ARDS AND NORTH DOWN
BOROUGH COUNCIL

STANDING ORDERS

VERSION 13
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Ards and
North Down
Borough Council

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Introduction

In accordance with Section 37 of the Local Government Act (Northern Ireland) 2014, Councils are required to make Standing Orders for the regulation of the proceedings and business of the Council. A Council's Standing Orders will include elements that the Act states they must include, elements that any Regulations made under section 38 of the Act state must be included and other elements which a Council may consider should be included. The Standing Orders provide a robust, clear and accountable framework to demonstrate how it will conduct meetings and transact business at those meetings.

Statutory Provisions

For information, convenience and completeness, provisions of the Local Government Act (Northern Ireland) 2014 have been cited in these Standing Orders.

It is considered correct that actual Standing Orders should make no reference to statutory provisions as such provisions cannot be part of Standing Orders.

Glossary of Terms

"2014 Act" means the Local Government Act (Northern Ireland) 2014

"2014 Executive Arrangements Regulations" means the Local Government (Executive Arrangements) Regulations (Northern Ireland) 2014

"2020 Regulations" means the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020

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

"Elected Member" / "Member" means a Councillor, including those appointed as Aldermen

"Presiding Chairperson" means the Elected Member chairing the Council or Committee Meeting

"Quorum" requires 1/4 of the Council/Committee membership to be in attendance (six for Planning Committee) If the figure arrived at is not a whole number, the figure must be rounded up to the next whole number

"Remote access" means the ability to attend or participate in a meeting by electronic means, including by video conference, live webcasts, and live interactive streaming

"The Department" means the Department for Communities

"Working days" excludes Public or Bank holidays, a Saturday or a Sunday or the additional two Council holidays which are fixed on an annual basis

For the purposes of submitting an item of business (a Notice of Motion, an amendment, a call-in requisition, a Special Meeting requisition, or speaking rights at a Committee), the day of submission is excluded from the definition of a Working Day. Days in which Meetings of the Council are held are not included in the definition of a Working Day.

The deadline in respect of call-in is 5 00pm
The deadline for Notice of Motions is 5 00pm

In Standing Order 24
"2000 Act" means the Political Parties, Elections and Referendums Act 2000; "Member" means Councillor;

"nominating officer" in relation to a Party, means

(a) the person registered under the 2000 Act as the Party's nominating officers; or

(b) a Member of the Council nominated under the 2000 Act for the purposes of Schedule 1 to the 2014 Act; and

"party" means a party registered under the 2000 Act in the Northern Ireland register (within the meaning of that Act).

"Chief Executive" – refers to the Chief Executive leave for occasions where the Chief Executive is not contactable then the Chief Executive will deputise to a designated Director.

The Council's Planning Committee is managed using the Protocol for the Operation of Ards and North Down Borough Council Planning Committee. (Annex 1) and the Protocol for Virtual Planning Committee Meetings (Annex 2) as applicable. These should be read in conjunction with the Standing Orders and are not intended to replace them. The Council may from time to time amend the Planning Protocols and there may be a time delay between the amended Protocols being agreed and Annex 1 and Annex 2 of the Standing Orders being updated. In such cases the versions most recently agreed by Council will be binding regardless of the versions attached to the Standing Orders.

1. Annual and Monthly Meetings

(1) In every year that is not a local election year the Council shall hold an Annual meeting on the first Wednesday in the month of June, unless the Council otherwise decides.

(2) In any year which is a local government 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, on the Council's website in line with the 2020 Regulations, or at such other place as the Department may direct.

(3) 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 last Wednesday of every month. Other meetings of the Council for the transaction of general business shall be held as the Council considers necessary.

(4) 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 available date instead.

2. Time and place of Meetings

(1) The Annual Meeting shall be held at 11.00am and other meetings of the Council shall be held at 7.00pm, or such other time as the Council may agree, at an agreed location in the Borough.

(2) Council and Committee meetings are scheduled to last a maximum of two hours. After two hours a 15 minute break will be taken. Following the break, the meeting should continue for a maximum time of two hours. The Presiding Chairperson may exercise a level of discretion in this regard giving consideration to the importance of business to be considered and lateness of the hour.

3. Convening Special Meetings

(1) The Mayor of the Council may call a meeting of the Council at any time giving 5 working days' notice In the event of an emergency where it would not be pragmatic to await 5 working days before holding the meeting, or in exceptional circumstances, the meeting may be called with 24 hours' notice.

(2) The Mayor may call a meeting of the Council if a requisition for such a meeting, signed by eight Members, is presented to them; and; if they refuse to call a meeting on such a requisition or if, without so refusing they do not call a meeting within the period of five working days from the date of the service of the requisition on them, the eight Members may, on that refusal or on the expiration of the five working day period, call a meeting of the Council. Members should complete a copy of the Special Meeting requisition form when doing so.

(3) Where a meeting is called by the Mayor or Members further to such a requisition, the meeting shall be called in accordance with Standing Order 3(1)
Upon receiving the requisition, the Mayor shall make a decision as to whether or not to call a meeting as soon as reasonably practicable, but in any event a decision if being made should be given within five working days.

4. Notice and Summons of Meetings

Three working days at least before a meeting of the Council or a Committee:

(1) Notice of the time and place of the intended meeting shall be published at the offices of the Council or on the Council's website in line with the 2020 Regulations Where the meeting is called by Members, the notice shall be signed by them, in writing or electronically, 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 Chief Executive shall be issued electronically to Members via email Want of service of this summons shall not affect the validity of a meeting.

(3) Except in the case of business required by statute, or where in the opinion of the Presiding Chairperson of 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) Any Other Notified Business (AONB) cannot be considered at Council meetings or the Planning Committee but may be considered at all other Committee meetings AONB must be submitted in writing to Democratic Services not later than 4 pm one working day prior to the meeting This should also be copied to the Chairperson and Director of the relevant Committee AONB should be of an urgent nature and usually for information and can be accepted or denied at the discretion of the Chair It should not be a matter that should be raised as a Notice of Motion

(5) Council and Committee Agendas and reports which are being considered publicly will be uploaded onto the Council website within 24 hours of them being made available to Members

(6) An audio recording shall be made of the proceedings of Council and Committee meetings, except in respect of any items to which the public and press have been excluded in accordance with Standing Order 10 The audio recordings shall be published on the Council website no more than five working days after each Council or Committee Meeting

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.

6. Chairperson of Meeting

(1) At a meeting of the Council, the Mayor of the Council, if present, shall preside.

(2) If the Mayor is absent from a meeting of the Council, the Deputy Mayor, if present, shall preside.

(3) If both the Mayor and Deputy Mayor are absent from a meeting of the Council, the Members present shall nominate a Member to preside in their absence.

(4) If discussion arises on the allocation of the position of Presiding Chairperson, the Chief Executive shall exercise the powers of the Presiding Chairperson to assist in the regulation of that discussion.

(5) Any power of the Mayor in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

(6) It should be noted that the same principles (1) to (5) above would apply to the Chair and Vice Chair of Committees.

7. Quorum

(1) No business shall be transacted at a meeting of the Council and its Committees unless at least one-quarter of the Council/Committee membership is present. No business shall be transacted at a meeting of the Planning Committee unless a minimum of six Members are present.

(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 fifteen minutes, they 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.

8. Admission to meetings

(1) Subject to the provisions of this Standing Order, every meeting of the Council shall be open to the public and press.

(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.

(3) The admission of the public and press 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 shall, 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.

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

(6) The use of social media by Members, 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 shall be recorded by the minute taker. If a Member is not present for the full duration of a meeting the minutes shall record when he or she enters and/or leaves the meeting.

10. Exclusion of the public and press

(1) The public and press 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.

(2) The Council may by resolution exclude the public and press 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.

(3) The Presiding Chairperson may at any time during the proceedings, if they think 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 and press.

(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 and press shall be re-admitted and the Presiding Chairperson may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.

(5) The Council, having excluded the public and press, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. 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 and press 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 and press 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. Attendance of Members at Committees

Any Elected Member may attend a Committee meeting of which he/she is not a Member but may not take a Council seat within the main meeting area and instead should sit in the public gallery save where he/she wishes to speak on an item or items.

To register an interest to speak, a Member should submit a request in writing to the relevant Director by 5pm at least one working day in advance of the date of the Committee meeting at which they wish to be heard.

Where such a written request has been submitted that member shall be given special dispensation, subject to permission of the Chair, to speak on the item or items requested but shall not (unless he/she is a Member of the Committee) vote in any division or propose or second any resolution or amendment.

