

# **PROTOCOL FOR THE OPERATION OF THE PLANNING AND REGULATORY SERVICES COMMITTEE**

**JULY 2025**

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## **1. PURPOSE OF THE PROTOCOL**

- 1.1. The Council's Planning and Regulatory Committee (the "Committee") determines all applications for major developments, those where the Council has an estate and certain other applications as set out in our Scheme of Delegation.
- 1.2. The purpose of this Protocol is to outline practical handling arrangements for the operation of the Committee.
- 1.3. The Protocol should be read in conjunction with the relevant provisions of the Council's Standing Orders and the Code of Conduct for Councillors. It is not intended to replace either document.

## **2. PRELIMINARY ISSUES**

- 2.1 A list of applications eligible for Call-In, which have been delegated to appointed Planning Officers for determination, pursuant to the Council's Scheme of Delegation on Planning Applications and Other Matters, will be circulated to all Members each week. Within 5 working days of the publication of said list, Members can request that an application is referred to the Committee. A sound planning reason must be given for such a referral.
- 2.2 All Committee Members will be sent the agenda in advance of the Committee meeting with a report on each application to be considered by the Committee.
- 2.3 Officers will prepare an Addendum on the day of the meeting to report any up-dates since the agenda was issued.
- 2.4 The Chair will hold a pre-meeting with Planning Officers on each application to be considered in advance of the Committee meeting.
- 2.5 Committee meetings will be open to the public and will be livestreamed via YouTube.
- 2.6 Substitute Members will not be permitted to deputise.

## **3. FREQUENCY OF MEETINGS**

- 3.1 The Committee normally meets on a monthly basis with the exception of August. Additional meetings and changes to the time of the monthly meeting will be at the discretion of the Chairman.
- 3.2 The Schedule of Applications to be determined at the Committee meeting shall be uploaded onto the Council's website <https://abc.public-minutes.com/> five (5) working days prior to the Committee meeting.

#### **4. REMIT OF THE COMMITTEE**

##### Development Management

- 4.1 The main role of the Committee is to consider planning applications made to the Council, as the local planning authority, and decide whether or not they should be approved. The decisions of the Committee, in determining planning applications, will be taken on behalf of the Council and will not go to the Full Council for ratification.

##### Development Plan

- 4.2 The Committee's role in relation to development plan is to approve the Local Development Plan before it is passed by resolution of the Full Council. The Committee will also have an oversight role to ensure that the Local Development Plan is monitored annually, particularly in terms of the availability of housing and economic development land, and that the plan is reviewed every 5 years, giving consideration to whether there is a need to change the plan strategy or zonings, designations and policies.

##### Enforcement

- 4.3 All enforcement activities will be delegated to Planning Officers, who can use their professional judgement, in consultation as necessary with the Council's Legal Advisor, on what enforcement action to take, if any, to address breaches of planning control and/or whether or not to commence prosecution proceedings.
- 4.4 The Committee will receive for information on a quarterly basis a report relating to planning enforcement matters. The Committee can also request a report on any enforcement matter at any time. Officers will exercise discretion when discussing sensitive enforcement matters at the Planning and Regulatory Services Committee to ensure possible future legal proceedings are not prejudiced.

##### Regulatory Services

- 4.5 The Committee is responsible for overseeing the operation of the Council's Regulatory Service/Building Control.
- 4.6 All enforcement activities will be delegated to Building Control Officers, who can use their professional judgement, in consultation as necessary with the Council's Legal Advisor, on what enforcement action to take if any to address breaches of Building Control matters and/or whether or not to commence prosecution proceedings.

#### **5. SIZE OF THE COMMITTEE**

- 5.1 A membership and quorum, as outlined in the Council's Standing Orders, is required for the Committee to convene. Business shall not be transacted unless at least four (4) Members of the Committee are present.
- 5.2 The Committee will comprise fourteen (14) Members and no substitutions are permitted.

