

# Causeway Coast and Glens Borough Council

# THE STANDING ORDERS OF THE COUNCIL

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## **DEFINITIONS**

“**2014 Act**” means the Local Government Act (Northern Ireland) 2014.

“**Budget**” means the expenditure authorised by a council under section 3 of the Local Government Finance Act (Northern Ireland) 2011.

“**Call-in**” means a requisition for the reconsideration of a decision as provided for in section 41(1) of the 2014 Act.

“**Clerk**” means the Clerk of a council appointed under section 41 of the Local Government Act (Northern Ireland) 1972.

“**Committee**” means a committee appointed under section 7 of the 2014 Act.

“**Delegated authority**” means the discharge of a function under authority fixed by a council under section 7 of the 2014 Act.

“**Decision maker**” means the body or person making an executive decision, a decision under delegated authority or a key decision.

“**Executive**” means a cabinet-style executive or a streamlined committee executive as provided for in section 21(2) of the 2014 Act.

“**Executive Arrangements Regulations**” means the Local Government (Executive Arrangements) Regulations (Northern Ireland) 2015.

“**Executive decision**” means a decision taken by a decision maker in connection with the discharge of a function which is the responsibility of the executive of a council.

“**Key decision**” means a decision under executive arrangements which is likely –

to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council’s annual budget for the service or function to which the decision relates; or

to be significant in terms of the effects on communities living or working in an area comprising two or more electoral areas in the local government district of the council.

“**Member**” means a councillor on that council.

**“Nominating officer”** means:

- (a) the person registered under the Political Parties, Elections and Referendums Act 2000 as the party’s nominating officer; or
- (b) a Member of the council nominated by that person for the purposes of Schedule 1 to the 2014 Act.

**“Party”** means a party registered under the Political Parties, Elections and Referendums Act 2000 in the Northern Ireland register (within the meaning of that Act).

**“Policy framework”** means the policies and procedures agreed by the council in relation to the delivery of a function or functions of the council.

**“Proper officer”** means an officer appointed by the council for the purpose of supporting the executive.

**“Published”** means made available for inspection by Members of the council.

**“Register of Decisions”** means a register of decisions maintained by the council of those decisions agreed by the council.

**“Section of the inhabitants of the district”** means any section of the inhabitants that is clearly identifiable by location, interest or other category.

**“Special resolution”** means a resolution of a council as defined in section 148 of the Local Government Act (Northern Ireland) 1972.

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**1. Annual and Monthly Meetings**

- (1) In every year that is not a local election year the Council shall hold an Annual Meeting in the month of June.
- (2) In any year which is a local election year, the Annual Meeting shall be held within twenty-one days immediately following the election, at such time as the Council may fix, at the offices of the Council or at such other place as the Department may direct.
- (3) The outgoing Mayor and the Deputy Mayor, followed by the incoming Mayor and Deputy Mayor shall have the opportunity to speak at the Annual Meeting.
- (4) A meeting of the Council for the transaction of general business of the Council shall, subject to any deviation which special circumstances may render desirable, be held on the first Tuesday of every month. Other meetings of the Council for the transaction of general business shall be held as the Council considers necessary.
- (5) Meetings of the Council shall not take place on a Public or Bank Holiday, a Saturday or a Sunday. When the day of a meeting falls on one of these days, the meeting shall be held on the next following weekday instead.

**2. Time and Place of Meetings**

The Annual Meeting and other meetings of the Council shall normally be held at 7.00 pm in the Council Chamber, or in remote or hybrid format, except where otherwise fixed by statute or by special summons.

**3. Convening Special Meetings**

- (1) The Mayor of the Council may call a meeting of the Council at any time.
- (2) The Mayor of the Council must call a meeting of the Council if a requisition for such a meeting, signed by not less than **sixteen** Members of the council is presented to him/her; and, if he/she refuses to call a meeting on such a requisition or if, without so refusing, he/she does not call such a meeting within the period of **seven days** from the date of service of the requisition on him/her, not less than sixteen Members may, on that refusal or on the expiration of that period, forthwith call a meeting of the Council.

**4. Notice and Summons of Meetings**

- (1) **Five days** at least before a meeting of the Council, a committee or sub-committee, notice of the time and place of the intended meeting shall be published at the offices of the Council. Where the meeting is called by Members, the notice shall be signed by them and shall specify the business proposed to be transacted thereat.
- (2) A summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Clerk shall be served on every Member at least **five days** before the meeting.

Want of service of this summons shall not affect the validity of a meeting. The draft minutes of a Committee that takes place during the week of the summons can be shared by email.

- (3) Except in the case of business required by statute or, where in the opinion of the Mayor / Chair at the meeting the business should be considered by the meeting as a matter of urgency, no business shall be transacted at a meeting of the Council, a committee or sub-committee other than that specified in the summons relating thereto.
- (4) A committee or the meeting of Council may be cancelled at short notice by the Chair or Mayor when a red weather warning from the meteorological office coincides with the timing of the meeting. The Mayor / Chair can call the meeting to stand in silence to remember for a Councillor who suffers a family bereavement. Council and Committee meetings are to finish by 12 midnight.

**5. Chair to be Taken**

At each meeting of the Council, the Chair shall be taken at the time for which the meeting is convened, and business immediately proceeded with. The Mace shall be displayed at Council meetings, Special Council Meetings, and at the Annual Meeting.

**6. Mayor / Chair of Meeting**

- (1) At a Meeting of the Council, the Mayor / Chair of the Council, if present, must preside.
- (2) If the Mayor / Chair of the Council is absent from a Meeting of the Council, the Deputy Mayor / Chair of the Council, if present, shall preside.
- (3) If neither the Mayor / Chair nor Deputy Mayor / Chair are present at a Meeting of the Council, a Member of the Council chosen by the Members who are present must preside.
- (4) If discussion arises on the allocation of the position of Mayor / Chair, the Clerk shall exercise the powers of the Mayor / Chair to assist in the regulation of that discussion.
- (5) Any power of the Mayor / Chair of the Council in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

**7. Quorum**

- (1) Subject to paragraph (4), no business shall be transacted at a Meeting or Committee of the Council unless at least **half** of the whole number of Members are present; the exception is the Planning Committee which requires a quarter of the Members present and voting.

- (2) If during a meeting, the person presiding, after the number of Members present is counted, declares that a meeting is inquorate and it is unlikely that there will be a quorum present within a reasonable time, he/she shall declare the meeting adjourned.
- (3) Any uncompleted business on the agenda of a meeting adjourned under Standing Order 7(2) above, shall be tabled for discussion at the reconvened meeting. No business, other than the uncompleted business on the agenda of the meeting adjourned, may be discussed at the reconvened meeting.
- (4) Where more than **one-quarter** of the Members become disqualified at the same time then, until the number of Members in office is increased to not less than **three-quarters** of the whole number of Members, the quorum of the Council shall be determined by reference to the number of Members remaining qualified instead of by reference to the whole number of Members.
- (5) Where declarations of interest by members of the Planning Committee reduce attendance to less than half, the required quorum may be reduced to one-quarter of the whole number of members for the agenda item under consideration.
- (6) Quorum count out. If the attention of the Mayor is called by a Member of Council or the Chief Executive to the fact that there is not a quorum present, the Chief Executive shall call the roll of Members, and if there is not a quorum present, the Mayor shall declare the meeting of Council at an end, and the names of those who are present and those who are absent shall be recorded on the minutes of the Council.

## **8. Admission to Meetings**

- (1) Subject to the provisions of this Standing Order, every Meeting of the Council shall be open to the public, in accordance with section 42 of the 2014 Act.
- (2) The public and press may attend only in those parts of the Council Chamber provided for their accommodation at meetings of the Council, unless specifically excluded in accordance with the provisions of Standing Order 10; or as required by the Council to comply with provisions in relation to Fire Safety and Health & Safety. The safe number of attendees is 20; where larger attendance is anticipated representation can be agreed by prior arrangement with the Democratic Services Manager.
- (3) The admission of the public is upon the understanding that they must continue at all times to be seated, and that no expression of opinion or noise of any kind be allowed from them.



- (4) At all times during which a Meeting of the Council is open to the public, the Council must, so far as is practicable, cause to be made available to duly accredited representatives of newspapers, attending for the purpose of reporting proceedings at the meeting, reasonable facilities for taking reports of these proceedings and, on payment by those representatives or their newspapers of any expenses which may be incurred, for transmitting such reports to their newspapers. Accreditation of representatives is to be shown by way of photographic identification, press pass or a letter from the editor of the newspaper concerned. An accreditation list will be held by the Democratic Services team.
- (5) Taking photographs of proceedings or the recording of proceedings by any other means by members of the press and the public to enable persons not present to see or hear any proceedings (whether at that time or later) shall be prohibited unless expressly permitted by the Council.
- (6) The use of social media by Members of the Council, Members of the public or journalists shall be permitted during those proceedings that are open to the public, to the extent that its use does not disrupt proceedings.

**9. Record of Attendances at Meetings**

The names of the Members present at a Meeting of the Council must be recorded. A record of annual attendance will be published annually within 5 months of the financial year end.

**10. Exclusion of the Public**

- (1) The public shall be excluded from a Meeting of the Council whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence. Examples could include legal, contractual or sensitive staffing matters.
- (2) The Council may by resolution exclude the public from a Meeting of the Council (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the Meeting. Committee may recommend to Council that subsequent debate should remain as a confidential consideration.
- (3) The Mayor / Chair may at any time during the proceedings, if he/she thinks it necessary to secure order, direct the removal of any individual or group of individuals from the Council Chamber, or order the Council Chamber to be wholly cleared of members of the public.
- (4) The Council, having excluded the public, shall only consider the matter referred to it by the resolution. If it should be deemed necessary to consider any matter not included in the resolution, the public shall be re-admitted and the Mayor / Chair may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.

- (5) If the business referred to in the resolution is not transacted, the Council may be resumed and a Member of the Council may move that the Council again exclude the public on a future day to deal with the business specified in the resolution which was not transacted.
- (6) If the Council, with the public excluded, has transacted part of the business referred to it, without being able to reach a decision on all the business so referred, a Member of the Council may, with leave of the Council, report on the progress to that point and ask the Council's permission to sit again.
- (7) When the Council, having transacted business with the public excluded, submits its report to the Council, a motion for its adoption shall then be moved and put. No questions or discussion shall be permitted on the report or the motion for its adoption.

## **11. Deputations**

- (1) Deputations, from any source, shall only be admitted to address the Council provided the Clerk has received **7 days' notice** of the intended deputation and a statement of its objective. This is to be in line with the protocol agreed by Council at **Annex A**.
- (2) The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two Members of the deputation. The totality of the address shall not exceed **10 minutes**. Questions by Elected Members should be brief.
- (3) Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a deputation has made a presentation to the Council, the Council may decline to accept another deputation on the same issue from the same individual or group for a period of **six months**.
- (4) Statutory bodies are limited to a total of 40 minutes, including questions, and are to focus solely on strategic issues. Reports will be issued in advance and are to be assumed as read. Updated contact details are to be provided in the report.