Elected Members attending a Committee that they are not a member of, pursuant to 17.1(10), may propose or second the motion and shall have speaking but no voting rights.

Once the item for which the Member has been granted dispensation has been dealt with the Member shall return to the public gallery If the public and press are excluded from the meeting the Member is not required to leave the room but rather be bound by the restrictions imposed at that part of the meeting.

This section does not apply to planning applications before the Planning Committee which are instead subject to the Protocol for the Operation of the Planning Committee.

12. Deputations

(1) Deputations, from any source, shall only be admitted to address the Council provided the Chief Executive has received seven working days notice prior to the date of the meeting of the intended deputation and a statement of its objective. The Deputation will be subject to the agreement of the Council under the same relevancy test as listed in 17.1.

(2) In the case of an emergency, deputations, from any source, shall only be admitted to address the Council provided the Chief Executive has received one working day's notice of the intended deputation and a statement of its objective, and subject to the agreement of the Mayor.

(3) 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 followed by a maximum 15 minutes question and answer session.

(4) 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 will decline to accept another deputation on the same issue from the same individual or group for a period of six months.

(5) No further discussion or proposals beyond questions shall take place at a Council or Committee meeting until after the deputation has withdrawn (members of the deputation will remain subject to Standing Order 8). Any subsequent proposal made should be limited to a request for officers to bring back a report on the matters raised by the deputation.

13. 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) Apologies;

b) declaration of Members' interests;

c) Mayor's Remarks;

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) matters arising;

f) adoption of the minutes of the proceedings of any Committees and consideration of reports, if any, from such Committees;

g) requests for deputations;

h) business required by statute to be transacted at the meeting;

i) reports on decisions/recommendations subject to the reconsideration procedure;

j) items circulated for information;

k) sealing of documents, and

l) consideration of motions of which due notice has been given, in the order in which they have been received.

14. Minutes of the Council

14.1 Keeping of; as evidence; etc.

(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.

(2) No discussion shall take place upon the previous month's Council or Special Council Minutes except upon their accuracy or matters for information.

(3) Any minute purporting to be signed as mentioned in sub-paragraph (1) 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 [Paragraphs 10(2) and 10(3) of Schedule 5 to the 2014 Act applies].

14.2 Signing of

The Minutes of a meeting of the Council shall be signed at the next ensuing meeting of the Council by the Mayor, if approved by the meeting at which they fall to be signed.

[Paragraph 10(1) of Schedule 5 to the 2014 Act applies].

15. Submission of Minutes

(1) In order to give sufficient time for the preparation of the minutes and for their consideration by the Members of the council, minutes of meetings of a Committee held later than five working days before the meeting of Council shall not be submitted to that meeting. This may be dis-applied where a Committee considers the matter to be of extreme urgency and records such a decision in it's minutes.

(2) It shall be the duty of a Committee, through the Presiding Chairperson or their representative, when its minutes are submitted for approval, to call the attention of the Council to any resolution or matter of an unusual or special character contained therein.

16. 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 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 Chief Executive of the Council shall be identified, and may not be the subject of discussion at that meeting.

17. Motions

(1) Every motion shall be relevant to at least one of the following:

i) in relation to which the Council:

a) has power or duties;

b) is not prevented from taking action on by other legislation;

ii) which directly affects the local government district or its residents; and

iii) for which the Council is legally competent.

(2) The decision of the Mayor as to the relevancy of a motion shall be final.

17.1 On notice

(1) Notice of every motion, other than a motion which under Standing Order 17 2 may be moved without notice, shall be given in writing, signed by at least two Members of the Council giving the notice, to the Chief Executive not later than at least five working days before the next meeting of the Council To be valid, a Motion must state the name of the proposer and the seconder The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language Prior to lodging a notice of motion, Members should take the opportunity to engage with the relevant Director on current action being taken and options available to have the subject matter addressed including any budgetary and legislative implications, and in line with Council policies and service plans Should the Notice of Motion have a budgetary, legislative or policy implication, it will be subject to a report being brought back for Council's consideration This may assist Members in formulating the terms of notice of motion.

(2) A motion shall be rejected if, in the opinion of the Chief Executive (having taken advice), the wording or nature of the motion is considered unlawful, improper or irrelevant.

(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.

(4) Notices of motion, including the names, shall be entered by the Chief Executive in their proper place upon the Summons Paper in the order in which they are received.

(5) A Member shall have not more than one notice of motion on the Summons Paper at the same time.

(6) If a motion set out in the Summons is not moved by a Member who gave notice it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice Should the proposer wish for the motion to be heard in his/her absence, consent must be indicated in writing to the Presiding Chairperson of the Council/Committee, nominating who will propose the motion.

(7) 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 Presiding Chairperson may, if they consider 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 Where such a motion is deemed urgent, the Presiding Chairperson shall give notice of this decision to the Members at least one day in advance of the meeting at which that motion is to be heard.

(8) If a notice of motion fails to be considered at a meeting of the Council/relevant Committee, such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Chief Executive by the Member concerned not later than five working days, at least, before the relevant meeting.

(9) 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.

(10) A Member or Members who sign and submit a motion which is then accepted as valid may propose or second the motion at any Committee it is referred to of which they are not a Member, and shall have speaking but no voting rights on the same basis of other Committee Members when the motion is being considered.

(11) Where the Chair of a Committee is bringing forward a motion, then he/she must relinquish the Chair and permit the Vice Chair to conduct the meeting during the moving of said motion In the absence of both the Chair and Vice Chair, the Members present shall nominate a Member to preside in their absence, in line with Standing Order 6 3 This is not applicable to the Mayor at a Council meeting.

(12) Once the Summons paper upon which the notice of motion first appears has been issued, any amendment to the motion may only be made in accordance with Standing Order 18 1 The following rules shall also apply:

a) Substantial amendments made by the proposer and seconder of a notice of motion must be submitted in writing to the Chief Executive by 5pm at least three working days in advance of the date of the Council or Committee meeting at which they will be heard.

b) Substantial amendments to a notice of motion by any Member other than the proposer and seconder must be submitted in writing to the Chief Executive by 5pm at least one working day in advance of the date of the Council or Committee meeting at which they will be heard Any such amendment will be debated at the Council or Committee meeting in the order in which they have been received by the Chief Executive.

c) Where an amendment to a notice motion is proposed and it has not been submitted in advance in accordance with a) or b) above, the Presiding Chairperson of the meeting shall decide whether the proposed amendment is of a non-substantive nature and, if so, it may then be considered at the Council or Committee meeting."

17.2 Without notice

The following motions may be moved without notice:

a) to appoint a Chairperson of the meeting at which the motion is moved;

b) in relation to the accuracy of 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 withdraw a motion;

h) to amend a motion unless Standing Order 17.1(12) applies in which case the amendment must be submitted in advance;

i) to proceed to the next business;

j) that the question be now put;

k) to adjourn a debate;

l) to adjourn a meeting;

m) to suspend Standing Orders, in accordance with Standing Order 30.1;

n) to exclude the public and press in accordance with section 42 of the 2014 Act;

o) to not hear further a Member named under Standing Order 27.3 or to exclude them from the meeting under Standing Order 27.4."

18. 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, unless Standing Order 17.1(12) applies in which case the amendment must be submitted in advance; or

b) that the Council do now adjourn the meeting; 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.

18.1 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) An amendment to a motion shall be either:

a) to refer a subject of debate to a Committee or to an officer for consideration or re-consideration;

b) to leave out words;

c) to leave out words and insert or add others; or

d) to insert or add words

But such omission, insertion or addition of words shall not have the effect of directly negativing the motion before the Council. This does not apply to Council meetings when ratifying Committee recommendations, as Council may agree to negativise a Committee decision or send it back to the Committee for further consideration.

(3) 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.

18.2 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 Presiding Chairperson 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 Presiding Chairperson, the circumstances are materially altered.

18.3 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 Presiding Chairperson 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-anhour. A Member shall not move or second more than one proposal for the adjournment of the same debate.

18.4 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 Presiding Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, they 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.

18.5 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 Presiding Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, they shall put the proposal "that the Council do proceed to the next business" to the vote without debate.

(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.

19. 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.

20. Rules of Debate

20.1 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 17.1 or the Standing Orders otherwise state that the motion need not be reduced to writing, it shall be put into writing to the Chief Executive and relevant Director, before it is further discussed or put to the meeting.

