

INTERIM PROTOCOL FOR REMOTE PLANNING AND REGULATORY SERVICE COMMITTEE MEETINGS

Addendum to the Protocol for the Operation of the Planning and Regulatory Services Committee approved by Armagh City, Craigavon and Banbridge Borough Council

1. INTRODUCTION

- 1.1. As part of the overall emergency response to the current COVID 19 pandemic The Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020 (the “**Regulations**”), which came into operation on the 1st May 2020, make provision for remote attendance at, and remote access to, any council meeting held on or before 7th May 2021.
- 1.2. The Regulations enable the Council to hold meetings without all, or any, of the Members being physically present in a room. They allow for remote meetings through electronic and digital means at remote locations using video and telephone conferencing, live webcast and live interactive streaming. In order for Members to be able to lawfully participate in meetings of the Council remotely, they need not be physically present, provided they are able to hear and where practicable see, and be similarly heard or seen by, the other Members in attendance and any members of the public who are attending to exercise a right to speak at the meeting. They must also be able to be heard and, where practicable, be seen, by any other members of the public attending the meeting to observe.
- 1.3. This Interim Protocol is in addition to (and does not replace) the Protocol for the Operation of the Planning and Regulatory Services Committee approved by Armagh City, Craigavon and Banbridge Borough Council (the “**Protocol**”) and it expires on 7th May 2021 unless revoked earlier by the Council. This Protocol provides for the conduct of any remote meeting, either wholly or partially, of the Planning and Regulatory Services Committee (the “**Committee**”). In the event of any conflict with the Protocol this Interim Protocol shall take precedence unless determined otherwise by the Chair in attendance at a remote Committee meeting.
- 1.4. For the avoidance of doubt the provisions of the Code of Conduct continue to apply to remote meetings of the Committee in the same way as they do to physical meetings and Members should make all necessary declarations of interest in the usual way.

2. REMOTE PLATFORMS

- 2.1. Committee meetings will take place using Zoom. The meetings will be facilitated by a team of Officers from Democratic Services and ICT.
- 2.2. Papers for meetings will be uploaded as per normal procedure on the decision time software and it is recommended that Members/Officers use Council provided iPads to access the papers and use their Council provided laptops to actively follow and participate in the remote Committee meeting through the meeting's video conferencing platform.
- 2.3. The Zoom platform has a 'raise your hand' icon and a 'Chat' function where messages can be typed to all or some selected participants of the remote meeting when it is taking place. All Members, with the exception of the Chair, are asked not to use the Chat function unless asked to do so by the Chair.

3. PRACTICAL ARRANGEMENTS FOR RUNNING A REMOTE MEETING

Members Joining a Remote Meeting

- 3.1. Access details for the remote Committee meeting will be sent directly to Members and participating Officers by Democratic Services. Access details must be kept secure and confidential and not shared with any other person.
- 3.2. Members are encouraged to join the meeting promptly (i.e. at least twenty minutes before the scheduled start time) in order to resolve any issues with joining and avoiding disrupting the meeting. The Chair will remind Members to mute microphones when not speaking. This is done in order to reduce feedback and background noise.

Registering Attendance and Meeting Etiquette

- 3.3. At the start of the remote Committee meeting the Chair will welcome Members and announce any apologies submitted in advance. An opportunity will also be offered for any additional apologies to be noted, on behalf of a Member, by those in attendance.
- 3.4. The Chair will repeat the requirement under the Regulations that Members who are in remote attendance must be able to hear and be so heard by other Members in attendance and members of the public (including those in attendance in order to exercise a right to speak at the meeting). Any Members who cannot hear the meeting should email Democratic Services. If it is not possible to address the fault within a reasonable period of time, and the meeting remains quorate, any Members not in compliance will be asked not to participate or vote in the meeting until they are in compliance with the Regulations.
- 3.5. All Members and Officers except the Chair are asked to keep their microphones on mute unless invited to speak. Any Member returning after a disconnection is asked not to interrupt, when returning, to announce their return.

- 3.6. If a Member joins, the remote meeting after it has formally commenced the Chair and/or Democratic Services will announce their attendance and will seek confirmation that there is still compliance with the Regulations. If Members are aware that they may be late to the meeting, they should inform Democratic Services as soon as they become aware.