## **6. FORMAT OF COMMITTEE MEETINGS**

6.1 This will be subject to amendment in line with the Council's Standing Orders:

1. Apologies for absence and substitutions
2. Approval of Minutes of the previous meeting
3. Declarations of Interest
4. Schedule of Planning Applications
5. Development Plan issues
6. Enforcement and/or other matters
7. Regulatory Service matters
8. Dates of future meetings

6.2 At the beginning of each meeting of the Committee, the Chairman will advise the following:

*"During the course of this meeting, questions may be asked by Councillors who are members of the Planning and Regulatory Services Committee of Planning Officers, applicants for planning permission, objectors or those speaking on their behalf. In doing so, Councillors endeavour to ascertain the information which they feel is necessary to enable them to determine the application. However, members of the public should note that Councillors will not reach a conclusion as to whether an application should be approved, refused or deferred until the debate on the application has concluded".*

## **7. CONSIDERATION OF PLANNING MATTERS**

7.1 The following minimum standards of practice will be followed for the meetings:

- All Members will have pre-read the Planning Officers' report.
- The Committee will be conducted in an orderly fair and impartial manner.
- Consideration of planning matters.

7.2 The following procedures will apply for each application under item number 4 (above) Schedule of Planning Applications:

### ***(i) Introduction by Planning Officer***

The Planning Officer will present the application and make a recommendation on whether the application should be approved, approved with conditions or refused. Plans and photographs may be shown.

### ***(ii) Representation by Councillor, MP or MLA***

The total time allowed for representations by a Council Member for or against an application will be 5 minutes, unless the Chair of the Committee on the day decides to extend the time allowed due to unusual or exceptional circumstances. Where more than one Councillor wishes to speak for or against the application, this time slot will be shared.

MPs and MLAs will be permitted to address the Committee where they have been asked to represent their constituents. Proof of this fact must be submitted to the Council's Chief Administrative Officer/Committee Clerk by 12 noon two working days before the meeting.

The total time allowed for representations from an MP for or against an application will be 5 minutes, unless the Chair of the Committee on the day decides to extend the time allowed due to unusual or exceptional circumstances.

Where more than one MP wishes to speak for or against the application, this time slot will be shared. This rule will also apply to MLAs wishing to speak about the application.

**(iii) *Representations – Objectors***

The total time allowed for an objector to address the Committee will be 3 minutes unless the Chair of the Committee decides on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances. Where there is more than one objector or petition has been submitted, the Chair will ask for one spokesperson to represent their views.

**(iv) *Representation on behalf of Applicant, Agent or Supporter***

The total time allowed for an applicant, agent or supporter to address the Committee will be 3 minutes unless the Chair of the Committee decides on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances. If more than one person wants to speak in support of the application or a petition has been submitted, the Chair of the Committee will ask for one spokesperson to represent all their views.

**(v) *Members' Questions to Objector, Applicant, Agent or Supporter***

**(vi) *Planning Officer's Comments***

The Chair of the Committee will invite comments from the Planning Officer and Legal Advisor. Their comments will always be sought, prior to the matter being voted on by the Committee.

**(vii) *Members' Debate (including, as necessary, further advice from the Planning Officer and/or Legal Advisor)***

**(viii) *Members' Decision***

Any Member who agrees with the Officer's recommendation to approve an application can propose it be accepted. This will need to be seconded by another Member. Before the decision is agreed, the Chair will ask Members if there is an alternative proposal, which would also have to be proposed and seconded. In the event of contrary proposals, the Members will be asked to vote. The Chair has a casting vote.

Members can add, remove or amend conditions that are recommended by a Planning Officer. Where it is intended to do so, it will be proposed and seconded. Members must be aware of the legal tests that conditions need to meet – they are required to be necessary, enforceable, precise, reasonable, relevant to planning and relevant to the development under consideration. The Planning Officer and/or Legal Advisor will be invited to comment on any proposed amendments to conditions.