(2) A Member when seconding a motion or amendment may, if they then declare their intention to do so, reserve their speech until a later period of the debate.

20.2 Alteration of motion

(1) At a Council meeting a Member may alter a motion of which they have given notice as proposed with the consent of the meeting. The meeting's consent will be signified without discussion. If the alteration is proposed at a Committee meeting to which the notice has been referred, the Chair shall determine whether to accept the alteration or whether it ought to have been submitted in advance of the meeting on the grounds that it amounts to a substantial amendment in line with Standing Order 17.1(12).

(2) A Member may alter a motion which they have 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.

20.3 Withdrawal of motion

(1) A Member may withdraw a motion of which they have given notice under Standing Order 17.1 at any time after the meeting has commenced provided that they have 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 they have 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.

20.4 Mode of address

For meetings of Council, Committees and Sub-Committees the established mode of address for Members is to stand (if able to do so) when addressing the Mayor or Committee chairperson. While a Member is speaking, the other Members shall remain seated unless rising to a point of order.

20.5 Precedence in speaking

Whenever two or more Members indicate their intention to speak at the same time, the Presiding Chairperson shall decide who has precedence.

20.6 Place of Member speaking

A Member when addressing the Presiding Chairperson shall stand in the place allocated to them in the Council Chamber.

20.7 Member called to order

If any Member, while speaking, be called to order, shall resume their seat and shall not rise again to address the Council until the Presiding Chairperson has disposed of the question of order.

20.8 Point of Order

While a Member is speaking, the other Members shall not interject unless calling to the Presiding Chairperson's attention a point of order which shall be immediately ruled upon by him/her. Such points of order must be strictly related to an alleged breach of the Standing Orders and the Member shall specify the Standing Order or provision and the way in which he/she considers it has been broken.

20.9 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 they consider it has been broken.

20.10 Member may raise a point of order

A member may raise a point of order and shall be entitled to be heard immediately.

20.11 Ruling of Presiding Chairperson on point of order

The ruling of the Presiding Chairperson on a point of order shall not be open to discussion.

20.12 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, at the conclusion of the speech, indicate to the Presiding Chairperson that they wish to give a short explanation of the matter, regardless of whether or not they have already spoken on the matter under discussion. Such an explanation does not represent a point of order and as such Members may not interrupt any other Member while they are speaking in order to indicate they wish to give an explanation.

The Presiding Chairperson shall have discretion to decide whether to allow an explanation to be given, however, the Chairperson 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.

The Member who made the comments about the Member wishing to give an explanation does not have a right of reply. The Presiding Chairperson shall however have discretion to offer the Member the opportunity to further speak in order to apologise, withdraw or qualify their remarks in such manner as the Chairperson shall direct.

Any explanation given 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 Presiding Chairperson shall so direct.

20.13 Member to speak to motion

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

20.14 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, except:

a) to speak once on an amendment moved by another Member;

b) if the Motion has been amended since they last spoke, to move a further amendment;

c) if their first speech was on an amendment moved by another Member to speak on the main issue whether or not the amendment on which they spoke was carried;

d) in the exercise of a right to reply given by Standing Order 20.21;

e) on a point of order.

20.15 Duration of speeches

Except with the permission of the Council, a Member, in proposing a Motion (including amendments), shall not speak for more than ten minutes and in replying, for more than five minutes. Other speakers shall be allowed one interaction which will last no longer than five minutes.

20.16 Addressing the Council

The Council during its sitting, shall not, unless with the consent of the Presiding Chairperson, be addressed by any person who is not either a Member of the Council or the Chief Executive/Officer of the Council.

20.17 Only one 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.

20.18 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 Presiding Chairperson under Standing Order 27.4, that a Member do leave the meeting.

20.19 Presiding Chairperson rising during debate

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

20.20 Presiding Chairperson not to receive motion for direct negative

The Presiding Chairperson 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.

20.21 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 their amendment.

21. Voting

21.1 Majority

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those Members present and voting. A tied vote, where the Presiding Chairperson does not wish to use his/her casting vote, shall be declared not carried.

21.2 Presiding Chairperson's casting vote

If there are equal numbers of votes for and against, the Presiding Chairperson will have a second or casting vote.

21.3 Qualified majority [Mandatory]

A qualified majority vote (80 percent of the votes of the Members present and voting on the decision) 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 (Section 19 of the 2014 Act);

(b) the method, other than d'Hondt, to be adopted for filling positions of responsibility (Schedule 1 of the 2014 Act);

(c) the method, other than Quota Greatest Remainder, to be adopted for appointing Members to Committees (Schedule 2 of the 2014 Act);

(d) the exercise of the general power of competence in accordance with Section 79 of the 2014 Act;

(e) a call-in made in accordance with Section 41(1) (b) of the 2014 Act; and

(f) the suspension of Standing Orders.

21.4 Show of hands

Unless a ballot or recorded vote is demanded under Standing Order 21.5, the Presiding Chairperson will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

21.5 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.

21.6 Single Transferable Vote (STV)

A vote using the STV method shall be deployed where there are more prescribed nominations for a fixed number of positions.

22. Decision logs

(1) A decision log, cleared by the Chief Executive, shall be issued as soon as possible and no later than five working days after a Council meeting The decision log shall record details of any amended Committee decisions, any Notice of Motion debated at the Council meeting, and any reports upon which decisions are taken.

(2) A decision log, cleared by the relevant Director, shall be issued as soon as possible and no later than five working days after a Committee meeting The decision log shall record details of any decisions taken under delegated authority or any decisions which are to be referred to Council for ratification.

(3) If a requisition for a call-in of a decision recorded in a Council or Committee decision log is not received in accordance with Standing Order 23 by 5pm on the fifth working day after the relevant decision log has been issued, the decision must be implemented or referred to the Council for ratification as applicable.

(4) If an admissable requisition for a call-in of a decision recorded in a Council or Committee decision log has been received by 5pm on the fifth working day after the relevant decision log has been issued, implementation of the decision, or the tabling of the decision for ratification by Council, must be postponed until the decision has been reconsidered in line with Standing Order 23.

23. Call-in of decisions [Mandatory]

23.1 Decisions subject to call-in

(1) The following decisions may be subject to call-in in accordance with this Standing Order:

(a) a decision of the Council;
(b) a decision taken by a Committee under delegated authority in accordance with section 7 of the 2014 Act; and
(c) a decision taken by a Committee to make a recommendation for ratification by the Council.

(2) 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.

23.2 Call-in Procedure

(1) A decision to which Standing Order 23.1(1) applies must be reconsidered if a requisition is presented to the Chief Executive signed by at least 15% (6 Members) of the Members of the Council. This process is known as a 'call-in' of the decision.

(2) A requisition for a call-in must be submitted in writing to the Chief Executive by 5pm on the fifth working day following the issuing of the Council or Committee decision log that records the decision to which the call-in relates. If the requisition is received after this date, it shall be deemed inadmissible, and the Chief Executive must notify the Members making the requisition of the decision.

Where the reasons have not been specified on the requisition, the Chief Executive must notify the Members making the requisition that it shall be considered inadmissible if reasons are not specified in writing within the timeframe.

(3) A requisition for a call-in may only be presented on either or both of the following grounds:

(a) That the decision was not arrived at after a proper consideration of the relevant facts and issues (as per section 41(1)(a) of the 2014 Act); and/or

(b) That the decision would disproportionately affect adversely any section of the inhabitants of the district (as per section 41(1)(b) of the 2014 Act).

(4) A requisition for a call-in shall:

(a) specify the reasons why a decision should be reconsidered; and

(b) be deemed to be inadmissible if the reasons are not specified.

23.3 Call-in of Council decisions on procedural grounds

(1) If an admissible call-in of a Council decision is made under section 41(1)(a) of the 2014 Act, the Chief Executive will place the call-in, including a copy of the signed requisition form on the agenda of the next meeting of the Council.

(2) The decision will be subject to reconsideration by the Council and normal voting rules will apply.

(3) If the Chief Executive believes that legal advice will assist the Council in reconsidering the decision, the Chief Executive may seek the opinion of a practising solicitor or barrister. If legal advice is received, it must be tabled at the meeting of the Council at which the decision is being reconsidered.

23.4 Call-in of Council and Committee decisions on community impact grounds

1) In the case of a call-in submitted under section 41(1)(b) of the 2014 Act, Members must in the reasons specified under Standing Order 23.2(4)(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.