Non-Attendance during a Remote Meeting

- 3.7. It may become necessary during a meeting for a Member to cease attending either in part or for the remainder of a meeting, which may be due to the loss of remote connectivity. Non-attendance means either where a Member cannot hear the participants of the remote meeting or cannot be heard by them, a loss of visual connectivity would not lead to non-attendance.
- 3.8. The Chair, with the assistance of Officers, will ensure that a quorum is maintained and in the event that it is not, the meeting will be adjourned.
- 3.9. Members in attendance wishing to leave the meeting before it finishes should, where possible, inform the Chair before leaving the meeting. Members should use the 'raise your hand' icon to indicate that they want to speak to the Chair. This will allow formal minutes to record the time and agenda item at which point the Member left the meeting.
- 3.10. In order for a Member to vote on an application they must be present for the entire duration of that application. Members are asked, if possible, to remain in place for the duration of an application and to limit the number of times they leave and return to a meeting in order to limit disturbances and enable the Chair to monitor the meeting.

The Remote Environment

- 3.11. The remote meeting will be live streamed and viewed by the public (unless it is conducting a matter which is confidential or exempt information under the Local Government Act (NI) 2014) ('**Confidential Business**'). A Member attending will be using the camera and microphone on their electronic device i.e. Council issued laptop.
- 3.12. When attending a remote meeting, a Member should ensure they are sitting in front of their electronic device so that they can be seen and heard clearly. Ensure you are located in a normally lit room with no bright light source such as a light or window behind you. Your head and shoulders should remain in the frame at all times.
- 3.13. The Member should consider the background also captured by the camera and ensure it is appropriate to the meeting. The video conferencing facility has a feature which allows members to blur out their background.
- 3.14. Members must notify IT and Democratic Services about any connectivity issues, which will affect their participation in a remote meeting, as far in advance of the meeting as is possible.

- 3.15. Sound quality is important, choose a quiet room. The Member should also take reasonable steps to ensure they will not be disturbed during the meeting.
- 3.16. Members should ensure that documentation which includes Confidential Business or contains personal data is not in view of the camera.

Protocol for Members Speaking at Meetings

- 3.17. Members who wish to speak during a meeting will need to click on the 'raise your hand' icon. The Chair and Democratic Services will be able to see all those who have indicated they wish to speak and will come to each Member in turn, the Chair has absolute discretion as to the order in which they take speakers.
- 3.18. When a Member is invited to speak by the Chair, they should unmute their microphone to enable them to be heard in the meeting.
- 3.19. If it is not practicable for a Member to broadcast their video whilst speaking to the Council, that Member will be permitted to switch their camera off and speak using the audio facility only.
- 3.20. All participants should keep their contributions as short and succinct as possible. The Chair of the meeting must maintain strict control. Where a degree of cross-Chamber/party conversations may be tolerated in a conventional meeting, such behaviour in a video conference will render the meeting inaudible to all.
- 3.21. The order of the meeting shall follow the arrangement set out on page 2 of the Protocol. Members may indicate if they wish to speak by clicking on the 'raise your hand' icon. Members may only speak when invited to do so by the Chair. Only one Member may speak at any one time.
- 3.22. When referring to reports or making specific comments, Members should refer to the report and page number in the agenda document pack so that all Members have a clear understanding of what is being discussed at all times.
- 3.23. When the Member has finished speaking, they must remember to switch their microphone to mute once again.
- 3.24. If at any time during the course of the meeting a Member is unable to hear or see a presentation or debate in relation to an application, they should email Democratic Services. If a Member is not satisfied that they heard the entirety of the presentations and debate it will be necessary for the Member to refrain from taking part in the vote. If this is the case, the reasons for this will be noted by Democratic Services.
- 3.25. Once the Chair is satisfied that there has been adequate discussion, unless there has been a Motion to adjourn or defer a particular matter, the Chair will progress to making a decision.
- 3.26. The remote meeting will finish when the Chair formally closes the meeting.