Any Member who does not agree with the Officer recommendation to approve an application can propose reasons for refusal, which will need to be seconded by another Member. Any decision by the Committee to overturn an Officer's recommendation must be based on sound planning grounds. The Chair will seek the views of the Planning Officer and/or Legal Advisor before seeking a proposer and seconder on reasons for refusal which are contrary to the Officer's recommendation.

The reasons for any decision which are made contrary to the Planning Officer's recommendation must be formally recorded in the minutes and a copy placed on the file.

Representations permitted under points (ii), (iii) and (iv) above may only be made on one occasion on a planning application. For the avoidance of doubt, if a planning application is deferred for any reason further representations will not be permitted on that application when the application is returned to the Committee for further consideration/determination.

## **8. REQUEST FOR SPEAKING RIGHTS**

8.1 Failure to comply with the following criteria will result in an invalid request to speak:

- Requests to speak should be received in writing by the Council's Committee Clerk or by email to [democraticservices@armaghbanbridgecraigavon.gov.uk](mailto:democraticservices@armaghbanbridgecraigavon.gov.uk) no later than 12 noon two (2) working days before the Committee Meeting.
- The requester must provide their name, the agenda item they wish to speak on and whether they are objecting to or supporting the application.
- A contact number and/or email address must also be provided to allow individuals to be invited to participate in meetings either in person or remotely through on-line access.
- Speaking rights at the Committee are limited to the applicant and/or their representative(s), anyone who has submitted a written response to the application, and elected representatives.
- Please note that where a petition has been submitted (either in support or against an application) one spokesperson must be nominated to present the views of all the petitioners.
- The Committee will be provided with the details of the speakers.
- Late requests may be accepted by the Chair in exceptional circumstances.

## **9. THE CHAIR**

The Chairperson may:

- Suspend the public's right to speak if he/she considers it necessary to maintain order at the meeting;
- Vary the order of representations if he/she feels that it will assist the Committee in dealing with the matter and provided that it will not cause prejudice to the parties concerned;
- Vary the order in which the Schedule of Applications is considered, if he/she feels that it will assist the Committee in dealing with the schedule and provided that it will not cause prejudice to the parties concerned; and/or
- Ask a speaker to clarify an issue they have raised but the Committee will not enter into a debate with a speaker.

## **10. DEFERRALS**

- 10.1 The Committee can defer consideration of an application to allow for further information in respect of the proposal or for a Site Visit to be conducted. Reasons for deferral will be recorded.
- 10.2 When an application is returned to the Committee for further consideration/determination following a deferral, discussion and questioning at the meeting will be restricted to the findings of the Members' Site Visit and/or the content of the further information that has been submitted.

## **11. SITE VISITS**

- 11.1 Site Visits will be undertaken where Members consider they are necessary in order to reach a decision on an application.
- 11.2 The Council's Committee Clerk will contact the applicant/agent to arrange access to the site. Invitations will be limited to Members of the Committee and Council Officers. Site Visits are not an opportunity for applicants to lobby Councillors or to seek to influence the outcome of an application.
- 11.3 The Chairperson of the Committee will oversee the conduct of Site Visits. They will start promptly at the time notified to Members and interested persons. At the request of the Committee Chairperson, the Planning Officer may be invited to describe the proposal to Members. Whilst Committee Members will be expected to be familiar with the Planning Officer's report, plans/drawings may be used where necessary.
- 11.4 The Planning Officer may indicate matters of fact in relation to the proposal and surrounding land which Members can take account of. Through the Committee Chairperson, Members can ask the Planning Officer for factual clarification on any planning matter relating to the proposal or surrounding land, such as distances to adjoining properties or the location proposed car parking.