(2) Within one working day of receipt of an admissible requisition for a call-in, the Chief Executive must confirm that:

(a) the call-in has the support of 15 per cent (6 Members) of the Members of Council and provide the names of the Members in support of the request; and

(b) the reasons for the call-in have been specified on the requisition based the grounds outlined in 41(1)(a) and/or 41(1)(b)

(3) Where the Chief Executive is of the view that a call-in is not admissible, the Chief Executive must notify the Members making the requisition why he/she considers it inadmissible and must report this decision to the next meeting of the Council.

In reaching any such view on admissibility, the Chief Executive may seek legal advice from a practising solicitor or barrister. If legal advice is received, a copy of the advice must be furnished to the Members, making the requisition and tabled at the next meeting of the Council.

(4) Within two working days of receipt of an admissible call-in of a Council or Committee decision made under Section 41(1)(b) of the 2014 Act, the Chief Executive must seek the legal opinion from a practicing solicitor or barrister in accordance with section 41(2) of the 2014 Act, before reconsideration of a decision on a requisition is made wholly or partly.

Once legal opinion is received, a copy of the opinion and the signed requisition form must be furnished to the Members and include the decision that has been called-in on the agenda for the next available meeting of the Council for reconsideration, at which the called-in decision must be voted upon and may only be passed by a qualified majority.

23.5 Call-in of Committee decisions on procedural grounds

(1) If an admissible call-in of a Committee decision is made under section 41(1)(a) of the 2014 Act, an Ad Hoc Committee of the Council must be appointed to reconsider the decision.

(2) The membership of the Ad Hoc Committee will be:

(a) the chairpersons of all Committees of the Council; and

(b) the vice chairpersons of all Committees of the Council.

(3) The chairperson and vice chairperson of the Committee which was responsible for the decision which is the subject of the call-in will not have voting rights at a meeting of the Ad Hoc Committee.

(4) The Members of the Ad Hoc Committee who are present at the meeting to consider the call-in shall choose a Member to preside as chairperson of the meeting.

(5) The Members who submitted the call-in, or a Member on their behalf, must be invited to attend the Ad Hoc Committee meeting at which the decision subject to the call-in is considered and may, upon the request of the chairperson, address the meeting, but must not have voting rights, unless they are voting Members of the Ad Hoc Committee.

(6) The Ad Hoc Committee, having reconsidered the decision subject to the call-in, will then do one of the following:

(a) agree that the decision was not arrived at after a proper consideration of the relevant facts and issues, and refer the decision back to the Committee which took the decision for reconsideration;

(b) disagree that the decision was not arrived at after a proper consideration of the relevant facts and issues and either: i. in the case of a decision taken under delegated authority, support the decision; or ii. in the case of a decision requiring ratification by the Council, refer the decision to the Council.

(7) Where a decision has been supported in accordance with Standing Order 23.5(6)(b), that decision is deemed to be approved and will be operative from the date of the meeting at which the Ad Hoc Committee confirmed support for the decision.

(8) If the Chief Executive believes that legal advice will assist the Ad Hoc Committee with its deliberations under Standing Order 23.5(6), the Chief Executive may seek the opinion of a practising solicitor or barrister. If legal advice is received, it must be tabled at the meeting of the Ad Hoc Committee.

(9) Where possible, when a call-in of a Committee decision is made, the Ad Hoc Committee will hold its meeting and make its determination as per paragraph (6) of this Standing Order prior to the next Council meeting. If timing does not permit this or if the Chairperson of the Ad Hoc Committee determines that a further meeting is needed in order to consider legal advice, the meeting or further meeting should be held as soon as is reasonably practicable. The decision that has been called-in will remain deferred until such time as that first or further meeting takes place and a decision has been made in accordance with paragraph (8).

23.6 Call-in of Council and Committee decisions on procedural grounds and community impact grounds

(1) If an admissible call-in of a Committee or Council decision is cited as being made under section 41(1)(a) and 41(1)(b) of the 2014 Act, the procedure that shall apply when dealing with the whole of the call-in is that set out in Standing Order 23.4.

24. Positions of responsibility, etc. – Time Limits [Mandatory]

(1) Subject to sub-paragraph (2) of this standing order, in relation to positions of responsibility selected in accordance with paragraphs 2(1) and 2(2) of Schedule 1 to the 2014 Act, the period specified for–

(a) the nominating officer to select a position of responsibility and the term for which it shall be held; and

(b) the person nominated to accept the selected position shall be 15 minutes.

(2) An extension to the period specified in sub-paragraph (1) of this standing order 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.

25. Appointment of more than one Committee [Mandatory]

(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 shall agree–

(a) the number of Committees to be appointed; and

(b) the number of Members 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 shall be exercised in such manner as to ensure that–

(a) all 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 nominated by each nominating officer of a party, in so far as is reasonably practicable, bear the same proportion to the number of places on that Committee as is borne by the number of Members who stood in the name of that party.

(4) Nominations made in accordance with sub-paragraph (3) of this standing order shall take into account any positions of responsibility on a Committee held by a Member who stood in the name of a party.

26. 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 17 1 bears the names of at least 15% (6 Members) of the Members of the Council Such Motions, including the names, shall be entered by the Chief Executive in their proper place upon the Summons Paper in the order in which they are received.

(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.

(4) Voting on such a motion will be by a simple majority vote.

27. Members' conduct

27.1 Speaking through the Chair

When a Member speaks at the Council they must stand (if able to do so) and address the meeting through the Presiding Chairperson. If more than one Member wishes to speak, the Presiding Chairperson will ask one to speak and will allow the other Members to speak in turn.

27.2 Presiding Chairperson standing

When the Presiding Chairperson stands during a debate, any Member speaking at the time must stop and retake their seat. The meeting must be silent.

27.3 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 Presiding Chairperson, or by behaving irregularly, improperly or offensively or by wilfully obstructing the business of the Council, the Presiding Chairperson or any other Member may move "that the Member named be not further heard". The motion need not be reduced to writing and, if seconded, the motion will be voted on without discussion.

27.4 Member to leave the meeting

If the Member named continues to behave improperly after such a motion is carried, the Presiding Chairperson or any other Member may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. The motion need not be reduced to writing and if seconded, the motion will be voted on without discussion.

27.5 General disturbance

When the Presiding Chairperson is of the opinion that the due and orderly dispatch of business is impossible, they in addition to any other powers vested in them may, without question put, adjourn the meeting of the Council for such period as they in their discretion shall consider expedient.

27.6 Conduct during the meeting

Members must have due regard to the provisions of the Northern Ireland Local Government Code of Conduct for Councillors in relation to their conduct during the whole proceedings of a meeting of Council or Committee. In relation to Planning Committee meetings, Members must also have due regard to:

Annex 1 Protocol for the Operation of Ards and North Down Borough Council Planning Committee

28. Disturbance by public

28.1 Removal of member of the public

If a member of the public interrupts proceedings, the Presiding Chairperson will warn the person concerned. If they continue to interrupt, the Chairperson will order their removal from the meeting room.

28.2 Clearance of part of meeting room

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

29. Remote Attendance

29.1 Definition of remote attendance

In line with the Local Government (Remote Meetings) Regulations (Northern Ireland) 2024, any reference in these Standing Orders to a Council or Committee meeting is not limited to a meeting of persons all of whom, or any of whom, are present in the same place and any reference to a "place" where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations and web addresses.

29.2 Elected Member remote attendance

An Elected Member in remote attendance attends the meeting at any time provided they are able:

(a) to hear, and where practicable see, and be so heard, and where practicable be seen by, the other Members in attendance;

(b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public in attendance in order to exercise a right to speak at the meeting; and

(c) to be so heard and, where practicable, be seen by any other members of the public in attendance.

29.3 Press and public remote attendance

Any reference in these Standing Orders to a member of the public or press being present at a meeting includes such persons attending by remote access, and the reference in Standing Order 8 [1] to every meeting being "open to the public and press" includes through enabling remote access. This also applies to deputations as per Standing Order 12[3].

29.4 Voting when attending remotely

Any vote that would otherwise be taken by a show of hands in line with Standing Order 21.4 will, if any of the Elected Members entitled to vote are in remote attendance, be taken by way of a virtual show of hands from each Member as to whether they are for or against the motion.

29.5 Miscellaneous remote attendance provisions

References in Standing Orders 10 and 28 to excluding the public and press from the Council Chamber or removing them from the meeting room, shall be read as removing their remote access where their attendance is, or would be but for their exclusion, remote attendance. There is no requirement for an Elected Member in remote attendance to stand when addressing the Presiding Chairperson in line with Standing Order 20.6.

