordinary or Special Council Meeting.

## 2. Reserve Members

### Reserve Member Lists

- 2.1 Each political group may, in respect of any committee to which Council has appointed Members from within their Group (“**Appointed Members**”), identify other Members (“**Reserve Members**”) from within their political group who may attend committee meetings in the place of the Appointed Members.
- 2.2 Each political group may keep a list (“**Reserve Members List**”) containing the name of each Reserve Member and, in respect of each Reserve Member, which committee(s) they may serve on.

### Using Reserve Members

- 2.3 A Reserve Member may only be drawn from the most recent Reserve Members List notified to the Monitoring Officer not less than 5 days before the date of the meeting in question.
- 2.4 Where a political group intends to vary its representation on a committee the Reserve Member will, at the start of the meeting and through the Chairman, inform the meeting which Appointed Member the Reserve Member will be substituting for.
- 2.5 Once a meeting is informed of the substitution, the Reserve Member will take the place of the Appointed Member and the Appointed Member’s entitlement to sit on the committee will cease.
- 2.6 The Reserve Member will take the place of the Appointed Member only for the duration of the meeting in question, or any adjournment of it, following which the Appointed Member will resume their position on the Committee.

### Powers and Duties of Reserve Members

- 2.7 Reserve Members will have all the powers and duties (including compliance with any mandatory training requirements) of any Appointed Member but will not be able to exercise any special powers or duties exercisable by the Appointed Member.

### **3. Conduct of Meetings**

#### **Chairman and Deputy Chairman**

- 3.1 The Chairman of a committee will preside over committee meetings.
- 3.2 If the Chairman is absent then the Deputy Chairman will preside.
- 3.3 If the Chairman and the Deputy Chairman are absent then the committee will appoint one of its Members to preside.
- 3.4 Persons presiding over meetings in the place of the Chairman will have the same powers and duties as the Chairman.

#### **Respect for the Chairman**

- 3.5 Whenever the Chairman rises during a debate the meeting will be silent.

#### **Quorum**

- 3.6 Where the total membership of a committee is 12 Members or less, the quorum will be 3 members.
- 3.7 Where the total membership of a committee is more than 12 Members, the quorum will be one quarter of the total membership.
- 3.8 No business will be transacted at a meeting that is inquorate.
- 3.9 If a meeting becomes inquorate after it has commenced then it will be adjourned. Remaining business will be considered at the next meeting.

#### **Matters for Decision**

- 3.10 All matters for decision by the committee will be included within the agenda.
- 3.11 There will be an early item on every agenda requiring Members to declare any relevant interests in any item appearing on the agenda. Members are required to observe the requirements in the Member Code of Conduct (Section G1) and withdraw from the meeting room at the appropriate point during the meeting where they have an interest which requires them to do so.

- 3.12 The Chairman may agree that an item of business which is urgent will be dealt with at a meeting even if it is not on the agenda for that meeting. The Chairman will give the reason for the urgency.
- 3.13 Business will be dealt with in the order in which it is set out in the agenda unless the Chairman decides otherwise.

### **Disorderly Conduct and Disturbances**

- 3.14 The Chairman may direct (or a Member may move), in respect of any Member considered to be misconducting themselves, that the Member will not be heard further.
- 3.15 The Chairman may direct (or a Member may move), either following a direction (or resolution) under paragraph 3.14 above, or directly in the case of gross misconduct, either:-
- (a) that the Member in question leaves the meeting; or,
  - (b) that the meeting is adjourned
- 3.16 The Chairman, in the event of a general disturbance at any meeting which they consider to be disrupting the orderly transaction of business, may adjourn the meeting for as long as is considered necessary.
- 3.17 The Chairman will be at liberty to warn any member of the public in respect of their conduct at a meeting. In the case of persistent or gross misconduct the Chairman will be at liberty to direct any person to be removed from the meeting.
- 3.18 In the event of a general disturbance in any part of the meeting room open to the public, the Chairman will be at liberty to direct that part of the room to be cleared.