## **12. Order of Business**

Subject to any statutory requirements to the contrary, the order of business at every meeting of the Council shall be as follows:

- a) The Mayor's business;
- b) Apologies;
- c) Declaration of Members interests;
- d) Confirmation of the Minutes of the last stated Meeting and of all adjourned meetings and special meetings held since the last stated Meeting;
- e) Deputations;
- f) Business required by statute to be transacted at the Meeting;

- g) Adoption of the minutes of the proceedings of any committees and consideration of reports, if any, from such committees. This shall be managed sequentially by the chair of the meeting
- h) Reports of officers, public bodies, agencies etc, if any, may be considered and such orders given thereon as may be deemed necessary;
- i) Reports on decisions/recommendations subject to the reconsideration process;
- j) Other reports;
- k) Correspondence and matters not already dealt with;
- l) Sealing of documents;
- m) Consideration of motions of which due notice has been given, in the order in which they have been received;
- n) Confidential matters; *and*
- o) (for Committees only) Any other relevant business noted to the Chair, Chief Executive and, relevant chief officer, by 12 noon on the working day preceding the relevant committee meeting. The Democratic Services team will share this information with the Member's nominating officer and other committee Members by 5pm on the working day preceding the relevant committee meeting. The relevant committee shall be that which has the service resources to best deal with any subsequent actions.

### **13. Minutes of the Council**

#### **13.1 Keeping Of; As Evidence;**

- (1) Minutes of the proceedings of a Meeting of the Council, or of a committee or sub-committee, shall be drawn up and entered in a bound book kept for that purpose. The Minutes are a summary of the meeting and the audio recording is the verbatim account of decisions made.
- (2) No discussion shall take place upon the Minutes except upon their accuracy.
- (3) Any minute purporting to be signed as mentioned in paragraph (2) shall be received in evidence without further proof.
- (4) Until the contrary is proved, a Meeting of the Council or of a committee or sub-committee thereof in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and all the Members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a committee or sub-committee, the committee or sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

**13.2 Signing Of.** The Minutes of a Meeting of the Council shall be signed at the next ensuing Meeting of the Council by the Mayor / Chair presiding, if approved by the meeting at which they fall to be signed.

13.3 Discussion on Committee Minutes. The Chairpersons of each of the Standing Committees shall propose that the minutes of the proceedings of the Committee for which they are the Chairperson are “approved and adopted” and the Mayor shall immediately thereafter seek a seconder for that motion. Any amendment to be moved by any Member in relation to that motion shall be about a matter which is included in the minutes submitted to the meeting.

#### 14. Minutes of Committees

- (1) A motion or amendment shall not be made or proposed, or any discussion allowed on the proceedings of committees with reference to any matter within the remit of a committee which does not appear on the minutes submitted to the Meeting of the Council.
- (2) Any Member wishing to raise an issue regarding any matters appearing in the minutes submitted to the Council for approval and who states his/her request in writing to the Mayor / Chair of the committee twenty-four hours before the commencement of the Meeting of the Council shall be entitled to a reply when the proceedings of the particular committee are submitted for approval.
- (3) A reply to an issue raised at the Meeting regarding any matter in the minutes, without written notice, shall be at the discretion of the Mayor / Chair of the committee.
- (4) Any matter in the minutes of a committee on which a request for reconsideration, under section 41 of the 2014 Act, has been lodged with the Clerk of the Council shall be identified, and may not be the subject of discussion at that Meeting (see Call in Standing Order 20).

#### 15. Motions

- (1) Every motion shall be relevant to some matter:
  - a) in relation to which the Council:
    - i) has power or duties;
    - ii) is not prevented from taking action on by other legislation;
  - b) which directly affects the local government district or its residents; *and*
  - c) for which the Council is legally competent.

#### 15.1 On Notice

- (1) Notice of every motion, other than a motion which under Standing Order 15.2 may be moved without notice, shall be submitted in writing (by hard copy or email), signed by the Member or Members of the Council giving the notice and seconded, to the Clerk not later than at least seven clear days before the next Meeting of the Council. This will be date and time stamped. The motion must be clear in meaning otherwise it shall be rejected within 48

hours until such time as it is resubmitted in clear language, and not later than seven clear days before the meeting.

- (2) A motion shall be rejected within 48 hours if the wording or nature of the motion is considered unlawful or improper.
- (3) All notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every Member of the Council. Motions will be emailed to the respective nominating officer within 48 hours of receipt.
- (4) Notices of motion shall be entered by the Clerk or his /her authorised deputy in their proper place upon the Summons Paper in the order in which they are received.
- (5) If a motion set out in the Summons is not moved either by a Member who gave notice, or by some other Member on his / her behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (6) If the subject matter of any motion of which notice has been properly given comes within the remit of any committee it shall, upon being moved and seconded, stand referred without discussion to that committee, or to such other committee as the Council may determine, for consideration and report. The Mayor / Chair presiding may, if he/she considers it urgent and necessary to the dispatch of business, allow the motion to be dealt with at the meeting at which it is brought forward. The proposer and the Mayor must agree this 24 hours prior to the meeting and communicate the intention to all other Members. If not a Member of the relevant committee, the proposer may speak but not vote or allow another member to speak to the motion. Motions to the full Council should be limited to 7, on a rolling first come, first served basis, with 2 Notices of Motion per Committee meeting. Members shall be limited to proposing 2 Notices of Motion per year running from the first Council Meeting after the Annual Meeting is held to the following Annual Meeting inclusive.
- (7) If a notice of motion fails to be considered at a Meeting of the Council, such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Clerk by the Member concerned not later than **seven** clear days, at least, before the Council meeting.
- (8) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the Summons Paper for a period of **six months** from the date of the second meeting at which the matter has failed to be considered.

## 15.2 Without Notice

The following motions may be moved without notice:

- a) to appoint a Mayor / Chair of the meeting at which the motion is moved;
- b) in relation to the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a committee or Members thereof arising from an item on the summons for the meeting;
- f) to receive reports or adoption of recommendations of committees or officers and any resolutions flowing from them;
- g) to amend a motion;
- h) to proceed to the next business;
- i) that the question be now put;
- j) to adjourn a debate;
- k) to adjourn a meeting;
- l) to suspend Standing Orders, in accordance with Standing Order 26.1;
- m) to exclude the public and press in accordance with section 42 of the 2014 Act;
- n) to not hear further a Member named under Standing Order 24.2 or to exclude them from the meeting under Standing Order 24.3.

## 16. Amendments

(1) When a motion is under debate at any meeting of the Council, an amendment or further motion shall not be received, with the exception of the following:

- a) to amend the proposal; or
- b) that the Council do now adjourn; or
- c) that the debate be adjourned; or
- d) that the question be now put; or
- e) that the Council do proceed to the next business.

### 16.1 To Amend the Proposal

(1) An amendment must be legitimate and within the scope of the notice convening the meeting. It must not be a direct negative; must be relevant to the proposal which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it seeks to amend, and not be, in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.

(2) When an amendment upon an original proposal has been moved, the question to be put shall be "*That the amendment be made*". Where any amendment is agreed, the question to be put shall be "*That the proposal, as amended, be agreed*". Where any amendment is rejected the question of the substantive proposal shall be put.

#### 16.2 That the Council Do Now Adjourn

- (1) Any Member of the Council who has not already spoken to the proposal or amendment then under debate may move "*that the Council do now adjourn*". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal, which shall be put to the vote without debate.
- (2) In the event of the proposal for the adjournment being carried, the Mayor / Chair shall (unless stated in the proposal) fix the date for the adjourned meeting for the continuation of the debate on the proposal or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the Agenda for the meeting so adjourned.
- (3) A second proposal "*that the Council do now adjourn*" shall not be made within half-an-hour unless, in the opinion of the Mayor / Chair, the circumstances are materially altered.
- (4) The Mayor / Chair can call for a 10 minute recess as he / she feels appropriate.

#### 16.3 That the Debate be Adjourned

- (1) Any Member of the Council who has not already spoken to the proposal or amendment then under debate may move "that the debate be adjourned". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) Before putting to the meeting a proposal "*that the debate be adjourned*", the Mayor / Chair presiding shall call on the mover of the proposal or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice the right of the mover of a proposal to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.
- (3) If the proposal be carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next meeting of the Council unless a special meeting of the Council shall be called for the purpose.
- (4) On resuming an adjourned debate, the Member who moved its adjournment shall be entitled to speak first. A second proposal "*that the debate be adjourned*" shall not be made within half-an-hour. A Member shall not move or second more than one proposal for the adjournment of the same debate.

#### 16.4 That the Question Be Now Put

- (1) Any Member who has not already spoken to the proposal or amendment then under debate may move "*that the question be now put*". Such a proposal must

be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.

- (2) If the Mayor / Chair is of the opinion that the subject before the Council has been sufficiently discussed, he/she shall put the proposal "*that the question be now put*" to the vote without debate and if same is carried, the proposal or amendment under discussion shall be put to the Council.
- (3) A second proposal "*that the question be now put*" shall not be made on the discussion of the same question within half-an-hour.
- (4) A Member shall not move or second more than one proposal "*that the question be now put*" on the discussion of the same question.

#### **16.5 That the Council Do Now Proceed to the Next Business**

- (1) Any Member of the Council who has not already spoken to any proposal or amendment then under debate may move, "*that the Council do proceed to the next business*". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal which shall be put to the vote without debate.
- (2) If the Mayor / Chair is of the opinion that the subject before the Council has been sufficiently discussed, he/she shall put the proposal "*that the Council do proceed to the next business*" to the vote without debate and if same is carried the proposal or amendment under discussion shall be put to the Council.
- (3) When a proposal is carried "*that the Council do proceed to the next business*", the question under discussion shall be considered as dropped.
- (4) A second proposal "*that the Council do proceed to the next business*" shall not be made on the same question within half-an-hour.
- (5) A Member shall not move or second more than one proposal "*that the Council do proceed to the next business*" on the discussion of the same question.

#### **17. Amendments to Regulatory Decisions**

- (1) No amendment may be moved to a minute which is a Regulatory Decision.
- (2) For the purposes of these Standing Orders, a Regulatory Decision is a determination of an application for planning permission or any decision, determination, action, direction, order, approval, refusal, or enforcement action in exercise of powers of the Council as the local planning authority [or those powers specified in Executive Arrangements Regulations]; or any application for which the Council is the licensing authority.

#### **18. Rules of Debate**

##### **18.1 Motions and Amendments to be Reduced to Writing and Seconded**



- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Standing Order 15.1, it shall, if required by the Mayor / Chair presiding, be put into writing and handed to the Mayor / Chair presiding before it is further discussed or put to the meeting.
- (2) A Member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.

## 18.2 Alteration of Motion

- (1) A Member may alter a motion of which he/she has given notice as proposed with the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (3) Only alterations which could be made as an amendment may be made.

## 18.3 Withdrawal of Motion

- (1) A Member may withdraw a motion of which he/she has given notice under Standing Order 15.1, saying only that 'I wish to withdraw my motion', at any time after the meeting has commenced provided that he/she has not moved the motion or spoken on it and has the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may withdraw any other motions which he/she has moved with the consent of both the meeting and seconder. The meeting's consent will be signified without discussion.
- (3) No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

## 18.4 Mode of Address

Members of Council shall address other Members by their respective title of "Mr / Madam Mayor", "Deputy Mayor", "Chairperson", "Alderman" or "Councillor". When a Member is called to speak he/she shall not be interrupted except as provided for in these Standing Orders.

## 18.5 Member Called to Order

If any Member, while speaking, be called to order, he/she shall cease speaking and shall not again address the Council until the Mayor / Chair has disposed of the question of order.