4. PROCEDURAL ISSUES

Declarations of Interest

- 4.1. During the course of the meeting if any Member has an interest to declare in an application on the agenda they will need to inform the Chair via the 'raise your hand' icon. The Chair will then ask each Member in turn, who has indicated that they have a declarable interest, to unmute their microphones and declare their interest.
- 4.2. If an interest is declared (which prevents a Member from taking part and voting on an application) and the Member indicates that he/she wishes to leave the remote meeting for the duration of the discussion to which the declaration refers, the Chair will move their electronic access to a remote 'Waiting Room' and then enable their access to the remote meeting again at the end of the agenda application.

Adjournments

- 4.3. In accordance with Standing Orders, the Chair has the power to adjourn a meeting for a temporary period. If the Chair advises of a temporary adjournment to a remote meeting, all Members and members of the public in attendance to exercise their right to speak must remain in attendance with their microphones on mute, until the Chair instructs otherwise.

Chair

- 4.4. The Chair has absolute discretion to pause or adjourn meeting proceedings. The ruling of the Chair as to the interpretation, construction or application of this Interim Protocol or as to any proceedings of the Council shall not be challenged at any meeting of the Council and is final.

Voting

- 4.5. The Chair will ask Members whether they disagree with the Officer's recommendation or want to abstain on voting on an application ('are Members all agreed'). If a Member *does not agree* or *wishes to abstain* they will need to click on the 'raise your hand' icon. The Chair will then invite that Member to unmute their microphone and speak. When the Member has finished speaking, they must remember to switch their microphone to mute once again.
- 4.6. If there is no dissent the recommendation will be taken as carried, this will be regarded as 'the affirmation of the meeting'. If there is dissent from Members the application will move to a vote, as set out under paragraph 4.7 below.
- 4.7. If there is dissent on an application or the application is deemed by the Chair to be contentious a vote will be carried out. The Chair will ask all Members to turn their microphones on (and broadcast their video where practicable). The Chair will then read out the name of each Member in turn in alphabetical order and ask them how they wish to vote. Each Member will need to unmute their microphone and say either:

- **For**
- **Against**
- **Abstain**

for the recommendation or any amendment that has been proposed.

- 4.8. Once a Member has given their vote then microphones should be muted again. The Chair supported by the Democratic Services Officer minuting the meeting will manage voting. The Democratic Services Officer minuting the meeting will record the outcome of the voting and the Chair will announce it at the meeting.
- 4.9. Details of how Members voted will not be retained or minuted unless a recorded vote is called for.
- 4.10. In the event a Member is/was prevented from accessing a meeting/or part of meeting due to a technical fault, and is/was therefore prevented from voting on an application, a decision of the Council will remain valid as long as the meeting was quorate when the vote was taken.

Confidential Business

- 4.11. If a resolution is passed for the meeting to go into "committee" to consider Confidential Business, the live streaming of the meeting will immediately stop to ensure that no member of the public or press can view proceedings. During this time, the public and press will see only a screen showing the Council's logo. Any members of the public who have registered to speak and have access to the meeting via Zoom will be moved by the Chair to the remote 'Waiting Room' for the duration of the confidential item. Any members of the public who have registered to speak and have access to the meeting via telephone will be also be moved to a remote 'Waiting Room' by the Chair for the duration of the confidential item.
- 4.12. It is the responsibility of the Member participating in a private session of a meeting to ensure that the meeting cannot be seen or heard by any other person at their remote location.
- 4.13. Once in committee, the Chair will ask Members who are not in a secure or private location to identify themselves by clicking on the 'raise your hand' icon. The Chair will proceed to move those Members' electronic access to a remote 'Waiting Room' for the duration of the confidential meeting.
- 4.14. Once all Confidential Business has been dealt with any Members and members of the public in the remote Waiting Room will be returned to the main meeting and the meeting will be live streamed to the public and press again.

Access to Documents

- 4.15. Democratic Services will publish the agenda and reports for Committee meetings on the Council's website and will notify Members by email. Printed copies will not be circulated and nor will they be available for inspection at the Council's offices.

Dealing with Technical Difficulties

- 4.16. In the event that the Chair or the Democratic Services Officer hosting the meeting identifies a failure of the remote participation facility, the Chair will declare an adjournment while the fault is addressed.
- 4.17. If it is not possible to address the fault within a reasonable period of time and the meeting is inquorate, the meeting will be abandoned until such time as it can be reconvened. If the meeting is quorate, the Chair will decide if this meeting should continue depending on the difficulties being experienced, or whether it should be adjourned until a later time or date.
- 4.18. If a meeting is abandoned due to technical difficulties, a report shall be prepared by Democratic Services for Party Leaders providing an explanation of what went wrong, what is being done to recover any lost data and how issues will be mitigated in the future.