## **4. Motions**

### **Motions Without Notice**

- 4.1 Only Motions relating to business on the agenda of the committee may be proposed, however Members of the committee may propose Motions relating

to the inclusion of business (that is within the remit of the committee) on future meeting agendas.

- 4.2 A committee Member may propose Motions without notice but they will not be discussed unless seconded.
- 4.3 The Chairman may require Motions to be handed up in writing before they are further discussed or put to the meeting.

### **Motions During Debate**

- 4.4 The following Motions may be moved whether or not another Motion is already under debate:-
- (a) to give the consent of the committee where the consent of the committee is required by these Procedure Rules
  - (b) any Motion relating to any item currently under discussion
  - (c) to refer the matter to an appropriate body, individual or subsequent committee meeting
  - (d) to withdraw a Motion
  - (e) to amend a Motion
  - (f) to proceed to the next business
  - (g) to put the question
  - (h) to adjourn the debate
  - (i) to adjourn the meeting
  - (j) to extend the time allowed for speeches
  - (k) to suspend a particular Procedure Rule(s)
  - (l) to exclude the press and public
  - (m) that a Member who misconducts themselves should not be heard further
  - (n) that a Member should leave the meeting

### **Motions and Rescinding Decisions**

- 4.5 Unless brought upon recommendation in a report before the committee, no Motion will be moved which would have the effect of rescinding any decision of the committee passed within the preceding six months, or which is to the same effect as a Motion which has been rejected within that period.

### **Amendments and Alterations to Motions**

- 4.6 An amendment must be relevant to the Motion under discussion and will have the effect of deleting, substituting or adding words to the Motion.
- 4.7 Amendments may not be moved if they will have the effect of negating the Motion before the committee.
- 4.8 Only one amendment may be moved at a time. No further amendment will be moved until the amendment under discussion has been disposed of, although the Chairman may allow two or more amendments to be discussed (but not voted on) together if this would facilitate the proper conduct of the business before the meeting.
- 4.9 If an amendment is lost, another amendment may be moved on the original Motion.
- 4.10 If an amendment is carried, the Motion as amended will take the place of the original Motion and will become the Motion upon which any further amendment may be moved.
- 4.11 After an amendment had been carried, the Chairman will read out the amended Motion before accepting any further amendments, or if there are none, putting it to the vote.
- 4.12 A Member may alter a Motion which they have proposed but if seconded, the consent of the seconder and the committee is required.
- 4.13 Any alteration proposed must be of the type permitted to be moved as an amendment.

### **Withdrawal of Motions**

- 4.14 A Member may withdraw a Motion which they have proposed.

### **Closure of Motions**

- 4.15 At the conclusion of a Member's speech, another Member may move (without comment) any of the Motions set out in paragraph 4.4(f) to (i) inclusive.
- 4.16 Upon the seconding of a Motion under paragraph 4.4(f) above (to proceed to next business), the Chairman will (unless of the opinion that the matter has not been sufficiently discussed) invite the right of reply to be exercised in respect of the Motion under discussion and then put it to the vote before proceeding to the next business.
- 4.17 Upon the seconding of a Motion under paragraph 4.4(g) above (to put the question), the Chairman will (unless of the opinion that the matter has not been sufficiently discussed) put the Motion under paragraph 4.4(g) above to the vote and, if it is passed, invite the right of reply to be exercised in respect of the Motion under discussion before putting it to the vote.
- 4.18 Upon the seconding of a Motion under paragraphs 4.4(h) or (i) above (to adjourn the debate/meeting), the Chairman will (unless of the opinion that the matter has not been sufficiently discussed) put the adjournment Motion to the vote without inviting the right of reply to be exercised in respect of the Motion under discussion.

## **5. Members' Speeches**

### **Content and Length of Speeches**

- 5.1 Members will confine speeches to the question under discussion, a personal explanation or a point of order. No speech will exceed 5 minutes, without the consent of the committee. The five minute time limit will exclude any time lost as a result of other Members rising on a point of order or personal explanation.

### **Only One Member to Speak at a Time**

- 5.2 Whilst a Member is speaking the other Members will remain silent, unless intervening on a point of order or in personal explanation.