- 11.5 At no time during the Site Visit should Members debate the merits of the planning application. At no time during the Site Visit should the applicant, their agent, any objector or any other member of the public, who have learned of the visit and are present on the site, be allowed to address Members. The public right to address the Planning and Regulatory Services Committee does not arise until the item is reached on the Committee Agenda.
- 11.6 Members should keep together in one group with the Chairperson and the Planning Officer and should avoid breaking away into smaller groups. Once the Site Visit is concluded, Members should leave the site promptly.
- 11.7 The Planning Officer will prepare a written report setting out the details of the Site Visit which will be presented to the meeting of the Committee at which the application is to be determined.
- 11.8 Councillors are advised not to carry out their own unaccompanied Site Visits to avoid potential issues around trespassing onto land or encountering applicants or third parties which could lead to allegations of prejudice.
- 11.9 Attendance at Site Visits is optional, but it is recommended that the full Committee attends, unless there are exceptional reasons for not doing so. The Clerk to the Committee will record the date of the visit, attendees and any other relevant information.

## **12. PRE-DETERMINATION HEARINGS**

- 12.1 The Committee will hold a Pre-Determination Hearing when it is legally required to so and/or where the Committee considers it is necessary to hear the views of the local community before making a decision on a major planning application.
- 12.2 The procedures for such hearings will be the same as for a normal meeting of the Committee, except that the applicant and all those who made representations to the Council regarding the application will be permitted to speak at the hearing.
- 12.3 If the hearing is to be held on the same day that the Council is proposing to determine the application, the Planning Officer's report will include a recommendation.

## **13. WRITTEN STATEMENTS FROM THE PUBLIC**

- 13.1 If a Council Member or member of the public is unable to attend the meeting of the Committee they may instead submit written representations for consideration by Members. Such representations must not exceed 300 words and must be submitted to the Council's Committee Clerk by 12 noon two working days before the meeting. Written representations will be reported to the Committee in an update report and circulated to Members at the meeting.
- 13.2 Material received from the public at a meeting will not be accepted or circulated as Members are unable to give proper consideration to the new information and Officers may not be able to check for accuracy or provide considered advice on any material consideration arising.

#### **14. EXHIBITING MODELS AND DISPLAYS AT THE MEETING**

Applicants or members of the public can exhibit models or displays at the meeting so long as they notify the Council's Committee Clerk of their intention by 12 noon two working days before the meeting, giving their name, agenda item it relates to and whether they are objecting to or supporting the application.

#### **15. RECORDING MEETINGS**

15.1 Meetings of the Committee will be recorded and these recordings will only be used to verify the accuracy of the record of proceedings for the minutes. Recordings of meetings will be destroyed as soon as the minutes of the meeting are agreed by Council, except where retention for a longer period is otherwise required. Appropriate signage will be displayed in the public gallery and a verbal disclosure statement will be made at the commencement of each meeting.

15.2 Members of the public are not permitted to record proceedings unless permitted by the Council as per Section 10(1) of the Council's Standing Orders which states:

*"Taking photographs of proceedings or the use of any means by members of the public to enable persons not present to see or hear proceedings (whether at that time or later) or making of any oral report of any proceedings as they take place shall be prohibited unless expressly permitted by the Council"*

#### **16. MEETING ETIQUETTE**

All representations will be heard in silence and without interruption. The Chair will not permit disruptive behaviour. If the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee.

#### **17. MEMBERS**

Members should not:

- Rely on considerations that are not material considerations.
- Question the personal integrity or professionalism of Officers in public.
- Propose to determine an application against an Officer's recommendation until the reasons for that decision have been formulated.
- Seek to re-design or negotiate amendments to an application. The Committee must determine applications as they stand.
- Speak, propose or second a recommendation at a meeting of the Committee in relation to a planning application submitted by, or on behalf of, that Member or a family member, friend or close personal associate of that Member.
- Furthermore, any such Member must leave the room when the application is being discussed.

**18. PROVISION OF LEGAL ADVICE**

Members may require the Legal Advisor to provide legal advice on an issue which arises during the course of a meeting of the Planning and Regulatory Services Committee. In such circumstances, the Committee shall meet in private with only members of the Committee, presiding officials and the Legal Advisor(s) remaining in the room. For the avoidance of doubt, all Councillors who are not Members of the Committee and Members of the said Committee who have chosen to speak as a supporter or objector to an application will be required to withdraw from the room while the legal advice is provided on the matter arising.