Members Conduct

- 4.19. The Chair's powers to deal with issues of disturbance shall continue to apply. If a motion is passed that a Member must leave a remote meeting, the Chair can terminate the Member's access to the meeting.

Visual Aids

- 4.20. In order to ensure that Members and members of the public can clearly follow any Officer presentation, a copy of the presentation shall be shown on the screen when the Officer is presenting in the remote Committee meeting.

Site Visits

- 4.21. Reference to site visits in the main Protocol may include reference to remote site visits.

Following a Remote Meeting

- 4.22. The Council will continue to produce formal minutes and agendas, which will be retained in line with legislative guidance.

5. PUBLIC ACCESS AND PARTICIPATION

Public Access

- 5.1. A link for members of the public and press to access the Committee meeting will be included on the Council's website. Information and instructions on how to access the meeting will also be provided on the Council's website. The requirement to ensure meetings are open to the public will now include access by remote means, including video conferencing and live webcast.
- 5.2. If members of the public lose all remote access to the meeting due to a technical fault the meeting will be adjourned until the fault is addressed. If the fault cannot be addressed after a reasonable period and the public remain unable to access the meeting, the meeting will be abandoned until such time as it can be reconvened.

Public Participation

- 5.3. Failure to comply with the criteria set out below will result in an invalid request to speak. The existing arrangements for representations to be made by members of the public at the Committee meeting, as set out under the Protocol, will continue to apply.
- 5.4. Requests to speak should be received in writing to Democratic Services or by email to democraticservices@armaghbanbridgecraigavon.gov.uk no later than 12 noon two working days before the meeting, giving their name, the agenda item they wish to speak on and whether they are objecting to or supporting the application. The Committee will be provided with the details of the speakers. Late requests may be accepted by the Chair in exceptional circumstances only.
- 5.5. Members of the public who wish to speak must provide an email address and/or telephone number and inform Democratic Services whether they will be participating in the meeting via Zoom or telephone. Registered speakers will either be sent an invite by Democratic Services to attend via Zoom or provided with a telephone link as appropriate to the particular speaker's needs and available ICT facilities. Registered speakers, by participating virtually in the meeting, will be consenting to being filmed and recorded, and the possible use of those images and sound recordings for webcasting and/or training purposes.
- 5.6. It is also recommended that you supply Democratic Services with a copy of your representation before 10.30am on the day of the meeting in case you lose connection during the meeting. Your written representation should be no longer than two sides of an A4 page typed in Arial font, minimum size 10 or a handwritten submission of no longer than four sides of an A4 page.
- 5.7. If a member of the public is not able to participate in the meeting via Zoom or telephone but would like to submit a written representation they may submit a written representation of no longer than two sides of an A4 page typed in Arial font, minimum size 10 or a handwritten submission of no longer than four sides of an A4 page by 12 noon two working days before the meeting.