A Presiding Chairperson in remote attendance shall call a meeting to order, rather than rise to do so, in line with Standing Order 20.19.

29.6 Remote meeting etiquette

An Elected Member in remote attendance must adhere to the following meeting protocols:

- Members should situate themselves in an environment which is free from distraction, and similar to the conditions in the Chamber;
- Members should be situated in a location befitting the meeting i.e. a private room with a closed door;
- Members should be alone, with the exception of any other Elected Member who is entitled to attend that meeting.
- It is essential that Members attending Council and Committee meetings prevent others from hearing the business of the meeting, especially that which is "in confidence";
- Members must notify the Chair of the meeting if they are leaving the meeting and again on their return to the meeting;
- Members should conduct themselves in a manner as if they were in attendance in the Chamber;
- Members should attend from a location with a strong internet connection and should endeavour to test the connection and audiovisual prior to the meeting;
- Members must turn their camera on and it must remain on for the duration of the meeting;
- Members must remain on mute unless given the opportunity to speak by the Chair or when exercising their speaking rights in line with the Standing Orders.

30. Suspension and amendment of Standing Orders

30.1 Suspension

A Member may move a motion, which need not be reduced to writing, 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 vote 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. Mandatory Standing Orders may not be suspended by the Council.

30.2 Amendment

Any motion to, add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned and be referred without discussion to the next ordinary meeting of the Council and any resultant amendment will be ratified at an ordinary meeting of the Council.

31. Delegated authority

In the event of any civil emergency or any situation in which urgent actions are required to ensure the continued delivery of Council services and statutory functions and it is either not reasonably practicable to convene a meeting of Council or Committee, or if any such meetings if called are inquorate, the Chief Executive or any Director nominated by them may exercise all or any of the functions of the Council except those which are reserved to the Council pursuant to Section 7 of the Local Government Act (NI) 2014 Any decisions taken pursuant to this Standing Order will be reported to the relevant Committee or Council at the next available meeting This Standing Order may be read alongside the Council's Scheme of Delegation but operates separately to it

32. Interpretation of Standing Orders

The ruling of the Presiding Chairperson 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.

ANNEX 1

Protocol for the Operation of the Planning Committee

Annex 1
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Purpose of the Protocol

1. The purpose of this protocol is to outline practical handling arrangements for the operation of Ards and North Down Borough Council's Planning Committee.

2. The protocol should be read in conjunction with the Council's agreed Standing Orders and the Code of Conduct for Councillors. It is not intended to replace either document. It should also be read alongside the Protocol for the Operation of Virtual Planning Committee, when such meetings are held virtually, such as during a national pandemic.

Remit of the Planning Committee

Development Management

3. The main role of the Planning Committee is to consider planning applications made to the Council as the local planning authority and decide whether or not they should be approved. To this end, the Planning Committee of Ards and North Down Borough Council has full delegated authority, meaning that the decisions of the Committee, in respect of planning applications, will not go to the full Council for ratification.

Development Plan

4. Ards and North Down Borough Council is required by Section 8 of the Planning Act (NI) 2011 to prepare a plan for its district. This plan forms the basis for public and private investment decisions, providing a degree of certainty as to how land will be developed. In law, planning applications must be determined in accordance with the development plan unless other material considerations indicate otherwise. This means that where land is zoned for a particular use, the Planning Committee should ensure it is reserved for that use: for example, an application for housing in an area zoned for housing should be approved unless the design and layout fails in terms of the environmental, open space and access standards, or its design and layout has a detrimental impact on the character of the area or neighbouring amenity.

5. The Planning Committee's role in relation to the local development plan is to contribute to the development of and approve the local development plan before it is passed by resolution of the Council. The Planning Committee should also ensure that the local development plan is monitored annually, particularly in terms of the availability of housing and economic development land, and that it is reviewed every five years, giving consideration to whether there is a need to change the plan strategy or the zonings, designations and policies as contained in the local policies plan.

Development Plan Transition Arrangements

6. Until such time as Ards and North Down Borough Council has adopted its Plan Strategy the local development plans for the Council area will be taken to be the extant Departmental development plans, namely, the North Down and Ards Area Plan 1984- 1995 and the Ards and Down Area Plan 2015, with the draft Belfast Metropolitan Area Plan 2015 being a material consideration.

7. When the Council's Plan Strategy is formally adopted, the local development plan will be the Council's adopted Plan Strategy and the extant Departmental development plans, namely the North Down and Ards Area Plan 1984-1995 and the Ards and Down Area Plan 2015, read together, with the draft Belfast Metropolitan Area Plan 2015 being a material consideration. If there is a conflict between the Council's Plan Strategy and the extant Departmental development plan the conflict shall be settled in favour of the Council's adopted Plan Strategy.

8. When the Council has adopted its Local Policies Plan, the Local Development Plan will be the Council's adopted Plan Strategy and Local Policies Plan as defined in Section 6 of the 2011 Act.

Enforcement

9. The enforcement of planning controls is delegated to appointed officers with the Planning Committee receiving regular reports on the progress of enforcement activities.

Size of the Planning Committee

10. Ards and North Down Borough Council Planning Committee comprises of 16 Members with no substitutions being permitted.

11. The quorum for the Planning Committee will be six (6) Members present and eligible to vote. Where there are less than six Members present eligible to debate an application and vote, the Committee shall be inquorate and the planning application cannot be determined. The application should therefore be withdrawn from the agenda and returned to the next Planning Committee meeting.

12. Where the Planning Committee becomes inquorate, not due to Committee Members being absent but due to Committee Members declaring an interest, the planning application concerned should be deferred to the next Planning Committee meeting to allow each Member to seek advice as to whether their interest of concern is in fact an interest which would prevent them considering and voting upon the planning application. In the event that a Member or Members, on receipt of advice, are comfortable that there is in fact no interest to prevent them considering and voting upon the application, the reasoning for such a position should be so recorded in the minutes of the next Planning Committee meeting.

13. In the event of Planning Committee still being inquorate, due to Members declaring an interest, the Council is deemed to not be able to determine the application, which is then referred to the Department.

14. The Head of Planning will normally attend all Planning Committee meetings in addition to planning officers presenting application reports and recommendations.

Frequency of Meetings

15. In accordance with the Council's Standing Orders, Committees will be held on a monthly basis. The Planning Committee of Ards and North Down Borough Council will meet on the first Tuesday in every month at 7pm in the Council Chamber at 2 Church Street, Newtownards. In exceptional circumstances the Committee shall from time to time fix its own day and hour of meeting and notify the Council. Committee meeting dates and times will be published monthly on the Council's website in advance of each meeting.

Scheme of Delegation

16. Section 31 of the Planning Act (NI) 2011 requires the Council to produce a Scheme of Delegation for operation in its area. A Scheme of Delegation is where decision-making for local applications is delegated to an appointed officer rather than the Planning Committee, thereby enabling speedier decisions and improved efficiency.

17. The Council's Scheme of Delegation relates only to those applications that fall within the definition of Regulation 2 of the Planning (Development Management) Regulations (NI) 2015. Certain statutory restrictions that apply to the Council's scheme prevent particular types of application from being delegated to officers, thereby requiring them to be determined by the Planning Committee. The Scheme of Delegation agreed by Ards and North Down Borough Council reflects these restrictions and can be viewed on the Council's website.

Enforcement

18. In accordance with the Planning Committee's Scheme of Delegation, the enforcement of planning controls is delegated to appointed officers. The Planning Committee will be informed of progress on cases and can request a report from officers to the Committee on any enforcement matter.

19. The Head of Planning will prepare a quarterly report on enforcement including the progress of formal enforcement cases which will be circulated to Planning Committee Members, detailing the number of live cases, details of notices issued, prosecutions and any other information deemed relevant.

20. An Enforcement Strategy detailing how enforcement action will be dealt with has been agreed by the Planning Committee and can be viewed on the Council's website.

Referral of Delegated Applications to the Planning Committee

21. A weekly list of validated applications will be prepared and circulated to all 40 elected Members and will be published on the Council website.

22. Elected Members of the Council can request that a delegated application be referred ('called-in') to the Planning Committee.

23. In such cases, Members must notify the Head of Planning of requests in writing or by email stating clearly the reason(s) for such requests. Valid planning reasons must be provided for all applications 'called-in'. Requests must be made within 25 working days of the application being made valid; however, Members should be aware that applications can be determined after the expiration of 14 days from the date the application is first advertised, neighbour notified or first published on the Council's website, whichever date is the later or latest.