## 18.6 Definition of Point of Order

A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order or provision and the way in which he/she considers it has been broken.

18.7 Member May Raise a Point of Order

A Member may raise a point of order by raising their hand and stating 'point of order' and he / she shall be entitled to be heard immediately.

18.8 Ruling of Mayor / Chair on Point of Order

The ruling of the Mayor / Chair on a point of order shall not be open to discussion.

18.9 Member to Speak to Motion

A Member who speaks shall direct his/her speech strictly to the Motion under discussion, or an amendment thereof.

18.10 Member Shall Not Speak More Than Once

A Member who has spoken on any motion shall not speak again whilst it is the subject of debate.

18.11 Duration of Speeches

Except with the permission of the Council, a Member, in introducing a notice of motion, shall not speak for more than **ten minutes** and, in replying to the debate on the motion, for more than **five minutes**. Any Member speaking on any matter, other than introducing a notice of motion, shall be limited to a maximum of 5 minutes.

18.12 Explanations

A Member who has been referred to by another Member during a speech and has had ascribed to him/her an opinion which they feel to be inaccurate may, with the consent of the Mayor, give a short explanation of the matter at the conclusion of the speech in which they are referred to, regardless of whether or not they have already spoken on the matter under discussion. This explanation must deal solely with the issue at hand, must not introduce new arguments and not in effect be a new speech on the matter. A Member giving such an explanation must end their contribution if the Mayor shall so direct. The Mayor should permit an explanation to be provided if improper conduct or an improper motive has been alleged against the member wishing to give the explanation.

18.13 Only One Motion / Amendment May be Moved and Discussed at a Time

(1) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

(2) If an amendment is not carried, other amendments to the original motion may be moved.

(3) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further

amendments are moved.

18.14 When a Motion is Under Debate No Other Motion Shall be Moved

When a Motion is under debate no other Motion shall be moved except the following:

- (a) to amend the motion;
- (b) to adjourn the meeting;
- (c) to adjourn the debate;
- (d) to proceed to the next business;
- (e) that the question be now put;
- (f) that a Member be not further heard;
- (g) by the Mayor / Chair under Standing Order 24.3, that a Member do leave the meeting.

18.15 Mayor / Chair calls the Meeting to Order

Whenever the Mayor / Chair rises or otherwise calls the meeting to order during a debate, a Member then speaking shall cease and the Council shall be silent.

18.16 Mayor / Chair Not to Receive Motion for Direct Negative

The Mayor / Chair shall not receive a motion for a direct negative to a question but, on the conclusion of the debate, the question shall be put and resolved in the affirmative or negative.

18.17 Mover's Right of Reply

The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his / her amendment.

**19. Voting**

19.1 Majority

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those Members present and voting. The senior officer present shall count the votes. All the votes having been cast, including that of the Mayor / Chair, the Mayor / Chair shall state the result.

19.2 Mayor / Chair's Casting Vote

Having stated the result of the vote, if there are equal numbers of votes for and against, the Mayor / Chair shall then decide if they wish to use their second or casting vote.

### 19.3 Qualified Majority

[The specification of decisions which are required to be taken by a qualified majority is a statutory requirement on a council under section 40(1) of the 2014 Act]

A qualified majority shall be required in relation to a council's decision on:

- (a) the adoption of executive arrangements or prescribed arrangements as the council's form of governance, as provided for in section 19 of the 2014 Act **[mandatory]**;
- (b) the adoption of paragraph 3(2) of Schedule 1 to the 2014 Act as the method for filling positions of responsibility **[mandatory]**;
- (c) the adoption of Part 2 of Schedule 1 to the 2014 Act as the method for filling positions of responsibility **[mandatory]**;
- (d) the adoption of paragraph 3(3) of Schedule 2 to the 2014 Act as the method for appointing councillors to committees **[mandatory]**;
- (e) a call-in deemed to be with merit made in accordance with section 41(1)(b) of the 2014 Act; and
- (f) the suspension of standing orders, other than Standing Orders 19.3, 20, 21 and 22, which cannot be suspended.

### 19.4 Show of Hands

Unless a ballot or recorded vote is demanded under Standing Order 19.5, the Mayor / Chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

### 19.5 Recorded Vote

If, before a vote is called, any Member present at the meeting demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

A demand for a recorded vote will override a demand for a ballot.

### 20 'Call-in' Process

[The specification of provision for the reconsideration of a decision is a statutory requirement under section 41(1) of the 2014 Act, as is the specification of a requirement to obtain the opinion of a practising barrister or solicitor (section 41(2))]

#### 20.1 Decisions Subject to Call-In

(1) The following decisions may be subject to call-in in such manner as is specified in these standing orders:

- (a) a decision of the council;
  - (b) a decision of the executive;
  - (c) an executive decision taken under joint arrangements in accordance with section 26 of the 2014 Act;
  - (d) a key decision taken by an officer of the council;
  - (e) a decision taken by a committee under delegated authority in accordance with section 7 of the 2014 Act; and
  - (f) a decision taken by a committee to make a recommendation for ratification by the council.
- (2) The following decisions shall not be subject to call-in:
- (a) a decision which is deemed to be a case of special urgency in accordance with regulation 24 of the Executive Arrangements Regulations;
  - (b) a decision where an inability to immediately implement a decision would result in a breach of statutory or contractual duty or would otherwise prevent the Council from responding to a situation of emergency as defined in the Civil Contingencies Act 2004;
  - (c) a decision taken by an officer which is not a key decision;
  - (d) a decision by the executive which serves only to note a report from or the actions of an officer; and
  - (e) a decision which is required to be taken by a special resolution.
- (3) No decision may be subject to call-in more than once for each of the grounds specified in section 41(1) of the 2014 Act.

## 20.2 Call-in Procedure

- (1) A call-in must be submitted in writing in hard copy to the Clerk and signed by each supporting Member by **10am** on the **fifth working day** following:
- (a) in the case of a decision of the Council, the date of the Council meeting at which the decision was taken; and
  - (b) in the case of a decision of a committee, the date on which notification of the decision to which the call-in relates was published.
- (2) The call in will be date and time stamped. If a call-in is received after the relevant period specified in paragraph (1), it must be deemed inadmissible.
- (3) A call-in shall:
- (a) specify the reasons why a decision should be reconsidered; *and*
  - (b) subject to paragraph (6), be deemed to be inadmissible if the reasons are not specified.
- (4) In the case of a call-in submitted under section 41(1)(b) of the 2014 Act, Members must in the reasons specified under paragraph (3)(a) specify:

- (a) the section of the inhabitants of the district that would be affected by the decision; *and*
  - (b) the nature and extent of the disproportionate adverse impact.
- (5) Within **one working day** of receipt of a call-in, the Clerk must confirm that:
- (a) it has the support of **15 per cent** of the Members of the council; *and*
  - (b) the reasons for the call-in have been specified.
- (6) Where the reasons have not been specified on the requisition, the Clerk must notify the Members making the requisition that it must be considered inadmissible if reasons are not specified in writing within the specified period.
- (7) Within **two working days** of receipt of an admissible call-in submitted under section 41(1)(b) of the 2014 Act, the Clerk must seek the opinion of a practising solicitor or barrister in accordance with section 41(2) of the 2014 Act. The call-in notice will also be shared with all Members within 2 working days.
- (8) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act confirms that the call-in has merit, the Clerk shall-
- (a) Furnish the opinion to members; and
  - (b) Include the decision on the agenda for the next available meeting of the council, at which it will be taken by a qualified majority.
- (9) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act indicates that the call-in does not have merit, the Clerk shall-
- (a) Furnish the opinion to members; and
  - (b) Make arrangements for the decision to be implemented or tabled for ratification by the council, as appropriate.

### 20.3 The Call-In Process: Committee Arrangements

- (1) For the purposes of reconsideration of a decision pursuant to a call-in, a summary noting the decision of a committee:
- (a) taken under delegated authority; or
  - (b) for referral for ratification by the council
- must be published within **five working days** of the conclusion of the meeting.
- (2) If a call-in is not received within the period specified in Standing Order 20.2 paragraph (1):
- (a) a decision to which paragraph (1)(a) applies must be implemented; or
  - (b) a decision to which paragraph (1)(b) applies must be tabled for ratification by the council.

The tabling for ratification of a decision to which paragraph (1)(b) applies, or the implementation of a decision to which paragraph (1)(a) applies, must be postponed until the decision has been reconsidered. The decision maker may rescind the decision at any time prior to the decision being reconsidered.

- (3) If a call-in is made in accordance with Standing Order 20.2 paragraph (3) and section 41(1)(a) of the 2014 Act, the council must appoint an ad hoc committee of the council, the Membership of which will be:

- (a) the Mayor / Chairs of all committees of the council; and
- (b) the Deputy Mayor / Deputy Chairs of all committees of the council

to consider the process adopted by the decision-making committee.

- (4) The Mayor / Chair and Deputy Mayor / Deputy Chair of the committee which was responsible for the decision which is the subject of the call-in must not have voting rights at a meeting of the committee appointed in accordance with paragraph (3).

- (5) The Members of the ad hoc committee who are present shall choose a Member to preside at the meeting.

- (6) The Members who submitted the call-in, or a Member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the Mayor / Chair, address the meeting, but must not have voting rights, unless they are voting Members of the ad hoc committee.

- (7) A committee appointed in accordance with paragraph (4) may:

- (a) refer the decision back to the decision maker;
- (b) in the case of a decision taken under delegated authority, support the decision; or
- (c) in the case of a decision for ratification by the Council, refer the decision to the Council.

- (8) Where a decision has been supported in accordance with paragraph (8), that decision must:

- (a) be approved;
- (b) be inserted in the Register of Decisions; and
- (c) become operative from the date of the meeting at which the committee appointed in accordance with paragraph (4) confirmed support for the decision.

- (9) If a call-in is made in accordance with Standing Order 20.2 paragraph (4) and section 41(1)(b) of the 2014 Act, within two working days of receipt of an admissible call-in submitted under section 41(1)(b) of the 2014 Act the

Clerk must seek the opinion of a practising solicitor or barrister in accordance with section 41(2) of the 2014 Act.

- (10) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act confirms that the Call-In has merit, the Clerk shall –
  - (a) furnish the opinion to members; and
  - (b) include the decision on the agenda of the decision maker for the next available meeting of Council, at which it will be taken by a qualified majority
- (11) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act indicates that the call-in does not have merit, the Clerk shall-
  - (a) Furnish the opinion to members; and
  - (b) Make arrangements for the decision to be implemented, tabled for ratification by the council, or tabled for noting by the Council, as appropriate.

#### 20.4 The Call-In Process: Council Decisions

- (1) If a call-in is not received within the period specified in Standing Order 20.2 paragraph (1) in respect of a decision, that decision may be implemented after that period expires.
- (2) The implementation of a decision must be postponed until the decision has been reconsidered.
- (3) The Clerk must place a call-in on the agenda for the next Meeting of the Council.