- 5.8. When legislation permits, members of the public who wish to speak at the meeting may be invited to attend the Council's offices to make their representation if the Council is able to facilitate this.
- 5.9. If any person has specific needs which have not been addressed in the Interim Protocol or Protocol please contact Democratic Services on telephone number 07515607456 at least two working days prior to the meeting and we will try to accommodate your needs.
- 5.10. All registered speakers should join the meeting twenty minutes before the actual Committee meeting begins and before the live broadcast starts; this is to ensure everyone is present and that there are no technical difficulties.
- 5.11. Any person participating via Zoom must first enter their full name. To enable the Chair to identify those persons who have properly registered to speak, those details must correspond with the details used upon registration, as only those persons who have properly registered may be permitted to speak. Once a speaker has entered their name they should click on 'Join Now'. They will then be placed in the remote Waiting Room, such speakers will not be able to hear or participate in the meeting whilst in the remote Waiting Room. Once those details have been verified against the register of speakers, the Chair will admit the speaker to the meeting. Democratic Services will note their arrival and ask the speaker to ensure their camera and microphone are switched off. Registered speakers must not activate their camera or microphone unless the Chair instructs them to do so.
- 5.12. Speakers participating via telephone will be placed in a remote Waiting Room. Such speakers will not be able to hear or participate in the meeting whilst in the remote Waiting Room. They will be admitted into the meeting by the Chair at the relevant time. On admission, telephone speakers should unmute their microphone and introduce themselves to the Chair when invited to do so.
- 5.13. A registered speaker must meet the same criteria as Members of the Committee (outlined above) in terms of being able to access and, where permitted, speak at the meeting. The sections above on 'Meeting Etiquette' also apply to registered speakers.
- 5.14. Registered speakers will be invited to speak by the Chair at the relevant time and for the relevant period of 3 minutes, as set out in the Protocol. Where there is more than one objector or supporter, the Chair will ask for a spokesperson to represent each position.
- 5.15. It should be noted that Section (ii) on page 3 of the Protocol will continue to apply in respect of representations by Members, MLAs and MPs.
- 5.16. The speakers' microphones will be muted when not speaking. If a speaker is required to answer a question from an Officer or Member the Chair will invite them to speak and unmute their microphone. Their microphone will be muted again once they have finished speaking. A speaker will not be permitted to speak at any other time unless invited to do so by the Chair.

Technical Difficulties

- 5.17. If you have difficulty accessing Zoom or the telephone number provided, the Council's ICT Department and/or Democratic Services will try to assist you. If after a reasonable period of time you are not able to participate in the meeting via Zoom or telephone any written representation you have provided will be read out on your behalf by Democratic Services.
- 5.18. Where a registered speaker has been deemed to have left the meeting, which may be due to the loss of remote connectivity, when the application they have registered to speak on is under consideration, the Chair may, as they deem appropriate:
- a. adjourn the meeting for a short period to permit the conditions for remote attendance under the Regulations to be re-established;
 - b. suspend consideration of the application in relation to the registered speaker's attendance until such time as a following item of business on the agenda has been transacted and the conditions for remote attendance under the Regulations have been re-established or,
 - c. on confirmation that this cannot be done, before the end of the meeting, whichever is the earliest continue to transact the remaining business of the meeting in the absence of the registered speaker in remote attendance. Democratic Services shall read out any written representation provided by the registered speaker.

Pre-determination Hearings

- 5.19. Section 30 of The Planning Act (NI) 2011 states that "*a council is to give the applicant and any person so prescribed or specified an opportunity of appearing before and being heard by a committee of the council*". Any reference to speaking rights and the exercise of the same in relation to Pre-Determination Hearings will be treated as follows:
- a. The requester shall be offered an opportunity to attend the meeting by remote access via Zoom, as provided for under the Regulations.
 - b. Subject to legislation permitting attendance in person and the Council being able to facilitate this the requester may be offered the opportunity to attend the meeting in person.

6. INTERPRETATION AND REVIEW OF THIS PROTOCOL

This Interim Protocol will be kept under review and any suggestions or comments on the Interim Protocol can be addressed to the Council's Head of Governance and Democratic Services who will have authority to make minor changes in consultation with the Chair. Any changes that are more substantial will be reported back to the Council for approval.

INTERIM PROTOCOL FOR REMOTE PLANNING AND REGULATORY SERVICE COMMITTEE MEETINGS

SUMMARY GUIDANCE AND POINTS TO ASSIST MEMBERS AND REGISTERED SPEAKERS

INTRODUCTION

Under The Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020 in order for Members to be able to lawfully participate in meetings of the Council remotely, they need not be physically present, provided they are able to hear and where practicable see, and be similarly heard or seen by, the other Members in attendance and any members of the public who are attending to exercise a right to speak at the meeting. They must also be able to be heard and, where practicable, be seen, by any other members of the public attending the meeting to observe.

To help Members and registered speakers navigate the first remote meeting the following notes and tips have been provided:

GENERAL POINTS TO NOTE FOR MEMBERS

- Zoom is the remote platform being used for the meeting please download the app for your laptop.
- Papers for the meeting will be uploaded for Members on decision time software as normal.
- Members should use iPads to access papers and follow the meeting via Zoom on their laptop.
- The Code of Conduct applies to all remote meetings.
- A loss of visual connectivity does not preclude a Member or registered speaker from taking part in the meeting. Members must however be able to hear and be heard at all times, this is a legal requirement.
- To facilitate our legal obligation all meetings of the Council will be publicly live-streamed.
- Contact details of ICT Officers will be provided before the meeting to assist Members with any technical difficulties.