### **Order of Speeches**

- 5.3 The proposer of a Motion will speak first, followed by the seconder. When seconding a Motion a Member may advise the Chairman that they reserve their right to speak until later in the debate.
- 5.4 If two or more Members indicate their intention to speak, the Chairman will determine the order of speeches

### **Right of Reply**

- 5.5 The Mover of the Motion will have a right to reply at the close of the debate on the Motion, immediately before it is put to the vote.
- 5.6 If an amendment is moved, the Mover of the original Motion will have a right of reply at the close of the debate on the amendment.
- 5.7 The Mover of the amendment will have a right of reply to the debate on the amendment immediately before the Mover of the original Motion exercises their right of reply at the close of the debate on the amendment.

### **Points of Order and Personal Explanations**

- 5.8 A Member may intervene on a point of order or in personal explanation and will be entitled to be heard immediately.
- 5.9 A point of order will relate only to an alleged breach of a Procedure Rule or statutory provision and the Member will specify the Procedure Rule or statutory provision and the way in which they consider it to have been breached.
- 5.10 A personal explanation will be confined to some material part of a former speech by the intervening Member which appears to them to have been misunderstood in the current debate.
- 5.11 The ruling of the Chairman on a point of order or on the admissibility of a personal explanation will be final and not open to discussion.

## **6. Voting**

### **Method of Voting**

- 6.1 All matters will be decided by a simple majority of those Members present and voting in the room at the time the question is put.
- 6.2 Members must be in their designated seats for their vote to be counted.
- 6.3 Voting will be by a show of hands, or if there is no dissent and no call for a vote, by the Chairman being satisfied of the unanimous approval of the meeting.

### **Casting Vote**

- 6.4 Where there are equal votes cast for a Motion the Chairman may exercise a second or casting vote.

### **Recording Votes**

- 6.5 A Member may require, after a vote is completed, that the Minutes of the meeting record whether and how they voted.
- 6.6 If one third of the Members present so request the vote will be recorded to show whether and how each Member voted.
- 6.7 A Member may, immediately after the item of business is voted upon, request that a lost Motion be recorded in the Minutes.

## **7. Rights of Other Council Members**

### **Attendance at Meetings**

- 7.1 Notwithstanding their rights as a member of the public, Members who are not Appointed Members (“**Visiting Members**”) may attend any meeting of a committee (even if considering Exempt Information) if required for the purposes of performing their duties as Members. Advice should be taken where meetings will be considering personal information of a sensitive or confidential nature.
- 7.2 Visiting Members:-
  - (a) may not vote on committee business
  - (b) will notify the Chairman at least 15 minutes prior to the start of the meeting if they wish to speak on a particular item. If advance notice is

not given visiting members will not be allowed to speak (unless agreed by the Chair).

- (c) will, at the discretion of the Chairman, be invited to speak at the beginning of the debate on any item notified under paragraph 10.2(b) above, and be invited to sum up at the end of a debate.
- (d) will not, other than as provided for in paragraph 10.2(c) above or by the Chairman, be permitted to participate in any debate at the meeting.

### **Placing Items on Agendas**

- 7.3 Any Member may give not less than 14 days' notice to the Monitoring Officer requesting that an item of business be included on the agenda of an ordinary meeting of a relevant committee.
- 7.4 Notice may be given to the Monitoring Officer by a Visiting Member at a committee meeting in respect of an item of business that the Visiting Member would like to be included on the agenda of the next ordinary meeting of that committee.
- 7.5 Any notice given under paragraphs 7.3 or 7.4 above will clearly state the nature of the business in question.
- 7.6 A Member may not (unless a Scrutiny Member acting under Section 21(8) of the Local Government Act 2000) give notice(s) under this part requesting the inclusion of more than one item of business on the same meeting agenda

## **8. Minutes Records and Disclosure of Information**

### **Minutes**

- 8.1 At each ordinary meeting the Chairman will move that the Minutes of the last meeting be confirmed as an accurate record.
- 8.2 Only matters relating to the accuracy of the Minutes can be raised by way of a Motion proposed, seconded and voted upon. Where no issues are raised, or after any Motion has been dealt with, the Chairman will sign the Minutes
- 8.3 Signed minutes of each committee meeting will be submitted to the next meeting of that committee's parent body.