#### 20.5 The Call-In Process: Executive Arrangements

- (1) A proper officer must, within **two working days** of the production of a statement in accordance with regulations 25 and 26 of the Executive Arrangements Regulations, submit to the Council a notice detailing the decision(s) recorded in the statement.
- (2) The notice prepared in accordance with paragraph (1) must specify:
  - (a) those decisions that are not subject to call-in;
  - (b) the period for receipt of a call-in; and
  - (c) the overview and scrutiny committee, as determined by the proper officer, that will consider a call-in in accordance with section 41(1)(a) of the 2014 Act.
- (3) If a call-in is not received in respect of a decision, that decision may be implemented after that period expires.
- (4) If a call-in is received which specifies that the decision was not taken in accordance with the budget or policy framework agreed by the Council, the call-in must be referred to the Council for decision.



- (5) The implementation of a decision must be postponed until the decision has been reconsidered. The decision maker may rescind the decision at any time prior to the decision being reconsidered.
- (6) Subject to paragraph (4) the Clerk must place a call-in on the agenda of the overview and scrutiny committee specified in the notice prepared in accordance with paragraph (2).
- (7) The overview and scrutiny committee must meet within 5 working days of receipt of the call-in.
- (8) More than one call-in may be considered at a meeting of an overview and scrutiny committee.
- (9) Subject to paragraph (10), the consideration of a matter under paragraph (5) by an overview and scrutiny committee may be adjourned, provided that:
  - (a) the Mayor / Chair presiding at the meeting; *and*
  - (b) the Mayor / Chair of the executiveagree a date for the resumption of consideration of the call-in request.
- (10) A meeting convened in accordance with paragraph (6) may only be adjourned under paragraph (9) in order to:
  - (a) allow for additional information to be obtained; *or*
  - (b) permit additional witnesses to attend.
- (11) The Members who submitted the call-in, or a Member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the Mayor / Chair, address the meeting, but must not have voting rights, unless they are Members of the overview and scrutiny committee.
- (12) In response to a call-in made in accordance with section 41(1)(a) of the 2014 Act, an overview and scrutiny committee may:
  - (a) support the decision; *or*
  - (b) refer the decision, along with the recommendation of the overview and scrutiny committee, back to the decision maker.
- (13) Where a decision has been supported in accordance with paragraph (11), that decision must:
  - (a) be approved;
  - (b) be inserted in the Register of Decisions; *and*
  - (c) become operative from the date of the meeting at which the overview and scrutiny committee confirmed support for the decision.

(14) Where a decision has been referred back to a decision maker in accordance with paragraph (12)(b), the decision maker must:

- (a) consider the recommendation of the overview and scrutiny committee;  
*and*
- (b) reconsider the original decision.

## **21 Positions of Responsibility, etc. – Time Limits**

[The specification of the period within which the nominating officer of a political party should exercise the powers conferred by paragraphs 2(1), 4(1) and 6(1), and for the person nominated to take up the position of responsibility is a statutory requirement under Schedule 1 to the 2014 Act]

- (1) At the first Annual Meeting of the new term of the Council, in relation to positions of responsibility selected in accordance with Schedule 1 of the 2014 Act, a 15 minute period is specified for the nominating officer to state the selections.
- (2) An extension to the period specified in subparagraph (1) may be granted subject to the approval of the Council. Such an extension may be requested by:
  - (a) the nominating officer;
  - (b) the person nominated to hold the selected position; or
  - (c) another Member.

## **22 Appointment of More Than One Committee**

[The specification of the application of paragraphs 2 to 4 of Schedule 2 to the 2014 Act in the circumstances where a council decides to appoint more than one committee is a statutory requirement]

- (1) Where the Council appoints more than one committee at the same meeting in accordance with paragraph 5 of Schedule 2 to the 2014 Act, for the purposes of determining the number of places that must be allocated across the parties and independent Members of the Council, it must agree –
  - (a) the number of committees to be appointed; and
  - (b) the number of councillors that shall constitute the Membership of each committee.
- (2) The total number of places to which a nominating officer of a party may nominate Members who stood in the name of that party when elected must be calculated in accordance with paragraphs 2 to 4 of Schedule 2 to the 2014 Act and any resolution of the Council made thereunder.
- (3) A nominating officer's function under paragraph 2(1)(b) of Schedule 2 to the 2014 Act must be exercised in such manner as to ensure that –

- (a) all the Members of a committee are not nominated by the same nominating officer;
  - (b) a nominating officer of a party may nominate Members who stood in the name of that party to fill the majority of places on a committee, if the majority of Members stood in the name of that party; and
  - (c) subject to (a) and (b), the number of Members which each nominating officer of a party may nominate, in so far as far as is practicable, bears the same proportion to the number of places on that committee as is borne by the number of Members on the Council who stood in the name of that party.
- (4) Nominations made in accordance with paragraph (3) must take into account any positions of responsibility on a committee held by a Member who stood in the name of a party. Nominating officers can swap committee members as required but this should be communicated to the chair, chief executive and chief officer prior to the meeting.

## **23 Rescission of a Preceding Resolution**

- (1) No motion to rescind any resolution passed within the preceding **six months**, and no motion or amendment to the same effect as one which has been rejected within the preceding **six months**, shall be proposed by a Member unless the notice thereof given in pursuance of Standing Order 15.1 bears the names of at least **15 per cent** of the Members of the Council.
- (2) When any such motion or amendment has been disposed of by the Council, it shall not be open to any Member to propose a similar motion within a further period of **six months**.
- (3) This Standing Order shall not apply to motions moved in pursuance of a recommendation of a committee or a call-in

## **24 Members Conduct**

### **24.1 Mayor / Chair Precedence**

When the Mayor / Chair speaks during a debate, any Member speaking at the time must stop. The meeting must be silent.

### **24.2 Member not to be Heard Further**

If at a meeting any Member of the Council, misconducts himself/herself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively or by willfully obstructing the business of the Council, having given due warning, the Mayor / Chair or any other Member may move "*that the Member named be not further heard*". The motion, if seconded, shall be put and determined without discussion.

### **24.3 Member to Leave the Meeting**

If the Member named continues to behave improperly after such a motion is

carried, the Mayor / Chair or any other Member may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

#### 24.4 General Disturbance

When the Mayor / Chair is of the opinion that the due and orderly dispatch of business is impossible, he/she in addition to any other powers vested in him/her may, without question put, adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.

#### 24.5: Offensive expression

A Member shall not use offensive expression in reference to any Member of the Council or Council Official.

### **25 Disturbance by Public**

#### 25.1 Removal of Member of the Public

If a Member of the public interrupts proceedings, the Mayor / Chair will warn the person concerned. If they continue to interrupt, the Mayor / Chair will order their removal from the meeting room.

#### 25.2 Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the Mayor / Chair may call for that part to be cleared.

### **26 Suspension and Amendment of Standing Orders**

#### 26.1 Suspension

A Member may move a motion for the suspension of one or more of these Council Standing Orders. A motion under this Standing Order shall require the support of a qualified majority within the meaning of section 40 of the 2014 Act. Suspension can only be for the duration of the meeting. The Minutes of the Meeting must record the reason for the suspension.

#### 26.2 Amendment

Any motion to add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary Meeting of the Council. The mandatory standing orders may not be added to, varied or revoked by the Council.

### **27 Interpretation of Standing Orders**

The ruling of the Mayor / Chair as to the interpretation, construction or application of any of these Standing Orders or as to any proceedings of the Council, shall not be challenged at any Meeting of the Council.

### **28 Changes to the Council Constitution**

28.1 Unless expressly provided for in the Constitution, only full Council will approve any changes proposed to the Council Constitution. Any proposed changes to the Constitution must have a proposer and seconder and be agreed by Council.

28.2 The Council will also review the Constitution annually and consider for approval any changes arising from this review. Any proposed changes to the Constitution arising from this review must have a proposer and seconder and be agreed by Council.

**29 Protocol for the Operation of the Planning Committee**

The Council requires members of the Planning Committee to follow the recommendations contained in the 'Protocol for the Operation of Planning Committees' at all times. A copy of the Protocol for the Operation of Planning Committees is attached as **Annex D**.

**30 Review of Standing Orders**

These Standing Orders shall be reviewed on an annual basis.

**List of Annexes:**

- A. Protocol for receiving Deputations
- B. Ceremonial protocol: Conferring the Freedom of the Borough
- C. Ceremonial/Mayoral protocol
- D. Protocol for the Operation of the Causeway Coast and Glens Planning Committee

## **Protocol for receiving Deputations**

### **1.0 Receipt of Requests for Deputations**

- 1.1 In accordance with Standing Order 11 (1), deputations, from any source, shall only be admitted to address the Council provided the Clerk (Chief Executive) has received **7 days' notice** of the intended deputation and a statement of its objective.
- 1.2 Requests for deputations shall be received in writing by the Chief Executive giving clear details of the subject matter of the deputation.
- 1.3 A register will be maintained of all requests for deputations received. Each request will be date stamped on receipt and a note of the time received also recorded. An acknowledgment of receipt will be forwarded to the organisation making the request.
- 1.4 Requests for deputations shall be considered in chronological order, ie by the date and time in which they have been received.
- 1.5 Deputations relating to the business of the Planning Committee shall not be dealt with under these arrangements. The procedure for the public to address the Planning Committee have a specific separate protocol.

### **2.0 Allocation of Deputations**

- 2.1 The Chief Executive will make an initial decision as to the most appropriate meeting a deputation should be allocated to, either a meeting of the Council, a workshop in the Council Chamber, or the most appropriate Committee of the Council. Normally requests will be assigned to a deputation workshop in the Council Chamber. For such workshops the media can be invited at the discretion of the Mayor.
- 2.2 The Chief Executive will normally advise and consult with the Mayor or Committee Chair with regard to receiving deputations. Deputations are to be relevant to the business of the Council. In the first instance, presentations should be directed to meet with the relevant Council service; after which the Chief Executive shall advise on the suitability for consideration at a deputation workshop.
- 2.3 Outside of a deputations workshop, not more than one deputation shall be received at any one meeting of the Council or its Committees.
- 2.4 When a deputation has been received at a meeting of the Council or its Committees, no further deputation from the same organisation to the same or similar effect shall be received for a period of six months.

2.5 In relation to requests to receive an urgent deputation, the Chief Executive will consult the Mayor or appropriate Committee Chair on receiving this deputation.

### **3.0 Procedure for Hearing Deputations**

3.1 Deputations will be received in accordance with Standing Order 12 which outlines the Order of Business at every meeting of Council.

3.2 Standing Order 11 (2) requires that a deputation shall be confined to the presentation of a statement, or a copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. Without exception the totality of the address shall not exceed **10 minutes**.

3.3 A deputation shall be made up of no more than **5** representatives whose names will have been provided to Council Officers **7 days** in advance of the meeting.

3.4 The deputation has a total of 10 minutes in which to make its address. A further 15 minutes can be allocated to allow Members to ask questions of the deputation but, if required, this question and answer period may be extended by the agreement of Members at the meeting. Questions by Elected Members should be brief.

3.5 Following receipt of a deputation, the Council or Committee may decide to refer the matter for a report from relevant Council Officers or refer the matter for further discussion at an appropriate Council or Committee meeting.

**Ceremonial protocol: Conferring the Freedom of the Borough**

1. Members may propose to confer the Freedom of the Borough on individuals or organisations whose contribution to the Council area is deemed worthy of official recognition. The process shall be instigated by a notice of motion and should include a three hundred word citation that explains the nomination.
2. Consideration of the proposal shall take place at a Special meeting of the Council.
3. The decision to award the Freedom of the Borough shall be made by a simple majority vote of the Members attending the Special Meeting.
4. The Freedom of the Borough will be conferred to the recipient by the Mayor at a special event to be arranged by the Council's Democratic Services team.