**19. REVIEW OF DECISIONS**

On an annual basis Members should inspect a sample of fully implemented planning decisions in order to assess the quality of decision making. This sample should include at least 1 Major Decision and 1 Local Decision.

**20. TRAINING**

Members of the Planning and Regulatory Services Committee will be provided with capacity building training on an annual basis. There will be ongoing engagement with Members to identify training needs.

## PROTOCOL FOR THE REMOTE PLANNING AND REGULATORY SERVICES 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. The Local Government (Remote Meetings) Regulation (Northern Ireland) 2024 (the **Regulations**) came into operation on 25<sup>th</sup> June 2024 and make provision for remote attendance at, and remote access to, any council meeting.
- 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 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**"). 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 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 and the Standing Orders 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 Council's remote meeting platform. 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 device to actively follow and participate in the remote Committee meeting through the meeting's video conferencing platform.
- 2.3. The remote platform has a 'raise your hand' icon which is to be used by Members to indicate they wish to participate in or speak at the meeting.

### **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 send an email to the Democratic Services Officer, as soon as possible, stating this. 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 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 Members are aware that they may be late to the meeting, they should inform the Democratic Services Officer 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 in accordance with Standing Orders.
- 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 also email the Democratic Services Officer to indicate when they are leaving the meeting as this will be recorded for reference. This will allow formal minutes to record the time and agenda item at which point the Member left the meeting.
- 3.10. 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 to 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 Council issued electronic device.
- 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 they are located in a normally lit room with no bright light source such as a light or window behind them. Their 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.
- 3.14. Members must notify the Democratic Services Officer 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 indicate to speak button. The Chair and the Democratic Services Officer 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, the Chair will 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 pages 5 & 6 of the Protocol. Members may indicate if they wish to speak by clicking on the indicate to speak button. 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, their microphone will be turned off by the Chair.

- 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 the Democratic Services Officer as soon as they are able to. If a Member is not satisfied that they heard the entirety of the presentations and debate it is recommended that the Member refrain from taking part in the vote. If this is the case, the reasons for this will be noted by the Democratic Services Officer.
- 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, they will be moved to a remote 'Waiting Room' and then their access to the remote meeting will be enabled again at the end of the agenda application

##### ***Point of Order***

- 4.3. If a Member has a Point of Order to raise during a meeting they will need to click on the indicate to speak button. The Chair will then unmute their microphone . Having spoken, the Chair will turn off their microphone again.

##### ***Adjournments***

- 4.4. 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, who are in attendance to exercise their right to speak, must remain in attendance until the Chair instructs otherwise.

##### ***Chair***

- 4.5. 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 Protocol or as to any proceedings of the Council shall not be challenged at any meeting of the Council and is final.

## ***Voting***

- 4.6. When satisfied that there has been sufficient debate, the Chair will ask for a proposer and seconder for the item being discussed and progress to making a decision. Members should click on the indicate to speak button if they wish to speak. The Chair will then unmute Members who have indicated that they wish to speak. When the Member has finished speaking, Chair will turn off their microphone. Unless a recorded vote is called, the method of voting will be as follows:
- Where there is a clear recommendation(s) in a report, the Chair will put the recommendation(s) forward. If there is no dissention then it is taken as agreed; or
  - If there is a single amendment to the recommendation(s) or an alternative proposal, the Chair will put this forward. If there is no dissention then it is taken as agreed; or
  - Where there is dissention or more than one proposal/amendment, these will be dealt with in the normal manner by means of a vote as set out under paragraph 4.7 below.
- 4.7. The Chair will unmute Members microphones (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 say either:
- **For**
  - **Against**
  - **Abstain**
- for the Motion or amendment that has been proposed.
- 4.8. Once a Member has given their vote then microphones will be muted again by the Chair. 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.
- 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 the meeting/or part of the meeting due to a technical fault, and is/was therefore prevented from voting on an item, 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 be paused 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 confirming that the meeting is in confidential session. Any members of the public who have registered to speak and have access to the meeting remotely will be moved to the remote 'Waiting Room' 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 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***

- 4.14. Democratic Services will publish the agenda and reports for Committee meetings on the Council's website and upload agenda and reports to Decision Time for Members.