24. In addition, where applications have been delegated to officers, Planning Committee Members will be notified by email, usually on a Monday (or next appropriate day taking account of public/bank holidays) of a list of delegated decisions made, but not yet issued, which will detail the reference number, proposal, location, decision, number of objections, and a hyperlink to connect to the relevant part of the Planning Portal to enable Planning Committee Members to view more details about the application. If considered appropriate, Planning Committee Members can then request that applications are 'called-in'. Such requests must be received via the planning@ardsandnorthdown.gov.uk email inbox (marked as 'Call-In' in the subject line) by the specified time 48 hours later. It should be noted that applications for householder development which have not attracted objections and which are recommended for approval will not be included in the weekly delegated list, but the decisions issued immediately.

25. In either of the above circumstances an authorised senior officer will then liaise with the Chairperson or Vice Chairperson (as appropriate) to determine whether the reasons which have been set out constitute valid planning reasons so as to merit referral to the Planning Committee. The requesting Member will be advised if the request has been successful or alternatively, if the reasons do not constitute valid planning reasons and the request rejected.

26. The agenda for the next appropriate meeting will be amended as soon as possible to reflect those applications that have been 'called-in' from the delegated list.

27. The Head of Planning may also consider it prudent to refer a delegated application to the Planning Committee for determination.

28. Members of the public, MLAs or MPs cannot directly request that an application be referred to the Planning Committee.

29. The number and nature of delegated applications referred to the Planning Committee will be reviewed on a regular basis.

Publication of Schedule of applications to be determined by the Planning Committee

30. The schedule of those applications to be determined at the Planning Committee meeting will be published on the Council's planning website pages ten working days before that Planning Committee meeting.

Submission of Information

31. In the interests of efficient and timely decision-making on those applications being presented to the Planning Committee with a recommendation, it is imperative that all relevant and appropriate information as required has been received by planning officers, whether in support of or in opposition to proposals. To this effect no additional information will be accepted by the Council after 5pm on the Tuesday prior to the Planning Committee meeting scheduled to hear that application (one full week prior).

32. In addition, no documentation should be circulated at the meeting at any time to Members by speakers.

Format of Planning Committee Meetings

33. Ards and North Down Borough Council will operate its Planning Committee in line with its approved Standing Orders.

Standard Items

34. The agenda will allow for the inclusion of the following items:

- Notice of Meeting
- Apologies
- Declarations of Interests
- Matters arising from the minutes of the previous meeting
- Schedule of Planning Applications
- Development Plan Issues
- Enforcement Matters
- Budgetary Matters
- Performance Management Matters

Committee Papers

35. All Planning Committee Members will be sent an agenda one week in advance of the committee meeting. The following papers (where appropriate) will also be provided:

- Minutes of the previous meeting;
- Details of Development Plan issues;
- Details of relevant Enforcement matters;
- Details of proposed pre-determination hearings;
- Details of non-delegated applications (including those brought back following deferral) for consideration by the Planning Committee;
- Details of applications of regional significance with an impact upon the Council area in response of which the Council is a statutory consultee or where it may wish to make representations;
- Performance Management Reports.

36. When considered appropriate two sets of the detailed drawings will be made available in the Members' Room in both Church Street, Newtownards and in The Castle, Bangor, for inspection from the Thursday before and each day up to and including the day of the scheduled Planning Committee meeting.

37. The Chairperson and Vice Chairperson of the Planning Committee along with the Head of Planning (or authorised senior officer) will hold a briefing session with planning officers on each application to be considered in advance of the Planning Committee meeting.

38. Where necessary, planning officers will prepare an addendum before 10.30am on the day of the Planning Committee meeting to report any updates since the agenda was issued.

39. Planning Committee meetings will be open to the public.

Declarations of Interests

40. At the beginning of every meeting, Members will be asked to declare an interest in any item on the agenda and must leave the Council Chamber (including the Public Gallery) for that item. Once the item has been determined (or deferred), Members will be invited to return.

Public Speaking

Procedures for Public Speaking

41. The following procedures will apply to Ards and North Down Borough Council Planning Committee meetings:

- Requests to speak should be received by the Planning Department (in writing or by email) at least 5 working days prior to the scheduled Planning Committee meeting. Late requests will not be accommodated. The request must set out the material planning issues that the speaker wishes to raise;
- Requests to speak can only be submitted once the Schedule of applications to be heard has been published. The Planning Department will not accept requests made via representations (either in letters of support or objections) submitted in relation to any planning application.
- Written requests should be addressed to Ards and North Down Borough Council Planning Department and highlighted "Request to Speak"; Email requests should be sent to planning@ardsandnorthdown.gov.uk and specify "Request to Speak" in the subject line;
- When a speaking request has been accepted, registered speakers must submit a copy of their speaking note to the Planning Department by 10.30am on the Friday prior to the scheduled meeting. Failure to provide by the specified time will result in cancellation of the speaking rights.
- Members, whether or not on the Planning Committee, may speak in opposition or support of a proposal – in the case of a Member of the Planning Committee, that Member must declare an interest and be excluded from any discussion and decision on the application;
- There is only one 5 minute slot for those speaking in opposition to an application, and only one 5 minute slot for those speaking in support of an application. Where 11 there is more than one request to speak, the 5 minutes will be shared or one person can be appointed to speak;
- Members of the public (including agents/representatives) may wish to appoint an elected Member, or an MLA/MP to speak on their behalf or alongside them – regardless, the 5 minute limit will still apply.
- Members of the public seeking to speak will be expected to have organised themselves in advance of the Planning Committee meeting and informed the Planning Department of details of those individuals intending to share the time or of an appointed speaker (and have submitted a copy of the speaking note by the time prescribed);
- The Planning Committee can seek clarification from those who have spoken but must not enter into a debate on any issue raised;
- No documentation should be circulated at the meeting to any Members by speakers;

- Audio/visual presentations will not be permitted;
- The exhibition of models and displays will not be permitted;
- Applications where there will be speakers from the public will be taken first, where possible;
- Planning officers can address any issues raised.

42. Where an application has been debated by Planning Committee but no decision made and it is then deferred for any reason, when it is returned to a subsequent Planning Committee meeting there shall be a further exercise of speaking rights, only to those who registered in the first instance, of 3 minutes only, (and providing a copy of speaking notes was submitted within the specified time frame) limited by the Chair to particular issues. A copy of the speaking notes must also be provided to the Planning Department by 10.30am on the Friday prior to the Planning Committee meeting where the application is being heard again. Failure to provide by the specified time will result in cancellation of speaking rights.

Audio Recording of Planning Committee Meetings

43. From April 2019 audio recordings of each meeting will be made by the Council, with the exception of items discussed 'In Committee'. These recordings will be posted on the Council's webpages after the minutes of the meeting have been ratified at full Council. Interested parties should listen to both the recording of the Planning Committee meeting and that of full Council, as items heard at Committee which relate to matters for which Planning Committee does not have delegated powers are subject to ratification by full Council. All comments made by speakers appearing before the Committee, whether elected representatives, planning agents or members of the public will be included within the recording.

Running Order

44. Details of the running order for discussion of planning applications is included as Appendix 1 to this Protocol.

Committee Decisions

45. The main role of the Planning Committee is to consider applications made to the Council as the local planning authority and determine whether planning permission should be approved or refused.

46. A Planning Officer will prepare a Case Officer report containing a professional planning recommendation which will be circulated in advance. Members will be expected to appraise themselves of any relevant drawings/plans and other relevant information available to them on the Planning Portal. The application will be presented with a recommendation on whether the application should be approved, approved with conditions or refused. Plans and photographs may be shown as appropriate.

47. After the Planning Officer presents the report, Members will have an opportunity to ask questions of the Planning Officer relating to the proposed development, those speaking for or against the proposal, and debate the case.

Committee Decision Making Options

48. The Planning Committee will discuss applications presented to it during the Planning Committee meeting before taking a vote on one of the following options:

- Approve the application with conditions as recommended;
- Approve the application with amended conditions;
- Refuse the application for the reasons recommended;

- Refuse the application with additional or different reasons recommended;
- 'Minded to' approve or refuse the application in contrast to the officer recommendation;
- Defer the application to allow additional information/clarification to be provided or a site visit to be arranged.

49. Any appropriate conditions/reasons for refusal must be proposed and seconded before being voted on by Members.

50. The Committee Chairperson has a casting vote.

51. A recorded vote will be taken where a motion is not unanimous whereby the names of Members voting for and against the proposal will be recorded manually and entered into the minutes.