## Mayoral protocol

### 1. Introduction

#### 1.1 The Mayor

The Mayor of the Borough is the community's First Citizen. This is not a party political role and the incumbent will always be mindful of the dignity of the office. This protocol has been developed to provide information and guidance during the term of office to the Mayor and Civic Support staff. This protocol is a working document which may be updated as additional information becomes available which may be of assistance in the future.

### 2. Duties and Responsibilities of the Mayor

#### 2.1 As Mayor of the Borough the Mayor has a number of duties and responsibilities, including:

- Presiding over Council Meetings and ensure that the agenda is correctly followed.<sup>1</sup>
- Having the casting vote in the event of a tie.
- Ensuring that legal advice is properly considered.
- Promoting and raising awareness of the Council's main objectives and priority issues.
- Encouraging and supporting all aspects of life in the Borough by attending civic and public events.
- Receiving distinguished visitors to the Borough.
- Acting as host on behalf of the Council and the citizens of the Borough at civic functions.
- Acting as a spokesperson to the local, national and international media.
- Providing an appropriate response on behalf of the Council at times of local, national and international catastrophe.
- Supporting and encouraging charitable and other appeals as appropriate.
- Promoting the Borough business, commercial, cultural and social life.
- Promoting the Borough as a place of excellence in which to live to do business and as a tourist destination.
- Uphold the Constitution and the Standing Orders of the Council.

#### 2.2 Deputy Mayor

The purpose of the position of Deputy Mayor is to deputise for the Mayor when the Mayor is unable to fulfil the duties of the post, at the request of the Mayor.

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<sup>1</sup> Refer to Council's Standing Orders for further detail.

### **2.3 Form of address**

When addressing the Mayor the correct term is 'Mr Mayor' or if it is a female in office 'Madam Mayor'.

### **2.4 Mayoress / Consort**

This role is usually bestowed on the spouse or partner of the Mayor. However, the Mayor may choose to appoint a spouse, partner, friend or relative of either sex. In carrying out their roles the Mayor, Deputy Mayor and consort should consider the public nature of their office.

### **3. Mayors' Parlours**

The Mayor's Parlour is for the Mayor's use to meet with guests and to have meetings, when required. There are facilities for the Mayor to have refreshments. The Mayor will be supplied with the access codes to gain entry when appointed. The Deputy Mayor can use any of the Mayors' Parlours when deputising. No-one should use the Parlour without the Mayor's permission.

### **4. Civic Functions**

The Mayor will be the presiding member at all civic receptions/functions or in the absence of the Mayor, the Deputy Mayor. District Electoral Area councillors are to be informed or invited as appropriate. Civic functions can be requested by councillors for constituents or groups deemed worthy of recognition.

### **5. Precedence at Civic Events**

The Mayor takes precedence over all persons in the Borough. The only exceptions are if Her Majesty's Lord Lieutenant or member of the Royal Family is present. At civic events organised by Council the order of precedence will be as follows:

1. Mayor (and Mayoress/Consort, if present);
2. Deputy Mayor (and Deputy Mayoress/Consort if present);
3. Member of Parliament;
4. Members of the Legislative Assembly;
5. Mayor's Chaplain (where appropriate);
6. Aldermen and Councillors;
7. Chief Executive.

In the event of any need to amend this order the order of precedence will be determined by the Chief Executive.

## **6. Mayor's Engagements**

### **6.1 Invitations**

It is essential that all invitations are received in the Mayor's Office and routed through the Civic Support Officer. This includes invitations that arise internally from Officers or Elected Members. The Mayor should not accept any invitations verbally but rather refer the requestor to the Mayor's Office.

### **6.2 Booking Form**

The Mayor's Office produces a form (Request for the Attendance of the Mayor) which aims to cover all the information required for the Mayor to attend an event. The form is available from the Mayor's Office or Council's website. The booking form is sent out in response to all invitations, including those received internally.

### **6.3 Mayor's Diary**

The Mayor's Diary is managed by the Civic Support Officer. The Civic Support Office holds regular diary meetings with the Mayor to review invitations received. The previous month's diary should be shared retrospectively with all councillors.

### **6.4 Speeches**

The Mayor's Office does not write all of the Mayor's speeches. The Council's PR protocol covers the requirements regarding the production of Mayor's speeches.

## **7. Civic Regalia**

### **7.1 Chain of Office**

During the Mayor's term of office the Mayor's Chain is worn when carrying out official duties which shall be defined as:

- Attendance at civic events organised by the Council.
- Attendance at events where an official invitation has been issued to the Mayor in advance and details of the event have been supplied to the Civic Services Officer.
- Attendance at events organised by other councils as requested.
- The Mayor is encouraged to wear the chain at full meetings of the Council.

**7.2** The same applies when the Deputy Mayor is deputising for the Mayor.

**7.3** There may be exceptional circumstances when it is appropriate for both the Mayor and the Deputy Mayor to wear their chains of office at the same event. The Mayor and the Chief Executive will agree the events at which this is deemed appropriate.

## **8. Civic Support**

**8.1** The Chief Executive is available to advise and assist the Mayor and will meet with the Mayor regularly (twice monthly) on a Monday. The Chief Executive will brief the Mayor on matters pertaining to the Council which may impact on the Mayor's duties and on important or significant events.

**8.2** Operational support on a day-to-day basis is provided by the Civic Support Officer. The Civic Support Officer provides an administrative, event management and advisory support service for the Mayor and Deputy Mayor and is the first point of contact for the Mayor in relation to diary management, engagements, Mayor's events and general queries.

**8.3** The Civic Support Officer will ensure that there is regular liaison with the Mayor to meet his/her requirements and will adapt working practices, where possible, to meet those requirements.

**8.4** The Civic Support Officer is available Monday – Thursday, flexibility is possible. Cover on Fridays is provided by the Corporate Support team.

### **8.5 Contact information**

The Civic Support Officer is Eithne Doherty  
[mayorsoffice@causewaycoastandglens.gov.uk](mailto:mayorsoffice@causewaycoastandglens.gov.uk) Tel. (028) 7034 7010

**8.6** The Mayor can appoint a chaplain as appropriate and can agree deputisation if the Deputy Mayor is not available. This will normally be the chair or vice chair of the relevant committee.

## **9. Mayor's Charity/Donations**

### **9.1 Choosing a charity**

It is the Mayor's responsibility to choose a charity or charities to support during the term of office at the beginning of the mayoral year. Additional charities may be added during the year at the Mayor's discretion.

### **9.2 Support**

The primary role of the Mayor's Office is to ensure the smooth running of the Mayor's many civic engagements. Staff will attempt to support the Mayor in fundraising activities but thought must be given to how the Mayor and the Civic Support Officer can organise these.

### **9.3 The Mayor's Allowance**

The Mayor's Allowance of £24,000 can be used by the Mayor at his or her discretion. When considering an ad-hoc requests for support, the Mayor may wish to consider the following:

- Are other grant funding opportunities available;
- Priority is given to urgent good causes;
- Donations should not be made which directly benefit an individual, political party or organisation not open freely to the general public;
- Charitable assistance should not be given where it would have a detrimental impact on other Council's work or reputation.

## 10. Mayoral Hospitality

**10.1** The provision of hospitality and gifts by the Mayor may take a number of forms depending on the nature of the event.

<b>Event</b>	<b>Example</b>	<b>Description</b>	<b>Arrangements made and provided by</b>	<b>Officer cover at event</b>
Meet the Mayor	Hosting visits from schools, groups, recognising local achievement	<ul style="list-style-type: none"> <li>• Held in Council building</li> <li>• Limited hospitality (beverage/snack)</li> <li>• Photo opportunity</li> <li>• Low value gift – e.g. pen, pencils</li> </ul>	Civic Support; liaising with other Directorates if required	Member of civic support team or appropriate Council department.
Mayoral reception	Recognising regional/national achievements or significant contribution to the Borough	<ul style="list-style-type: none"> <li>• Held in Mayor's Parlours</li> <li>• Light refreshments (drinks, sandwiches, finger buffet)</li> <li>• Photo opportunity</li> <li>• Low/medium value gift – e.g. keyring and pen/pencil</li> </ul>	Civic Support; liaising with other Directorates if required	Member of Civic Support team and/or officer from another department leading
Mayor's Charity Events	Concerts, dinners	<ul style="list-style-type: none"> <li>• Can be hosted in external venues or Council building</li> <li>• Hospitality offered at Mayor's discretion normally paid for through ticket sales</li> <li>• Gifts – at Mayor's discretion</li> </ul>	Civic Support in partnership with charity	Civic Support as required, resources permitting
Delegations / Conferences		As for Meet the Mayor		

<b>Event</b>	<b>Example</b>	<b>Description</b>	<b>Arrangements made and provided by</b>	<b>Officer cover at event</b>
Courtesy Visits	VIP visitors to Borough	As for Mayoral Reception Gift at discretion of Mayor		
100 <sup>th</sup> birthday	On application or Mayor's request	Birthday card and gift		
Diamond Wedding Anniversary	On application or Mayor's request	60 <sup>th</sup> Wedding Anniversary card and gift		
End of year receptions	Mayor and Deputy Mayor to host modest events	To be held in the Mayor's Parlours as appropriate		

Gifts are to be declared and registered within 10 working days.

## 11. Annual Civic and other Events

The Council organises or participates in a series of major civic and other events which occur each year. A non-exhaustive overview is as follows:

<b>Annual Programme of Events</b>	<b>Usual Time of Year</b>	<b>Principal Organisation</b>
Armed Forces Day	June	The Royal British Legion
Airwaves (Airshow)	September	CCGBC Events Team
Remembrance Day	November	The Royal British Legion
Christmas Lights Switch On - various locations	December	CCGBC Events Team
Christmas Receptions	December	CCGBC Mayor's Office
North West 200	May	Coleraine and District Motorcycle Club
Lammas Fair	August	CCGBC Events Team
RNLI Raft Race	May	RNLI Portrush
Rathlin Sound Maritime Festival	May	CCGBC Events Team

12. The outgoing Mayor should consider their speech of thanks at the end of their term of office and welcome the new Mayor.

## PROTOCOL FOR THE OPERATION OF THE PLANNING COMMITTEE

### 1.0 Introduction

- 1.1 The Causeway Coast and Glens Borough Council, at its Planning Committee meetings held on 23 October 2024 and 27 November 2024, agreed the revised 'Protocol for the Operation of the Planning Committee'. The revised Protocol takes effect on 01 January 2025. This revised document sets out the detailed procedures of the Planning Committee that are not covered by the Council's Standing Orders and Councillors' Code of Conduct but should be read in conjunction with such documents.

### 2.0 Purpose of the Protocol

- 2.1 The purpose of this Protocol is to outline the arrangements for the operation of the Planning Committee ("the Committee"). The Protocol should be read in conjunction with the relevant provisions of the Council's Standing Orders and the Code of Conduct for Councillors.

### 3.0 Remit of the Planning Committee

- 3.1 The remit of the Planning Committee is set out in the Terms of Reference for the Planning Committee. The decisions of the Planning Committee are taken under full delegated authority and will not go before full council for ratification.