- 8.4 Any question about the accuracy of any Minute of a body must be considered and determined by that body at its next meeting.

### **Records of Attendance**

- 8.5 Council Members attending the whole or part of a meeting must sign their name on the attendance sheet provided.

### **Exempt Matters**

- 8.6 No Member will disclose to any person the whole or any part of the contents of any agenda, report or other document which is marked “confidential” or “not for publication” unless and until the document has been made available to the public or the press by or on behalf of the Council, the Cabinet or a Committee.
- 8.7 No Member will disclose the content of any discussions in the confidential part of a meeting.
- 8.8 No Member will disclose to any person (other than a Member of the Council with a need to know) any matter arising during the proceedings of the Council, the Cabinet or any Committee and which comes to their attention by virtue of their office as a Member where such disclosure would prejudice the interest of the Council or would be contrary to law. If in any doubt advice should be sought from the Monitoring Officer.
- 8.9 Other than in accordance with paragraphs 3.17 and 3.18 above (disturbances), the press or public will only be excluded from a meeting during the consideration of any item of business which would be likely to disclose Exempt Information as defined in these rules

### **9. Urgent Business**

- 9.1 Any item of urgent business which has to be decided before the next ordinary meeting of a committee, or before a special meeting can be convened under paragraph 1.6 above, may be determined by the Chief Executive.
- 9.2 The Chief Executive may take any necessary action after consulting the relevant Chairman and Spokesperson.

9.3 A report of any action taken will be made available by electronic means to all committee Members.

## 10. Public Access to Meetings

10.1 Committee meetings will ordinarily be held in public unless the information to be discussed:-

- (a) cannot be discussed in public without risk of breaching a duty of confidence that the authority is under (usually because the information to be discussed was supplied in confidence or is subject to a court order prohibiting its disclosure); and/or,
- (b) is exempt from disclosure under Schedule 12A of the Local Government Act 1972, the Freedom of Information Act 2000, the Data Protection Act 1998, the Human Rights Act 1998 or any other legislation relating to the prevention of disclosure of information.

10.2 If all (or by decision, part) of any committee meeting is held with the exclusion of the press and public, reasons for the need for such exclusion will be given by reference to any or all of the relevant circumstances set out in paragraph 10.1(a) and/or (b) above.

## 11. Notices and Information Relating to Meetings

### Information Generated for Meetings

11.1 Committee meetings will require the production and publication of the following written information (“**Meeting Information**”):-

- (a) meeting agendas (“**Agendas**”), setting out the business to be decided at a meeting
- (b) reports (“**Reports**”), (including any appendices or supplementary information) containing all of the information that the meeting needs to debate or decide a matter on the agenda
- (c) background documents (“**Background Documents**”), which are documents (that have not already been published) containing

information that a report or a material part of a report is based on. These are listed in reports but are not usually presented to the meeting.

- (d) approved minutes, records of decisions or (where Exempt Information is discussed) a summary of proceedings and any decisions reached (“Minutes”)

### **Information about Future Meetings**

11.2 The Monitoring Officer will normally give not less than 5 days’ notice of all meetings stating the nature of the meeting and the time and place where it will be held. If a meeting must be convened on shorter notice, such notice will be given at the time the meeting is convened.

11.3 The Monitoring Officer will give notice under paragraph 11.2 above:-

- (a) to all members of the body to which the notice relates; and, in respect of all meetings which are ordinarily held in public, by:-
- (b) displaying a copy of the notice at the Council’s principle office; and,
- (c) making details of the meeting available on the Council’s website

11.4 The Monitoring Officer will normally provide, not less than 5 days prior to a meeting, Agendas and Reports by:-

- (a) providing the same to all members of the body in question; and, in respect of all meetings which are ordinarily held in public, by:-
- (b) publishing the same on the Council’s website; and,
- (c) ensuring that copies are available at the meeting in question

11.5 Where a report to be considered at a meeting is not available for publication with an agenda, the agenda item will be marked “Report to Follow” and the report (or any other updates or supplementary information) will be provided when available in accordance with paragraph 11.4 above.