PRACTICAL ADVICE FOR MEMBERS

Joining a remote Meeting

- Access details will be sent directly to Members, you should join the meeting at least 20mins before the start time and keep your microphone muted.

Registering Attendance and meeting Etiquette

- At the start of the meeting the Chair will announce any apologies.

- The Chair will check that all Members can hear and be heard, any late attendees will be announced by the Chair.

Non-attendance during a remote meeting

- If you wish to leave the meeting early you should notify the Chair using the 'raise your hand'.
- You must be present for the duration of an item in order to vote on that item.

The Remote Environment

- You should ensure you can be seen and heard clearly and that your background in view is appropriate. You should ideally choose a quiet room and take steps to ensure you will not be disturbed. Confidential information (or information which includes personnel data) must not be in view of the camera.

Protocol for Members Speaking at Meetings

- To speak during the meeting you must click on the 'raise your hand' icon. The Chair will invite you to speak. The Chair has absolute discretion on order of speakers.
- When referring to reports, you should, ideally, refer to the report and page number to assist other Members.
- If at any time you cannot hear the meeting inform the Chair asap. If you are not satisfied that you heard the entirety of the presentation and debate on an item you should not vote.

Declarations of Interest

- If you have a declarable interest, when asked by the Chair, click the 'raise your hand' icon. The Chair will then ask you to declare your interest.
- If you have a declarable interest in an item(s) you will be moved to a remote 'Waiting Room' during the determination of that item.

Voting

- If there is no dissent on an item or the item is not, in the opinion of the Chair, contentious voting will be by the affirmation of the meeting.
- If there is dissent (indicated by a Member clicking on the 'raise your hand' icon) or the item is contentious the Chair will ask each Member in turn (in alphabetical order) how they wish to vote. Details of how Members voted will not be retained unless a recorded vote is called for.

Confidential Business

- When a meeting goes into 'confidential' the live streaming of the meeting will stop. During this time you should ensure that you cannot be seen or heard by any other person at your remote location.

Dealing with Technical Difficulties

- In the event there is a failure of the remote participation facility, the Chair will declare an adjournment while the fault is addressed. If it is not possible to fix the fault within a reasonable period of time and the meeting is inquorate, the meeting will be abandoned. If the meeting is quorate the meeting may continue. The Chair's ruling on this is final.

GENERAL POINTS TO NOTE FOR MEMBERS OF THE PUBLIC REGISTERING TO SPEAK

- Speakers may address the Committee via the Zoom platform or telephone.
- Requests to speak should be received in writing to Democratic Services or by email to democraticservices@armaghbanbridgecraigavon.gov.uk no later than **12 noon two working days before the meeting**. An email address and/or telephone number must be provided.
- It is also recommended that you supply Democratic Services with a copy of your representation before **10.30am on the day of the meeting** in case you lose connection during the meeting. Your written representation should be no longer than two sides of an A4 page typed in Arial font, minimum size 10 or a handwritten submission of no longer than four sides of an A4 page.
- If you cannot attend the meeting remotely but would like to make a representation you may similarly submit a written representation by **12 noon two working days before the meeting**.
- If any person who wishes to address the Committee has specific needs which have not been addressed in the Interim Protocol or Protocol please contact Democratic Services on telephone number 07515607456 at least two working days prior to the meeting and we will try to accommodate your needs.
- Registered speakers will be sent an invite by Democratic Services to attend the meeting. You will be placed in a remote Waiting Room until your item is to be presented by Officers.
- The speakers' microphones will be muted when not speaking. If a speaker is required to answer a question from an Officer or Member the Chair will invite them to speak and unmute their microphone. Their microphone will be muted again once they have finished speaking. A speaker will not be permitted to speak at any other time unless invited to do so by the Chair.
- You will be given 3 minutes to address the Committee. Where there is more than one objector or supporter, the Chair will ask for a spokesperson to represent each position.
- Members, MLAs and MPs will each be given 5 minutes and will be required to share time slots if more than one Member, MLA and MP registers to speak.