52. Planning Committee Members can add, amend or remove conditions to an approval, (or add, amend or remove reasons for refusal) but they cannot amend the application 14 itself (for example, by allowing a one-bedroom flat if the application is for a twobedroom flat). Members will therefore seek guidance from the relevant planning officer as to the appropriateness of the proposal to add, amend, or remove a condition or reason for refusal. Any additional conditions should be proposed and seconded before being voted on by Members. Members should be aware that conditions can be tested at appeal and based on planning case law there are a number of requirements that they should therefore meet, namely that they should be necessary, relevant to planning and the development under consideration, enforceable, precise and reasonable in all other respects. An applicant also has a right of appeal to the Planning Appeals Commission in respect of all reasons for refusal.

Decisions Contrary to Officer Recommendation

53. The Planning Committee has to reach its own decision. Planning Officers offer advice and make a recommendation. Planning Officers' views, opinions and recommendations may, on occasion, be at odds with the views, opinions or decisions of the Planning Committee or its Members. There should always be scope for Members to express a different view from Planning Officers in appropriate circumstances.

54. The Planning Committee can accept, reject or place a different interpretation on, or give different weight to, the various arguments and material planning considerations.

55. Planning Committee decisions contrary to Planning Officer recommendation may be subject to appeal or to legal challenge. Members should therefore ensure that the planning reasons for the decision are set out and based on proper planning reasons prior to any resolution being made and voted upon thereafter. The Planning Officer should always be given the opportunity to explain the implications of the Planning Committee's decision.

56. If the Committee votes to overturn the recommendation of the Planning Officer by way of a "minded to approve or refuse the planning application" motion, the Member proposing the motion to overturn the recommendation must outline the reasoning and material planning considerations relied upon for reaching such a decision. Such reasoning should explain, as and when appropriate, why it is proposed to depart from the development plan, the departure from policy or policy interpretation relied upon and/or what material planning considerations are being attributed determining weight. The receipt of the reasoning and material planning considerations from the Member proposing the motion will ensure that the Committee is fully aware of the reasoning and material planning considerations upon which such a motion is based and allow the Planning Department to prepare a note of the reasoning, accompanied by either draft reasons for refusal or draft reasons for approval with draft conditions. This report will be presented at the next Planning Committee meeting to allow the Committee to consider its content. As a consequence of the tabling of the "minded to" motion, the planning application will be deferred to the next Planning Committee meeting to permit the Planning Department to prepare this report. As part of the deferral of the application the Committee, Chair of the Committee, or Head of Planning, may seek legal advice on the robustness of the reasons for refusal or the reasoning and conditions of approval. Any such advice will be provided to the Committee in advance of the resumption of the consideration of the planning application to allow them to consider same.

57. No additional speaking rights will be afforded to any person unless at the Chairperson's discretion he/she authorises same. Such speaking rights will be a maximum of 3 minutes.

58. In the event that a Member tables a motion contrary to the recommendation of the Planning Department seeking to approve or refuse the planning application (other than a "minded to" motion) the Member proposing the motion to overturn the recommendation must set out the reasoning and material planning considerations relied upon for reaching such a decision prior to tabling the motion and the Committee voting on same. Such reasoning should explain, as and when appropriate, why it is proposed to depart from the development plan and/or the departure from policy or policy interpretation relied upon and/or what material planning considerations are to be attributed determining weight.

59. Decisions contrary to a Planning Officer's recommendation, and full details of the Members' reasoning for attaching differing weight to material considerations or departing from planning policy or the development plan, must be formally recorded in the Planning Committee minutes, ratified at the next Planning Committee meeting and a copy placed on the planning application file / electronic record.

60. The Planning Committee and Members tabling motions to overturn recommendations of the Planning Department should be mindful of the ability to seek costs on appeal to the Planning Appeals Commission or potential costs liability that may arise through any legal challenge brought against such a contrary decision.

Appeal Contrary to Officer Recommendation

61. In the event of an appeal against a refusal of planning permission contrary to a Planning Officer's recommendation, planning consultants or different planning officers than those who made the original recommendation may be appointed to represent the Council at appeal.

Decisions Contrary to Local Development Plans

62. Planning decisions should be taken in accordance with the local development plan (in so far as it is relevant to the application) unless material considerations indicate otherwise.

63. Should a Planning Committee Member propose, second or support a decision contrary to the local development plan, they will need to clearly identify and understand the planning reasons for doing so, and clearly demonstrate how these reasons justify overruling the local development plan.

64. The reasons for any decisions which are made contrary to the development plan must be formally recorded in the minutes and a copy placed on the planning application file / electronic record.

65. All decisions, whether taken by the Council's appointed Planning Officer, or by the Planning Committee, are decisions made by Ards and North Down Borough Council, and may be subject to challenge either by judicial review or appeal.

Legal Adviser

66. Ards and North Down Borough Council will have access to legal advice to support the planning function. Members may require the Legal Adviser to provide legal advice on an issue which arises during the course of a meeting of the Planning Committee. The Director of Regeneration, Development and Planning, and the Head of Planning, shall each also have the ability to exercise discretion regarding the requirement for attendance of the Legal Adviser at Planning Committee. In such circumstances, the Committee shall meet 'in Committee' with only Members of the Planning Committee, presiding officials and the legal adviser(s) remaining in the room. For

the avoidance of doubt, all councillors who are not Members of the Planning Committee and Members of the said Committee who have chosen to speak as a supporter or objector to an application, will be required to withdraw from the room while the legal advice is provided on the matter arising.

Deferrals

67. The Planning Committee can decide to defer consideration of an application to the next Planning Committee meeting to: • allow additional information/clarification to be provided (including provision of legal advice); • allow a site visit to be arranged; or • enable consideration of a 'minded to approve or refuse the planning application' reasoning. Such a decision should be proposed, seconded and subject to a majority vote.

68. Members of the Planning Committee should be aware that deferrals will inevitably have an adverse effect on processing times and will prolong future meetings, and therefore should be used as an exception. Members should therefore restrict themselves, where possible, to one deferral only per application. In addition, there should be clear reasons 18 why a deferral is necessary.

69. Members should not seek to defer an application in order to seek to re-design or negotiate amendments to an application. The Committee must determine the proposal as presented before it.

Minutes of Planning Committee Meetings

70. Written minutes will be recorded at all Planning Committee meetings which will be published on the Council's website. All minutes taken at Planning Committee meetings, although not verbatim, must reflect the discussions and decisions taken during the meetings as these could be used as evidence should any complaints be made about how decisions were taken, or a decision appealed to the Planning Appeals Commission.

Site Visits

71. Planning Committee site visits can be useful to identify very important features of a proposal that may be impossible to convey in a written report or by photographs, video, plans and drawings. Site visits can cause delay and should only be used where the expected benefit is substantial.

72. Planning Committee visits will normally be arranged by the Head of Planning, in consultation with the Chairperson, where in their judgement the substantial benefit test applies, i.e.

    - The impact of the proposed development is difficult/impossible to visualise from the officer's report, photographs, video, plans, drawings and any other supporting material;
    - There is good reason why the comments of the applicant and objectors cannot be expressed adequately in writing;
    - The proposal is particularly contentious;
    - Non-visual considerations such as noise and smell are key issues on which the application will be determined.

73. If Planning Committee Members defer consideration of an application for a site visit this should only follow a formal proposal, the substantial benefit test and the vote being taken. The reason for deferral for a Planning Committee site visit shall be minuted.

74. The purpose of the Planning Committee site visit is a fact finding exercise and therefore public rights of attendance/speaking do not apply. The purpose is not to make a decision on the application.

75. Where a site visit is agreed, the planning case officer will contact the applicant/agent to arrange access to the site. Invitations will then be sent to Members of the Planning Committee.

76. At the site visit the merits of application should not be discussed. The purpose of any discussion is to direct Planning Committee Members to the matters they have come to view or experience. Neither the applicant/agent, objectors, supporters, the Council nor any other Member of the public, will be permitted to address Planning Committee Members, either individually or as a group. It is a function of the Chairperson of the Planning Committee, but also of any officer present and the Planning Committee Members themselves, to make this clear at the visit or beforehand if a Member of the public enquires.

77. Members of the Planning Committee should not carry out their own unaccompanied site visits as there may be issues relating to permission for access to land, they will not have the information provided by the Planning Officer, and, in some circumstances (e.g. where an elected Member is seen with applicant or objector) it might lead to allegations of bias.