### **Information about Past Meetings**

11.6 The authority will retain:-

- (a) Background Documents for a period of 4 years after the date of the meeting; and,
- (b) all other Meeting Information for a period of 6 years from the date of the meeting.

11.7 This information will usually be available on the authority's website but will also be provided in print on request. There may be a fee payable to cover the cost of providing printed information.

### **Exempt Information**

11.8 Meeting Information relating to the meetings or parts of meetings described in paragraphs 10.1(a) and (b) above is referred to as "**Exempt Information**" in this constitution.

11.9 Exempt Information provided to Members will be marked "Not for Publication" and/or "Confidential" and/or "Restricted" and will have written on it, by reference to any or all of the relevant circumstances referred to in paragraph 10.1(a) and/or (b) above, the reason why it is Exempt Information.

11.10 Exempt Information will not be provided to the public.

## **12. Public Speaking at Planning Committees**

### **Entitlement to Speak**

12.1 Members of the public, elected representatives of town and parish councils and applicants for planning permission (or their agents) may speak at the council's Planning Committee in support of or in opposition to any application being determined (whether or not following deferral) by the committee.

12.2 Members of the public may only speak if they have submitted representations on the application in question in writing to the Development Management Service not less than 14 days before the date of the committee meeting.

### **Registering to Speak**

12.3 Those entitled to speak under paragraph 12.1 above will not be permitted to speak unless they have given notice of their desire to do so to the Development Management Service before 12.00 noon on the day before the committee meeting.

### **Procedure at Committee**

12.4 The Chairman retains full discretion to manage public speaking as they see fit, but ordinarily the following rules will apply.

12.5 The Chairman will invite one person only from each of the following categories of speaker to address the committee in the following order:-

- (a) Objector
- (b) Supporter
- (c) Town or Parish Council Representative
- (d) Applicant

### **Content and Length of Speeches**

12.6 Each speaker will be permitted to speak for a maximum of 3 minutes.

12.7 Speakers must confine their speeches solely to the material planning considerations and merits of the application in question. More information on what ranks as a material planning consideration and what does not is available on the council's website or from the Development Management Service.

12.8 Speakers are not permitted to ask questions.

12.9 Those speaking must comply with the standard of conduct required under Section A3 of the constitution.

### **Circulating Additional Materials**

12.10 Other than materials which have been registered on the planning application file during the statutory consultation period (or any extension of the same),

speakers will not be permitted to circulate, display or refer to any plans, photographs or other materials at the committee meeting.

### **13. Public Speaking and Questions at Other Committees**

13.1 This section does not apply the Planning Committee.

13.2 Members of the public may speak or ask a question at Committee meetings on any subject which is relevant to matters on the agenda.

13.3 Persons wishing to speak or ask a question are requested to give notice to the Director of Governance at least 3 days before the meeting in question. This is to ensure that:-

- (a) the topic is appropriate for the meeting in question;
- (b) the time allotted for public speaking and questions can be properly managed; and,
- (c) any information needed to answer a question can be provided to the meeting.

13.4 The Chairman will retain sole discretion as to the management of public speaking and questions normally a total period of 15 minutes will be permitted with speakers being allowed to speak for up to 5 minutes each.

13.5 Questions will be asked and answered without debate.

13.6 In responding to questions Members may:-

- (a) decline to answer
- (b) agree to answer at or by a later (specified) date (whether or not in writing)
- (c) refer the question to a more appropriate forum, Member or Officer

13.7 Questions will not be answered if they:-

- (a) are about a matter that the committee is not responsible for or does not affect the borough
- (b) are defamatory, frivolous, offensive, or vexatious

- (c) require the disclosure of Exempt Information
- (d) make or relate to allegations against, or comprise comments about the conduct of individual Members or Officers

Those speaking or asking questions must comply with the standard of conduct required of them under Section A3 of the constitution.