### ***Dealing with Technical Difficulties***

- 4.15. 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.
- 4.16. 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.

### ***Members Conduct***

- 4.17. 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.

### ***Documents Open to Public Inspection***

- 4.18. Any reference in Council Standing Orders to a document being available for public inspection at the Council's offices will also be satisfied by being published on the Council's website.

### ***Visual Aids***

- 4.19. 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.

### ***Following a Remote Meeting***

- 4.20. 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. 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 all members of the public lose 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 the Democratic Services Office or by email to [democraticservices@armaghbanbridgecraigavon.gov.uk](mailto: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 Chair 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. Registered speakers will be sent an invite by Democratic Services to attend. 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 the Democratic Services Office with a copy of your representation before 10.30am on the day of the meeting in case you lose connection during the meeting.
- 5.7. If a member of the public is not able to participate in the meeting remotely they may instead submit a written representation for consideration by Members. Such representation must not exceed 300 words and must be submitted to the Council's Democratic Services Office by 12 noon two working days before the meeting.
- 5.8. If any person has specific needs which have not been addressed in this Protocol please email the Democratic Services Office at the email address [DemocraticServices@armaghbanbridgecraigavon.gov.uk](mailto:DemocraticServices@armaghbanbridgecraigavon.gov.uk) at least two working days prior to the meeting and they will try to accommodate your needs.
- 5.9. 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.
- 5.10. Any person participating should click on 'Join Meeting'. 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 Democratic Services Officer will admit the speaker to the meeting.
- 5.11. 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.
- 5.12. 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.
- 5.13. It should be noted that Section (ii) on page 5 & 6 of the Protocol will continue to apply in respect of representations by Members, MLAs and MPs.

- 5.14. 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***

- 5.15. 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 the Chair.
- 5.16. 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. The Chair shall read out any written representation provided by the registered speaker.

### ***Pre-determination Hearings***

- 5.17. 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 remotely, 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 Protocol will be kept under review and any suggestions or comments on this Protocol can be addressed to the Council's Legal, Governance and Monitoring Officer 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.

# **PROTOCOL FOR REMOTE PLANNING AND REGULATORY SERVICES COMMITTEE MEETINGS**

## **SUMMARY GUIDANCE AND POINTS TO ASSIST MEMBERS AND REGISTERED SPEAKERS**

### **INTRODUCTION**

Under the Local Government (Remote Meetings) Regulations (Northern Ireland) 2024 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 the following notes and tips have been provided:

### **GENERAL POINTS TO NOTE FOR MEMBERS**

- Council use a remote platform for the meeting.
- 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 on their Council issued device.
- 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.

### **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.

#### **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 indicate to speak button. Members should also email the Democratic Services Officer to indicate when they are leaving the meeting as this will be recorded for reference.

## **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 indicate to speak button. The Chair will invite you to speak and unmute your microphone. 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 it is recommended you do not vote.

## **Declarations of Interest**

- If you have a declarable interest, when asked by the Chair, click the indicate to speak button. The Chair will then unmute your microphone and 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) 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 'committee' the live streaming of the meeting will be paused. 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 Council's remote platform.
- Requests to speak should be received in writing to Democratic Services or by email to [democraticservices@armaghbanbridgecraigavon.gov.uk](mailto:democraticservices@armaghbanbridgecraigavon.gov.uk) no later than **12 noon two working days before the meeting**. An email address 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.
- 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**. Such representation must not exceed 300 words
- If any person who wishes to address the Committee has specific needs which have not been addressed in the Protocol please contact Democratic Services by email to ([democraticservices@armaghbanbridgecraigavon.gov.uk](mailto:democraticservices@armaghbanbridgecraigavon.gov.uk)) 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.