78. Site visits must not be requested in any of the following cases:

- To consider boundary or neighbour disputes;
- To consider objections raised on competition grounds;
- To consider objections raised on the grounds of loss of property values;
- To consider any other issues which are not material planning considerations;
- Where Members of the Planning Committee have already visited a site within the last year, except in exceptional circumstances; or
- To consider representations from friends, neighbours or relatives.

Site Visit Procedure

79. The Chairperson/Vice Chairperson of the Planning Committee will oversee the conduct of site visits. They will start promptly at the time notified to Members and planning officers. At the request of the Planning Committee Chairperson/Vice Chairperson, the planning officer may be invited to describe the proposal to Members. Whilst Planning Committee Members will be expected to be familiar with the planning officer's report, plans/drawings may be used where necessary.

80. The planning officer may indicate matters of fact in relation to the proposal and surrounding land which Members can take account of. Through the Planning Committee Chairperson/Vice Chairperson, Members may ask the planning officer for factual clarification on any planning matter relating to the proposal or surrounding land, such as distances to adjoining properties or the location of proposed car parking.

81. At no time during the site visit should Members debate the merits of the planning application. To do so outwith the Planning Committee meeting might imply that Members had made their mind up.

82. In order to assist Members to retain their objectivity, they should keep together in one group with the Chairperson/Vice Chairperson and the planning officer and should avoid breaking away into smaller groups. Once a site visit is concluded, Members should leave the site promptly.

Record Keeping

83. The planning officer will keep a record of Members' attendance at the site visit and will pass this information to Democratic Services for minute purposes. The planning officer will also prepare a written report on the site visit. This report will be presented at the next meeting of the Planning Committee scheduled to discuss the particular application.

Pre-Determination Hearings

84. In order to enhance scrutiny of applications for major development which may raise issues with particular sensitivity for a local area, Regulation 7 of the Planning (Development Management)

Regulations (NI) 2015 sets out a mandatory requirement for pre-determination hearings for those major developments which have been subject to notification (i.e. referred to the Department for call-in consideration, but that have been returned to a Council for determination). In such cases Ards and North Down Borough Council's Planning Committee will hold a hearing prior to the application being determined.

85. In addition, the Planning Committee may also hold pre-determination hearings, at its discretion, when considered necessary, to take on board local community views, as well as those in support of the development. The intention is to give applicants and those who have submitted relevant representations the opportunity to be heard by the Planning Committee before it takes a decision. This will make the application process for major development more inclusive and transparent.

86. Any hearing should take place after the expiry of the period for making representations on the application but before the Planning Committee decides the application. It will be for the Planning Committee to decide whether it wishes to have a hearing on the same day as the related planning application is determined by the Planning Committee or to hold a separate hearing on a different day. The scale and complexity of the planning issues will have to be considered. In holding a hearing, the Planning Committee procedures can be the same as for 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. If the Planning Committee decides to hold the hearing on the same day as it wishes to determine the application the report to elected Members should also contain a recommendation.

87. Whilst the Planning Committee will endeavour to hold its pre-determination hearings outwith the Planning Committee meeting at which the application will be considered, it is recognised that this may not always be possible.

Training

88. It is recommended that participating Planning Committee Members continue to attend relevant training on planning matters as required and/or provided in association with the Head of Planning.

Network

89. It is anticipated that a network of Planning Committee Chairpersons will be established and that Members should meet regularly to discuss items of common interest. Ards and North Down Borough Council will contribute to this network once established.

Review of Decisions

90. On an annual basis Members of the Planning Committee should inspect a sample of implemented planning decisions in order to assess the quality of decision-making. This should include a sample of decisions delegated to officers to give assurance that the scheme of delegation is operating effectively and in line with the Council's views. Procedures will be prepared to assist with this review.

Review of Protocol

91. This protocol will be monitored and procedures reviewed as necessary to ensure that they remain current and relevant to the operational needs of the Ards and North Down Borough Council Planning Committee.

Remote meetings

Committee Members taking part virtually in a Planning Committee Meeting

92. Members of the Planning Committee can participate via remote access in line with Standing Order 29.

Members of the Public taking part virtually in a Planning Committee Meeting

93. Members of the public are welcome to speak about specific applications at Planning Committee meetings virtually in line with the "Public Speaking" section of this Annex. Registered speakers will be required to make their representations to the Committee using the Council's selected virtual meeting platform.

94. Comments can only be made verbally; however, at the Chairman's discretion you may be able to highlight something on the presentation by the planning officer if you wish to point out something of importance or clarify an issue.

95. If you think you may not be able to participate in the meeting but would like to submit representations, you can do this – it will be covered in the troubleshooting section of this document

96. When taking part virtually:

- Ensure you have the appropriate application installed on your device – you may be able to access via your web browser, but we recommend you download the app if you are able, using the store/site relevant to your device;
- Please ensure your Account Name is set up to reflect your full name, in order that the Host can identify you in the attendee list, and Members will be aware of who is speaking;
- Disconnect any non-essential devices from the internet, disable any applications you are not using on your computer / iPad / mobile device and turn off any streaming services;
- Ensure that your device is fully charged and that you have easy access to a charger to ensure you do not run out of battery;
- Choose a location in your home where you may take part in the meeting without being disturbed
- It is good practice to join 10-15 minutes prior to the meeting commencing, however you will only be able to see proceedings once the meeting has started to be broadcast
- Registered speakers must not activate their camera or microphone unless instructed by the Chair

APPENDIX 1
RUNNING ORDER FOR PLANNING APPLICATIONS

1.	Presentation of Application	
a.	**Oral update if required to report any updates since agenda was issued**	Planning Officer
b.	**Presentation of application** Officers' reports will have been available on the NI Planning Portal and have been circulated to Planning Committee Members in advance. The officer will detail the following: • Application Number • District Electoral Area • Committee Interest (why before Planning Committee) • Proposal • Site/Location • Any other facts considered necessary for the information of the Planning Committee The officer will provide clarification on any issue raised by Planning Committee Members.	Planning Officer

2.	Speaking Arrangements	
a.	**Person(s) speaking in opposition of the application (including elected members/MPs/MLAs)** ('Against') 5 minute allocation	Chairperson
b.	**Person(s) speaking in support of the application (including elected members/MPs/MLAs)** ('For') 5 minute allocation	Chairperson

The same procedure will be used for each speaker:

- Welcome by the Chairperson, including reminder to keep to planning issues and stating time limit.
- Clarification questions from Planning Committee Members through the Chairperson – these should be points of fact, policy or other technical aspects and only refer to issues raised by the speakers
- Speaker asked to return to Public Gallery
- Clarification on any points from Planning Officer

3.	Debate	
a.	**Indication of Members who wish to speak** An initial indication to ensure all Planning Committee Members are able to speak or ask for additional information/clarification. Does not preclude another Member speaking later during the debate	Chairperson
b.	**Debate (Planning Committee Members, through Chairperson, support from officers)** Member debate on the planning issues for the application. To be framed by (but not restricted to) the issues identified in the officer report and the resulting recommendation. Clarification available from officers.	Chairperson/ Planning Committee Members/Officers
c.	**Invite proposing and seconding of the recommendation/alternative recommendation (if applicable based on debate)** If the debate appears to be contrary to the officer recommendations (i.e. decision to overturn or revision to conditions etc.) then the Chairperson should invite a proposal for alternative recommendation or deferral. If the debate appears to support a vote in line with officer recommendation, no action is required.	Chairperson

4.	Vote	
a.	**Checking that the Planning Committee is ready to vote** The Chair will ascertain if the Planning Committee as a whole whether it feels it is now ready to vote on the application, leaving a pause for any Member to either request that the debate should continue or to seek clarification on a matter of fact, policy or other technical aspect.	Chairperson
b.	**Summing up** Short conclusion, returning to the main issues raised by the officer report, the way in which Members have explored these and other issues. Clear reminder of the motion and the implication of a vote in either direction.	Chairperson/ Officers
c.	**Vote** Clear show of hands raised above the head and held in place until the Director/Democratic Services acknowledges the count. Voting first in favour of the motion, then against, then for abstentions. Anyone not voting is subsequently deemed to have abstained.	Director/ Democratic Services
d.	**Recording of Decision** Director/Democratic Services to announce the number of votes in each direction. Individual member voting to be recorded where not unanimous. Chair to clearly announce the decision and to be included in the minutes.	Director/Democratic Services/Chairperson

NOTES

Ards and
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