## **14. Planning Committee Members' Call-In Procedure**

### Notice of Planning Applications

14.1 All Members will receive email notification of Planning Applications<sup>1</sup> affecting land in their ward ("Application Notification"). Members have a period of 21 days in which to request that an application be called in to Planning Committee.

### Requesting a Committee Call-in

14.2 If, upon receipt of an Application Notification, a Member has any queries or concerns about the application, or requires more time to consider their position in respect of the same he or she shall, at the earliest opportunity but in any event within 21 days of the date of Application Notification, send a written request ("a Call-in Request Notice") to the Planning Case Officer stating that the Member ("the Requesting Member"):-

- a) Has concerns about the application in question and setting out what those concerns are; and
- b) Requesting that the application be referred to Planning Committee and that the use of delegated powers is removed.

14.3 Upon receipt of a Call-In Request Notice, the Senior Manager - Planning and Strategic Transport, will consider the merits of the Request, and if minded to decline the Request, shall refer the matter to the Planning Committee Chairman along with a précis of the Request.

- 14.4 Upon receipt of the referral from the Senior Manager – Planning and Strategic Transport under paragraph 14.3 above, the Planning Committee Chairman shall consider the Call in Request and shall, having due regard to the advice of the Senior Manager – Planning and Strategic Transport and any advice from the Director of Governance, determine the Call-in Request in light of:-
- a) the matters referred to in paragraph 14.2 above; and,
  - b) the extent to which the planning application and/or Call-in Request raise matters of wider public interest such that the matter should properly be debated and decided at Planning Committee.
- 14.5 In the event that the Call-in Request is granted, the matter shall be referred for determination to the Planning Committee. The Committee report will record that the matter has been called-in, who by and the reasons for the same. The Requesting Member shall also attend the Planning Committee meeting to explain why he or she has called the application in. If the Requesting Member is unable to attend the Committee meeting, he or she shall arrange for another Member to address the Committee in his or her absence, or provide a written statement to be read to the Committee as an alternative.
- 14.6 In the event that the Call-in Request is declined, the Chairman's decision will be notified to the Requesting Member and Case Officer.
- 14.7 The Chairman's determination on Call-in Requests shall be final.
- 14.8 In the event that a Requesting Member whose Call-in Request has been granted decides that he or she no longer requires the matter to be determined by the Planning Committee, he or she may give notice to the Chairman and Senior Manager – Planning and Strategic Transport of the same before the date of the meeting at which the application is due to be determined. Whether the matter is then removed from the meeting agenda is a matter for the Chairman.
- 14.9 In the event that:
- a. no Call-In Request Notice is received within 21 days of the date of the Application Notification; or
  - b. A Call-in Request is declined; or

- c. a Requesting Member whose Call-in Request has been granted decides that he or she no longer requires the matter to be determined by the Planning Committee

the Case Officer shall (subject to the application of any of the criteria in 6.6(a) to (f) of the Planning Committee Terms of Reference) proceed to determine the application under delegated powers.

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<sup>1</sup> “Planning Applications” in the Planning Committee Members’ Call-in Procedure embraces all applications for planning permission required in connection with controls that are in force from time to time over the use and development of land and buildings/structures.

## **15. Miscellaneous Matters**

### **Officer Advice**

- 15.1 The Chairman may request an appropriate Officer to offer advice or draw the attention of the committee to any relevant factors where a debate involves questions of a technical, legal, financial or operational/administrative nature.

### **Suspending the Procedure Rules**

- 15.2 With the exception of paragraphs 6.5 and 8.1 above, any or all of these Procedure Rules may be suspended for the duration of a meeting without notice where suspension is moved at a meeting provided at least one third of the committee’s Members are present.

### **Interpreting the Procedure Rules**

- 15.3 The Chairman (who will be entitled to take advice from the Monitoring Officer) will determine all matters relating to the interpretation or application of these Procedure Rules which arise during a meeting. The Chairman’s decision will be final.
- 15.4 The Monitoring Officer will determine all matters relating to the interpretation or application of these Procedure Rules which arise between meetings. The Monitoring Officer’s decision will be final.