#### *Development Management*

- 3.2 The main role of the Planning Committee is to consider applications made to Causeway Coast and Glens Borough Council as detailed in the adopted Scheme of Delegation and decide whether they should be approved.

#### *Development Plan*

- 3.3 The Planning Committee's role in relation to the local development plan is to approve the Plan Strategy and Local Policies Plan before referring to full Council for ratification. The Planning Committee should ensure that the local development plan, once adopted, is monitored annually and reviewed every 5 years, giving consideration as to whether there is a need to change the Plan Strategy or Local Policies Plan.

#### *Enforcement*

- 3.4 The Planning Committee shall have an overview role of the enforcement function and officers shall prepare a quarterly report on the enforcement performance (number of cases opened, cases closed, notices issued and

convictions obtained). The Planning Committee can request a report from officers on any enforcement matter but should not make a decision. Officers will exercise discretion when discussing sensitive enforcement matters at the Planning Committee to ensure possible future legal proceedings are not prejudiced.

#### **4.0 Membership**

- 4.1** The Committee is comprised of sixteen Elected Members appointed to the Committee at the Annual General Meeting of Council with no substitutions permitted unless there are exceptional circumstances and agreed with the Chair. A quorum of 4 Committee Members (as set out in Council's Standing Orders) is required for the Planning Committee to convene. Business shall not be transacted unless a quorum of the Committee is present.
- 4.2** Members are required to attend mandatory training prior to taking their seat on the Planning Committee and attend other mandatory training as necessary.
- 4.3** The Head of Planning or other authorised officer is expected to attend all Planning Committee meetings, in addition to Planning Officer's presenting their reports. Legal representation and statutory consultee representation may also attend the Committee to assist in the decision-making process.

#### **5.0 Frequency of Planning Committees Meeting**

- 5.1** In accordance with the Council's Standing Orders and Terms of Reference for the Planning Committee, The Planning Committee will normally meet on the fourth Wednesday of the month at 10.30am except in the months of July and December when there will be no meeting held. Additional meetings will be at the discretion of the Chair of the Committee with the consent of Committee Members. Meetings will conclude no later than 8pm unless otherwise agreed by Committee Members. Any items on the agenda that have not been considered at that time will be adjourned for consideration at a reconvened meeting.
- 5.2** Planning Committee meetings should normally be open to the public except when access is restricted in accordance with Section 42 of the Local Government Act (Northern Ireland) 2014.
- 5.3** The following information will be circulated to Committee Members prior to the monthly Planning Committee meeting and published on Council's website:
- A weekly list of all new valid planning applications received and planning applications decided



- A weekly list of all contentious delegated planning applications where the decision is ready to issue will be circulated to Elected Members on a weekly basis.
- The Schedule of applications to be determined by the Planning Committee.
- The agenda for the Committee meeting with a report on each planning application to be considered at that meeting by the Committee.

**5.4** Members of the public must not circulate information directly to Members of the Planning Committee. Members of the Planning Committee are not permitted to advocate for or against or lobby for or against any matter before the Planning Committee when they are determining such matter. This information will only be considered if submitted directly to the Planning Department via [planning@causewaycoastandglens.gov.uk](mailto:planning@causewaycoastandglens.gov.uk) .

## **6.0 Scheme of Delegation**

**6.1** A Scheme of Delegation is where the decision-making on a planning matter is delegated to an appointed Officer, thereby enabling speedier decisions and improved efficiencies. Section 31(1) of the Planning Act (Northern Ireland) 2011 requires a Council to produce a Scheme of Delegation for delegation of decisions for development within the local category of application.

**6.2** There are certain statutory restrictions that prevent delegation of certain types of applications to appointed Officers and therefore must be determined by the Planning Committee. These are set out in Part A of the Scheme of Delegation.

**6.3** The Scheme of Delegation must be agreed with the Department for Infrastructure in accordance with Section 31 of the Planning Act (Northern Ireland) 2011.

**6.4** In accordance with Regulation 10 of the Planning (Development Management) Regulations (Northern Ireland) 2015, the Scheme of Delegation is available to view on Council's website and a copy is available at the Planning Office, Cloonavin, 66 Portstewart Road, Coleraine BT52 1EY.

**6.5** The Scheme will be reviewed periodically to ensure it is current and relevant.

## **7.0 Referral of Delegated Application to the Planning Committee**

**7.1** A list of all contentious delegated planning applications where the decision is ready to issue will be circulated to Elected Members on a weekly basis and published on Council's website. A contentious application is one where the Officer recommendation is to refuse permission as set out in the Scheme of Delegation. This list will be circulated to all Elected Members on the Tuesday

of each week and uploaded onto the Council website. Elected Members will have until 10am on the Monday of the following week to request a referral, in accordance with Part B of the 'Scheme of Delegation for the Planning Department', otherwise the decision notice will issue. Members of the public will not be able to directly request this procedure.

**7.2** Any referral by an Elected Member of Council must be based on clearly specified planning grounds and must accompany all requests. Clear planning issues that could warrant referral are those related to, for example:

- Relevant national and local planning policy
- Appearance and character of the development, layout and density
- Traffic generation, highway safety, parking and servicing
- Overshadowing, overlooking, noise and disturbance, odours or other amenity issues.

**7.3** The request must be emailed to [planning@causewaycoastandglens.gov.uk](mailto:planning@causewaycoastandglens.gov.uk) prior to 10am on the Monday following the issuing of the contentious list. The referral request must detail:

- the Elected Member requesting the referral
- the planning reference number; and
- the clear planning reasons for the request.

**7.4** Only those requests received within the specified timeframe will be considered by the Head of Planning or other authorised officer and the Chair of the Planning Committee and/or Vice-Chair. Only those referral requests received within the specified timeframe will be considered. Should the consideration determine that the outlined material planning reasons for the referral are insufficient, the Elected Member will be advised and allocated a further 2 working days to submit further information. Only those applications that are considered to have detailed the outline material planning reasons for the referral will be agreed to be determined by the Planning Committee. The Elected Member will be advised of the decision on the referral request.

**7.5** Where the referral request is accepted, the details of the referral request, including the name of the Elected Member who requested the referral will be published as an attachment to the Planning Committee Report to be presented to Planning Committee and published on Council's website. The published Minutes of the Planning Committee meeting will also record that the application was a referred item.

**7.6** The Head of Planning may also consider it prudent to refer a delegated application to the Planning Committee for determination. This will be discussed and agreed with the Chair of the Planning Committee.

## **8.0 Format of Planning Committee Meetings**

**8.1** The Planning Committee will operate in accordance with Council's Standing Orders. The Schedule of Applications to be determined by the Planning

Committee will be posted on the Council website normally on the Wednesday prior to the Committee meeting.

### *Standard Agenda Items*

**8.2** The Committee meetings will be conducted following the below format:

- Notice of Meeting
- Apologies
- Declaration of Interests
- Approval of minutes of the previous meeting
- Order of Items including deferral for site visits
- Schedule of Planning Applications
- Development Plan Matters
- Reports for Determination
- Correspondence for Noting
- In Committee Items including legal, financial and staffing issues
- AORB

**8.3** A Pre-Planning Committee Meeting may be held with the Chairperson and/or Vice Chairperson and other officials in advance of the scheduled Committee meeting taking place.

### *Circulation of Updated Information*

**8.4** Updated information received after the agenda has issued will be circulated to Members if such circumstance arises. The Planning Officer shall prepare an addendum report(s) to advise Members of the consideration of any updated information received since the agenda issued that is required to inform a decision. If the information is received after 10am on the Monday prior to the Committee meeting, the Officer will advise Members verbally in respect of same during presentation of that agenda item at the Committee meeting.

### *Declaration of Interests*

**8.5** At the beginning of each Committee meeting Members will be required to declare any direct or indirect pecuniary interests or any significant private or personal non-pecuniary interest they have on the agenda items. Where a Member in advance of the relevant Committee meeting has taken a firm view on a planning application ('pre-determined' the application), they should declare their interest at the beginning of the meeting.

**8.6** Should a Member declare an interest they must have regard to the Local Government Code of Conduct for Councillors. Member(s) cannot vote on the item where they have declared an interest and are required to remove themselves from the Chamber during the full discussion of the item and voting on such.

**8.7** If a Member(s) wishes to address the Committee on the item, they must be registered to speak on the application in accordance with the rules set out below for '*Procedures for Addressing the Planning Committee on a Planning Application*'.

**8.8** The Member(s) must remain outside of the Chamber until invited back prior to consideration of the next agenda item.

## **9.0 Pre-Determination Hearings**

**9.1** The Planning Committee has a mandatory requirement to hold Pre-Determination Hearings for those major applications which have been referred to the Department for 'call-in' consideration but have been returned to the Council for determination. The Planning Committee will be required to hold a Hearing prior to the application being determined.

**9.2** In addition, Council may also hold Pre-Determination Hearings, at their own discretion, where they consider it necessary, to take on board local community views, as well as those in support or against the proposed development. Such discretionary Hearings will be agreed between the Head of Planning or other Authorised Officer and the Chairperson and/or vice Chairperson taking account of the relevance of the objections in planning terms, the complexity of the application and level of pre-application community consultation.

**9.3** The intention is to make the application process for major applications more inclusive and transparent by giving applicants and those who have submitted representations the opportunity to be heard by Council before it takes a decision.

**9.4** When holding a Pre-Determination Hearing the procedures will be the same as the normal Planning Committee meetings. The Planning Officer will produce a report detailing the processing of the application to date and the planning issues to be considered. The number of individuals to speak on either side, time available etc will be agreed prior to the Hearing. If the Planning Committee decides to hold the Hearing on the same day as it wishes to determine the application, the Planning Officer's report should contain a recommendation. A power-point presentation as part of the speaking rights will be allowed at the Hearing.

## **10.0 Procedures for Addressing the Planning Committee on a Planning Application**

**10.1** The following procedures will apply to all those wishing to address the Planning Committee on a planning application.

### *Registering Requests*

- 10.2** All parties wishing to address the Committee on a planning application must register their wish to do so with the Planning Department either in writing to Planning Department, Cloonavin, 66 Portstewart Road, Coleraine BT52 1EY or by emailing [planning@causewaycoastandglens.gov.uk](mailto:planning@causewaycoastandglens.gov.uk).
- 10.3** All requests to address the Committee on a planning application must be received by **10am on the Monday immediately prior to the Planning Committee meeting** and must provide:
- the planning reference number of the application on which they wish to speak;
  - their name and contact details; and
  - whether they are speaking in support or objecting to the application
  - accompanied with a legible written submission of no longer than two sides of an A4 page. This can be hand written or typed typically in font size minimum 10 summarising the points to be addressed and provide supplementary information in support of their case.
- Only those registered to speak within the timeframe will be allowed to address the Committee either to speak or answer questions.
- 10.4** The accompanying written submission is not intended to replace a speaking note if a speaker wishes to expand on the points raised in the meeting. In the interests of equality of access, exceptions to this submission requirement will be at the discretion of the Chairperson.
- 10.5** On occasion where the consideration of an application is deferred by Members to a subsequent Committee meeting, those who have previously registered to speak on that application will be allowed to address the Committee at the subsequent meeting without the need to register to speak again. Those who did not register to speak when the application was previously before Committee for determination can register to speak at any subsequent meeting that the application is being determined at provided they register to speak within the timeframe for the subsequent Committee meeting.
- 10.6** In lieu of speaking, Elected Members and members of the public may submit representations in writing for consideration by the Committee. Written representations must be received by the Planning Department via email at [planning@causewaycoastandglens.gov.uk](mailto:planning@causewaycoastandglens.gov.uk) by **10am on the Monday** prior to the Planning Committee meeting and will be reported to the Committee via an Addendum Report. Representations in lieu of speaking received after this time will not be accepted and will be returned.
- 10.7** An application scheduled for determination at the Planning Committee will not be withdrawn from the schedule due to failure of interested parties to register their request to speak within the above specified timeframe.