- 15.5 Any requirement to make a notice or information available to anyone will be fulfilled by publishing that information on the Council's website such that it is readily available to be viewed or printed off from the website and, if necessary, printed off at council offices to be given to personal callers in hard copy.
- 15.6 References in these Procedure Rules to an Officer will include references to any duly authorised representative of that Officer.
- 15.7 References in these Procedure Rules to Members will (unless the context requires otherwise) be taken to mean references to Members of the committee in question.
- 15.8 References in these Procedure Rules to Motions, will include (where the context so requires or admits) references to amendments to Motions.
- 15.9 References in these Procedure Rules to Committees will be taken to include all committees, sub-committees, panels and boards constituted by Council which exercise delegated powers but will exclude any other type of committee, sub-committee, panel or board.
- 15.10 Reference in these Procedure Rules to a day or days will be taken to mean between the hours of 9.00 and 17.00 on any day that is not a Saturday, Sunday or public holiday.
- 15.11 References in these Procedure Rules to a period of days that is to elapse between the occurrence of two specified events will be taken to mean clear days calculated by excluding the day upon which both of the specified events occur.

### **Notice Requirements**

- 15.12 All notices given by Members under these Procedure Rules will be treated as having been given to the recipient by any of the following means:-
- (a) By post properly addressed to the recipient at their usual business address

- (b) leaving it properly addressed for the recipient at their usual business address
- (c) e-mail sent to an email address designated by the recipient for this purpose from an email account registered with the Council in the Member's name
- (d) facsimile transmission properly addressed to the recipient at their usual business address
- (e) submitting a form on the Council's website designated for this purpose

15.13 All Notices given to Members under these Procedure Rules will be treated as having been given to the recipient by any of the following means:-

- (a) post properly addressed to the recipient at their usual address (being their usual place of residence or any other address which the Member has given notice to the Monitoring Officer of for these purposes)
- (b) leaving it properly addressed for the recipient at their usual address or if requested (by notice given to the Monitoring Officer) either in addition or substitution for the methods set out in paragraph 16.13(a) and (b) above, by:-
  - (c) e-mail sent to an email account registered with the Council in the Member's name from an email account registered to the Council

15.14 All Notices given under these Procedure Rules must be given in writing, contain all of the information that is reasonably required in order to properly communicate the purpose and effect of the notice, and be signed (which will include electronic signatures) by the person or persons required to give the notice in question.

15.15 If more than one signatory is required to give valid notice, any single notice given must bear the signatures of all the necessary signatories and be given in accordance with paragraph 16.12(a) or (b) above. In the alternative, each of the required signatories may give individual notices in accordance with paragraph 16.12(c), (d) or (e) above.

15.16 Notices will be deemed to have been given:-

- (a) in the case of paragraphs 16.12(a) or 16.13(a) above, on the day upon which delivery would ordinarily occur in the normal course of the method of post chosen (provided proof of posting is available)
- (b) in the case of paragraphs 16.12(b) or 16.13(b) above, on the day upon which the notice is left
- (c) in the case of paragraphs 16.12(c) to (e) above, on the day upon which receipt is acknowledged otherwise than by any automated process
- (d) in the case of paragraph 16.13(c) above, on the day upon which notice is sent

### Time Calculation Example

15.17 The following example is provided to demonstrate the effect of paragraphs 16.10 and 16.11 above. In the following example, it is assumed that none of the weekdays referred to are public holidays.

15.18 If a notice is required to be given 5 days before a meeting, then the giving of the notice and the meeting are the two specified events for the purposes of paragraph 16.11.

15.19 Assuming the meeting is to be held on a Monday, then the latest a notice may be given is on the first of the two preceding Fridays, between 09.00 and 17.00 hours.

15.20 If so given, the Friday upon which the notice is given ranks as the day upon which the first event occurs for the purposes of paragraph 16.11. The 5 week days in the ensuing week then rank as the required 5 “clear days” between giving the notice and day upon which the meeting is being held.

Fri	Sat	Sun	Mon	Tues	Weds	Thurs	Fri	Sat	Sun	Mon
Notice Given	Not counted	Not Counted	Clear Day	Not Counted	Not Counted	Meeting				

			1	2	3	4	5			
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