### *Circulation of Information*

- 10.8** The written submission by speakers will be circulated to Committee Members in advance of the meeting. Any written submission received after the specified timeframe will not be accepted and will be returned.
- 10.9** Speakers will not be permitted to circulate papers/sharing of media etc. to Members at the Committee meeting. Lobbying of Committee Members is not permitted as set out in the Local Government Code of Conduct for Councillors.
- 10.10** Members of the Planning Committee are not permitted to advocate for or against or lobby for or against any matter before the Planning Committee when they are determining such matter.

### *Chairperson's Discretion*

- 10.11** The Chairperson may:
- (a) Suspend the public's right to speak if he/she considers it necessary to maintain order at the meeting;
  - (b) Vary the order of representations if he/she feels that it is convenient and necessary and will assist the Committee in dealing with the matter provided that it will not cause prejudice to the parties concerned or the administration of the application;
  - (c) Vary the order of applications if he/she feels that it is convenient and necessary and will assist the Committee in dealing with the matter provided it will not cause prejudice to the parties concerned or the administration of the application.
- 10.12** An application may be withdrawn from the schedule at the Chairperson's discretion and only in exceptional circumstances. Verification of the exceptional circumstances must be submitted via [planning@causewaycoastandglens.gov.uk](mailto:planning@causewaycoastandglens.gov.uk) by **12 noon on the Tuesday** prior to the Committee meeting for discussion with the Chair.

### *Speaking Order and Questions of Clarification*

- 10.12** The following procedures will apply for each application:
- (i) **Introduction of planning application by the planning officers**  
*The planning officer presents the application and makes a recommendation on whether the application should be approved, approved with conditions or refused. Plans and photographs may be shown to demonstrate the proposal(s). Officers can address any issues raised during the course of representations from any deputation and the Committee may seek clarification from officers.*

- (ii) **Elected Members Questions to Planning Officer**  
*Members can ask points of clarification from the Officer*

- (iii) **Representations – Objector(s)**  
*The Chair will welcome the speaker, including a reminder to keep to planning issues and the allocated time.*

*The total time allowed for representations from objectors will be a maximum of 5 minutes. Therefore if 2 objectors or more wish to address the Committee the 5 minutes will be split between those speakers. The Chair will ask speakers if they have agreed the allocation of the speaking time. If no agreement is reached, the time will be allocated equally against each speaker. A spokesperson for the objectors may address the Committee on behalf of all objectors. The Chair of the Committee may decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances. The maximum time allowed will be an additional 3 minutes.*

*Speakers are not permitted to display information or circulate documentation at the meeting to Members.*

- (iv) **Elected Members Questions to Objector(s)**  
*Elected Members can ask points of clarification/fact from the objector(s).*

- (v) **Representations on behalf of applicant – applicant, agent and supporter**  
*The Chair will welcome the speaker, including a reminder to keep to planning issues and the allocated time.*

*The total time allowed for representations from applicant, agent or supporter will be a maximum of 5 minutes. Therefore, if applicant and a supporter(s) wish to address the Committee the 5 minutes will be split between those speakers. The Chair will ask speakers if they have agreed the allocation of the speaking time. If no agreement is reached, the time will be allocated equally against each speaker. A spokesperson for the supporters may address the Committee on behalf of all supporters.*

*The Chair of the Committee may decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances. The maximum time allowed will be an additional 3 minutes.*

*Speakers are not permitted to display information or circulate documentation at the meeting to Members.*

- (vi) **Elected Members questions to applicant, agent or supporter**  
*Elected Members can ask points of clarification/fact from the applicant, agent or supporter(s).*

- (vii) Representation by Elected Members of Council, MLA and/or MP**  
*The Chair will welcome the speaker, including a reminder to keep to planning issues and the allocated time.*

*The total time allowed for representations by Elected Members of Council, MLA and/or MP will be 5 minutes in support and in objection to an application. Therefore if 2 speakers or more wish to address the Committee one in support and one in objection to the application, they will each have 5 minutes. However, if 2 or more Elected Members wish to address the Committee in support of the application, or 2 or more in objection to the application, the 5 minutes will be split between those speakers. The Chair will ask speakers if they have agreed the allocation of the speaking time. If no agreement is reached, the time will be allocated equally against each speaker.*

*The Chair of the Committee may decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances. The maximum time allowed will be an additional 3 minutes.*

*Speakers are not permitted to display information or circulate documentation at the meeting to Members.*

- (viii) Planning Officer's and Consultee comments**  
*Officer(s) and Consultee representatives can clarify points raised by those who made representations to the Committee and answer any further points of clarification from Members.*
- (ix) Elected Members' debate including advice from Officers**  
*Elected Members debate on the planning issue with the aim of having a constructive discussion on the merits of the planning application.*
- (x) Elected Members' decision**  
*The Chair should ask the Committee if it is ready to vote on the application and provide a reminder of the proposal.*

## **11.0 Committee Decisions**

- 11.1** A Member must make a proposal and this must be seconded by another Member before a vote can be taken. The Chairperson has the casting vote.
- 11.2** An Officer, and/or Legal Adviser may advise Members on the implication of the vote in either direction prior to the vote taking place.

### *Committee Decision Options*

- 11.3** Members can defer consideration of an application to a subsequent meeting for further information, further negotiations or a site visit. The Member



proposing the deferral must provide clear planning reasons as to why a deferral is necessary. A proposal for a deferral must be seconded by another Member before being voted on. Consideration of an application should generally only be deferred once.

- 11.4** Members can add conditions to an approval decision or add reasons for refusal to a refusal decision but they cannot amend the application by condition (for example amend the layout or reduce the number of units). Any additional conditions or reasons for refusal must be proposed and seconded before being voted on by Members.
- 11.5** Members should be aware of the legal tests for conditions as these can be appealed to the Planning Appeals Commission and challenged through the courts – they should be necessary, enforceable, reasonable and relevant to planning and the development under consideration. The Planning Officer and/or Legal Adviser can provide advice as appropriate and necessary.
- 11.6** The planning reasons for any decision which is made contrary to the Planning Officers' recommendation will be formally recorded in the minutes and a copy placed on file.

#### *Decisions contrary to Officer's Recommendation*

- 11.7** On occasion, the Planning Committee may determine an application contrary to Planning Officers' recommendation. This is acceptable where planning issues are finely balanced. The Committee can accept or place different interpretation on or give different weight to the various material planning considerations.
- 11.8** Where the Committee makes such a decision it must be based on sound, clear and logical planning reasons, linked to the development plan, relevant planning policy and material considerations. Such reasons must be fully explained and clearly articulated by the Members who proposed and/or seconded a motion against the Officer's recommendation prior to Members voting on the proposal.
- 11.9** Planning Officer(s) and/or Legal Adviser(s) will have the opportunity to explain the implications of the Planning Committee's proposal to determine the application contrary to the Officers' recommendation prior to Members voting on the proposal.
- 11.10** Members of the Planning Committee should be mindful when making decisions that decisions and their reasoning may be appealed to the Planning Appeals Commission with the potential for award of costs against Council or challenged through a judicial review.
- 11.11** The reasons for any decision made contrary to the Planning Officers' recommendation must be fully, formally and expressly recorded in the minutes and a copy placed on file. Committee Members are required to give reasons

for a decision when such decision is contrary to the Planning Officers' recommendation. These reasons are likely to be adduced as evidence in the event of an appeal to the Planning Appeals Commission, in a judicial review or other legal proceedings and will be reviewed by such bodies.

#### *Notification to the Department of Infrastructure*

- 11.12** The Planning (Notification of Applications) Direction 2017 requires Councils to formally notify the Department on the occasion where they are minded to grant planning permission for certain types of application. The Direction restricts the grant of planning permission and requires the Council to send information to the Department.
- 11.13** The Schedule attached to the Notification Direction sets out the circumstances when Council should notify the Department.

### **12.0 Deferrals**

- 12.1** The Planning Committee can decide to defer consideration of an application to a future meeting for the following reasons:
- submission of further information
  - further negotiations/amendments
  - a site visit
- 12.2** Deferrals inevitably have an adverse effect on processing times, and therefore should be an exception.

#### *Arranging Site Visits*

- 12.3** It is recognised that Members of the Planning Committee may need to visit a site to help them make a decision on a planning application. For example, the proposal may be difficult to visualise or the application is particularly contentious.
- 12.4** The site visit will normally be scheduled to take place prior to the next scheduled Planning Committee meeting.
- 12.5** An officer of Council should contact the applicant / agent to arrange access to the site where necessary. Invitations will be limited to Members of the Planning Committee; Council Officers and consultees to the decision-making process.
- 12.6** Site visits are not an opportunity to lobby Elected Members or be used to seek to influence the outcome of a proposal prior to the Planning Committee meeting. There shall be no public speaking on site visits. Therefore, members of the public cannot attend site visits.

- 12.7** Elected Members should not carry out their own unaccompanied site visits as there may be issues relating to permission for access to land. Furthermore, they will not have the information provided by the Planning Officer, and, in some circumstances, it might lead to allegations of bias.
- 12.8** Attendance of site visits is optional but is generally encouraged.
- 12.9** The Planning Officer in attendance will record a site visit note detailing the date of the site visit, attendees and any other relevant information in the form. This site visit note will be circulated to Members of the Planning Committee Meeting.

#### *Site Visit Procedure*

- 12.10** An authorised Planning Officer will oversee the conduct of the site visits. The date and schedule of the site visits will be circulated to Members in advance.
- 12.11** The Planning Officer will describe the proposed development and use the plans/drawings to assist as necessary.
- 12.12** The Planning Officer will provide factual information to Members and the members may seek factual clarification on the proposal from the Planning Officer.
- 12.13** Debate on the merits of the proposal must not take place at the site visit as in doing so would be to imply that Members had pre-determined the application.
- 12.14** Members should leave the site promptly when the site visit is concluded.
- 12.15** Members of the public, applicant and agent are not permitted to attend the site visit.

### **13.0 Applications Returned to Planning Committee**

- 13.1** On occasion an application may be required to be returned to Planning Committee for further consideration, for example due to the deferral of the determination by Planning Committee Members for the submission of further information/amendments, receipt of new material information.
- 13.2** The same procedures will apply to the consideration of a returned application as set out under Section 10 above. However, the focus of the presentation by the Planning Officer and speakers at the further meeting should generally be restricted to the new information received.
- 13.3** Any request for speaking rights by anyone who has not previously registered to speak at the time the application was previously addressed at the Planning Committee will be accepted if received within the timeframe set out at Section 10 above.

## **14.0 Lobbying**

**14.1** Members of the public and their advisors are reminded that Members of the Planning Committee are not permitted to advocate for or against or lobby for or against a planning application, planning policy, enforcement action or any other matter before the Planning Committee when they are part of the Committee dealing with such matter. Further, Members of the Planning Committee are not permitted to influence or pressure Planning Officials of the Council in relation to any planning matter. This is mandated by the Northern Ireland Local Government Code of Conduct for Councillors and binds the Members of the Planning Committee.

## **15.0 Recess**

**15.1** When the Planning Committee meeting lasts longer than 2 hours a minimum 15 minute recess shall be taken at 2-3 hourly intervals.

## **16.0 Confidential Matters**

**16.1** In the event that the Planning Committee resolve to go 'In Committee' only Members of the Planning Committee, Council Officers in attendance and Legal Adviser(s) shall remain within the meeting. All members of the public, press and other third parties must leave the meeting including those Members of the Planning Committee who have declared an interest on that item and other Members of the Council who do not sit on the Planning Committee.

## **17.0 Training**

**17.1** A Member shall not participate in decision-making at planning Committee meetings if they have not attended the mandatory training.

**17.2** Members of the Planning Committee shall also endeavour to attend any other specialised training sessions provided to enhance their knowledge of planning law, regulations, procedures and development plans and to generally assist Members in carrying out their role as a Planning Committee Member.

## REMOTE MEETINGS PROTOCOL

This document details changes required to Council's Standing orders in consequence of The Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020 which came into force on 1 May 2020.

### **Introduction and Application of the Remote Meetings Procedure Rules**

This Protocol and Procedure Rules sets out the basis upon which any remote meeting of the Council, and its various Committees, will be held.

This Protocol and Procedure Rules should be read in conjunction with the Council's Standing Orders. The Regulations make amendments to the Local Government Act (Northern Ireland) 2014 and The Local Government (Executive Arrangements) Regulations (Northern Ireland) 2015.

The effect of the Regulations on the Authority's Constitution is to insert what are, in effect, mandatory Standing Orders if the Council wishes to hold meetings remotely, either wholly or partially.

The Regulations, and therefore the Standing Orders, have an automatic amending effect on an authority's existing Standing Orders and can be applied immediately in order to run Council and Committee meetings remotely. However, it is good practice, even with express mandatory standing orders, to have these adopted formally by the full Council at the first opportunity to do so.

### **1 How will notice of Meetings and papers be provided?**

- 1.1** Democratic Services will give the requisite notice to the public of the time of the meeting, and the agenda, together with details of how to join the meeting which will be made available on the Council's website.
- 1.2** Members will be notified of a remote meeting by email (in the form of an Outlook calendar entry with a link to join) and all agenda papers will be available on the Council's website and the Members' Portal.
- 1.3** The 'place' at which the meeting is held may be at a Council building or may be where the organiser of the meeting is located or may be an electronic or a digital or virtual location, a web address or a conference call telephone number; or could be a number of these combined. The meeting may also be held in a meeting room or Chamber with a proportion of the membership and any participating public additionally attending remotely.

## **2 How will remote access to Meetings be provided?**

- 2.1** Members and members of the press and public will be encouraged to use any video conferencing facilities provided by the Council to attend a meeting remotely.
- 2.2** If this is not possible, attendance may be through an audio link or by electronic means.
- 2.3** Remote access for members of the public, and Members who are not attending to participate in the meeting, together with press facilities, will be provided through webcasting, live audio streaming, or other means. Those details will be published on the Council's website and on social media.
- 2.4** If technology fails for a wholly remote meeting, and the meeting is no longer open to the public, any decisions made could be challenged as unlawful.
- 2.5** It is important to note that the public accessing the meeting by remote means, as described here, is different from the public attending to exercise a right to speak. A technological failure removing the ability for the public to access the meeting by remote means renders the whole meeting incapable of proceeding (as described above). A member of the public who attends to exercise their right to speak and is unable to do so renders only their item incapable of proceeding (This is set out paragraph 5 below).
- 2.6** If the Chairperson is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chairperson shall adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chairperson. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

## **3 Management of Remote Meetings for Members**

- 3.1** Any Member participating in a meeting remotely, must when they are speaking, be able to be heard (and be seen where practicable) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and see where practicable) those other Members participating.
- 3.2** In addition, a remote participant must be able to be heard by, and in turn hear any members of the public entitled to attend the meeting and who exercise a right to speak at the meeting.
- 3.3** The Chairperson will normally confirm at the outset and at any reconvening of a Committee meeting that they can see and hear all participating members (this is unlikely to be practical for a meeting of full Council). Any Member participating remotely should also confirm at the outset and at any reconvening

of the meeting that they can see and hear the proceedings and the other participants.

- 3.4** The attendance of those members at the meeting will be recorded by the Democratic Services Officer.
- 3.5** The normal quorum requirements for meetings as set out in the Council's Standing Orders will also apply to a remote meeting.
- 3.6** In the event of any apparent failure of the video, telephone or conferencing connection, the Chairperson should immediately determine if the meeting is still quorate:
- if it is, then the business of the meeting will continue; or
  - if there is no quorum, then the meeting shall adjourn for a period specified by the Chairperson, expected to be no more than fifteen minutes, to allow the connection to be re-established.
- 3.7** Should any aspect of a Member's remote participation fail, the Chairperson may call a short adjournment of up to five minutes or so to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative. If the connection is not restored within that time, the meeting should continue to deal with the business whilst this happens, providing the meeting remains quorate and the public are able to hear.
- 3.8** In the event of connection failure, the remote Member(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those Member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item/s. If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned at the point of re-establishment.
- 3.9** If a connection to a Member is lost during a regulatory meeting, the Chairperson will stop the meeting to enable the connection to be restored.
- 3.10** If the connection cannot be restored within a reasonable time, the meeting will proceed, but the Member who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.

#### **4 Remote Attendance of the Public**

- 4.1** Any member of the public participating in a meeting remotely in exercise of their right to speak at Council or in regulatory or other meetings must meet the same criteria as members of the Council. Members of the public attending a meeting remotely must, likewise, when they are speaking be able to be heard (and ideally be seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other members participating be so heard and, where practicable, be seen by any other members of the public attending the meeting.

- 4.2** A process will be developed which will include requiring advance notification from members of the public wishing to attend remotely (if practicable). For those items of business, an invitation to participate in the remote technology can then be sent out in advance.
- 4.3** Alternatively, if the Council is unable to provide a technological solution, the existing public speaking rights will be replaced with public participation by receipt of representations in writing only, unless there is an express legislative provision which requires the person to be given the opportunity to appear before and be heard by the Committee. Submissions received from the public can then be read out by the Chairperson or a supporting officer.
- 4.4** The Democratic Services Officer or meeting facilitator should mute the member of the public once they have spoken, and remove them from the remote meeting on the instruction of the Chairperson, in order to maintain the good administration of the meeting or to retain order.
- 4.5** A breakdown of the technology should not disadvantage the member of the public in remote attendance wherever possible.

## **5 Meeting Procedures**

- 5.1** Democratic Services will facilitate the meeting. Their role will be to control the video, telephone or conferencing technology employed for remote access and attendance and to administer the public and Member interaction, engagement and connections on the instruction of the Chairperson.
- 5.2** In respect of Standing Committees and at Council meetings, if members wish to speak on any item it would assist if they could make that known to the Democratic Services Team in advance of the meeting.
- 5.3** Given the reliance on technology it is particularly important that those making proposals or amendments differing from or in addition to report recommendations should, where possible, ensure these are provided to Democratic Services in advance of the meeting also. Political Parties are also encouraged to co-ordinate this activity wherever possible in respect of full Council meetings and other meetings likely to result in a high number of requests to speak. This is particularly important if Members are unable to participate via video conference.
- 5.4** The Chairperson will follow the rules set out in Standing Orders when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.
- 5.5** The Chairperson, at the beginning of the meeting, will explain the protocol for member and public participation and the rules of debate. The Chair's ruling during the debate will be final.



**5.6** Members are asked to adhere to the following etiquette during remote attendance at a meeting:

- Committee members are asked to join the meeting no later than fifteen minutes before the start to allow themselves and the meeting facilitator the opportunity to test the equipment.
- Any camera (video-feed) should show a non-descript background or, where possible, a virtual background and members should be careful to not allow exempt or confidential papers to be seen in the video-feed.
- Mute the microphone when not talking.
- Rather than raising one's hand or rising to be recognised or to speak, Members should avail themselves of the remote process for requesting to be heard:

[e.g., where available]

- Members are to use any chat facility to indicate to the Chairperson that they wish to speak. Members will unmute their microphone and turn their cameras on when the Chairperson invites them to speak.  
**The chat facility must not be used for private conversations between Councillors.**
- Only speak when invited to by the Chairperson
- Only one person may speak at any one time
- Turn on the microphone and also the video-feed (if available or unless speaking to a diagram, presentation slide or drawing), then state your name before you make a comment
- When referring to a specific report, page, or slide, mention the report, page, or slide so that all members have a clear understanding of what is being discussed at all times.

**5.7** Where members of the public are exercising speaking rights at the meeting via remote attendance, the Chairperson will, as part of their introduction, explain the procedure for their participation which will reflect those relevant elements of the above. Members of the public must adhere to this procedure otherwise they may be excluded from the meeting.

### Voting

**5.8** When satisfied that there has been sufficient debate, the Chairperson will ask for a proposer and seconder for the item being discussed and progress to making a decision. Unless a Recorded Vote is called, the method of voting will be as followings:

- Where there is a clear recommendation(s) in a report, the Chairperson 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 Chairperson will put this forward. If there is no dissention then it is taken as agreed; or

- Where there is dissention or more than on proposal/amendment, these will be dealt with in the normal manner by means of a vote.
- Voting will take place as follows:
  - an officer will call out the name of each member present with:
  - members stating 'for', 'against', or 'abstain' to indicate their vote when their name is called
  - the Democratic Services Officer clearly stating the result of the vote
  - once confirmed the Chairperson will then move onto the next agenda item

**5.9** Details of how Members voted will not be minuted (the minutes will, as normal practice state the numbers for and the numbers against) unless a Recorded Vote is called. Where a Recorded Vote is requested the Chair will ask members in turn to signify verbally whether or not they support that request. As per existing custom and practice, Recorded Votes will not normally be taken at regulatory meetings.

#### Leaving a Meeting

**5.10** Members leaving the meeting should use the chat facility or otherwise indicate to the Chairperson that they are exiting the meeting. Failure to do this will lead to an assumption that the Member has dropped out through a technology failure. The meeting may be adjourned to re-establish the remote link or to utilise the alternative phone connection. The Chairperson of the meeting will check with Members, joined to the meeting by phone, if they wish to make any contribution during discussion on any item. As the technology will make it difficult to monitor drop out at a Council meeting at which 40 Members may be present, a number will be provided enabling a message to be conveyed by text to Democratic Services.

## **6 Declaration of Interests**

**6.1** Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the Democratic Services Officer or meeting facilitator, who will invite the relevant Member by link, email or telephone, to re-join the meeting at the appropriate time.

## **7 Exclusion of Public and Press**

**7.1** There are times when Council meetings are not open to the public, when confidential, or "exempt" issues (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. Where the technology is available, the Democratic Services Officer or meeting facilitator will ensure that there are no members of the public in remote attendance or remotely accessing

the meeting are able to hear or see the proceedings once the exclusion has been agreed by the meeting.

- 7.2** Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.