

## **West Dunbartonshire Council**

### **Process for Planning Committee Meeting of 13<sup>th</sup> May 2020**

- The meeting of the Planning Committee on 13<sup>th</sup> May will be via teleconferencing. The Legal Officer will manage the Planning Committee business.
- The meeting will be held remotely and the public will therefore be excluded from the meeting. Paragraph 13 of Schedule 6 to the Coronavirus (Scotland) Act 2020 provides that the public are to be excluded from a meeting of a local authority whenever it is likely that, if members of the public were present, there would be a real and substantial risk to public health due to infection or contamination with coronavirus.
- The calling notice for the meeting issued to Planning Committee Members will advise that the Convener has directed that the powers contained in Section 43 of the Local Government in Scotland Act 2003 will be used and so Members will attend remotely.
- Members should advise the Committee Clerk prior to the meeting if they wish to ask questions or speak on item(s) and should specify which items.
- Members should not leave the meeting during any hearings. If Members do leave, they will not be able to take part in the decision.
- The Convener, Planning Manager, Legal Advisor and Committee Clerk will be in a WDC office with social distancing measures applied.
- The Convener will welcome members and participants to the meeting and advise that Members and applicants/objectors should use mute on their phone when not speaking.
- The Legal Officer will then take charge of the meeting and will advise that attendance and any apologies for absence will be recorded by way of a roll call. He will then go through the list of Planning Committee members to confirm attendance or absence.
- The Legal Officer will then proceed with the business on the agenda
- Item 3 on the agenda will deal with voting. The Legal Officer will ask whether it is agreed that any votes that require to be taken will be done so by roll call vote.
- The Convener will introduce each item on the agenda.

- The Planning Manager will give a short verbal presentation of the application details. Photographs and plans of the applications have been circulated with the application details.
- The Legal Officer will indicate Members names who have indicated if they wish to speak and give other Members and opportunity to ask questions of the Planning Manager
- The Legal Officer will then ask those who have made representation and the applicant to speak to the Planning Committee and this will follow the hearing procedure set out below.
- Normal Council procedures will be followed in terms of questions, discussion, motion, amendment, etc. (*See attached extract from Standing Orders*).
- Where there is a motion and one or more amendments, the Legal Officer will carry out a roll call vote for decision on the application and advise of the decision.
- Following determination of the Committee business, the Convener will bring the meeting to a close.

## **WEST DUNBARTONSHIRE COUNCIL**

### **PLANNING HEARING – PROCEDURE FOR PLANNING COMMITTEE** **BY TEL-CONFERENCING**

Please also read notes overleaf.

Before the hearing begins the Legal Officer will ask if the hearing procedure is understood by the participants.

1. The objectors and/or their agents will be invited to speak in support of their written objection(s), in the order determined by the Legal Officer. Each objector will normally be given 5 minutes or such other period as the committee may agree.
2. Members who have advise prior to the meeting that they want to ask questions of the objector(s) and/or their agents will be requested by the Legal Officer to speak. Each member in turn will be given an opportunity by the Legal Officer to ask any questions.
3. The applicant and/or their agents will be invited to speak in support of the application and will speak for a maximum of 5 minutes or such other period as the Committee may agree. If several objectors intend to address the Committee, the applicant will be given up to 15 minutes or such other period as the Committee may agree.
4. Members who have advised prior to the meeting that they want to ask questions of the applicant and/or their agents will be requested by the Legal Officer to speak. . Each member in turn will be given an opportunity by the Legal Officer to ask any questions.
5. At this stage the Planning and Building Standards Manager or representative will address the Committee and give appropriate clarification on any issues raised during the hearing.
6. Each Member of the Committee in turn will be given the opportunity by the Legal Officer to ask questions/seek clarification of any planning issues.

### **NOTES**

- (1) You will be able to address the Committee only if you have made written representations on the Planning Application (either objecting or in support) and have responded to the letter from the Council's Administration

Section explaining how you may participate in the hearing.

- (2) Please present your points within the agreed time limits, which are to ensure all parties involved are given an opportunity to present their case.
- (3) All representations received in relation to an application are summarised in the Committee Report. No new issues or new information can be introduced during the Planning Hearing if they have not been previously stated in your letter(s) of objection.
- (4) Any documents or photographs referred to during the planning hearing should be submitted 7 days before the Planning Committee. No new information should be circulated during the Planning Committee meeting.
- (5) In your address, please avoid repeating points made in earlier submissions. You can indicate support for earlier comments and concentrate on any new points.
- (6) Where there are several objectors and they have raised similar objections a spokesperson should be appointed.
- (7) The Legal Officer will direct the Hearing Process in accordance with the Hearing Procedure (overleaf).

**West Dunbartonshire Council**

**EXCERPT OF STANDING ORDERS FOR PLANNING COMMITTEE MEETING OF**  
**13<sup>TH</sup> MAY 2020**

**Note: Prior to speaking, Members and officers should state their name for the record, so it is clear from the teleconference who is speaking.**

*Members should adhere to the Order of Debate, as contained in Paragraph 21 of Standing Orders, key parts of which are paraphrased below:-*

**Motion(s)/Amendment(s)**

- (1) Unless there is an amendment, there should be no debate on a motion.
- (2) The mover of a motion or an amendment will not speak for longer than 10 minutes, except with the consent of the Convener. Any other speakers will not speak for longer than 5 minutes. The Convener will ask the mover of a motion or amendment to finish speaking, if they have spoken for the appropriate length of time.
- (3) No Member will speak supporting the motion or amendment, until the motion or amendment has been seconded, with the exception of the Member moving the motion/amendment.
- (4) A seconder of a motion or amendment must advise that they reserve their right to speak, if they intend to speak later in the debate.
- (5) The mover of an amendment and the mover of the motion are allowed a right of reply for no longer than 5 minutes. He/she will not introduce any new matter and after they finish their reply, no other Member will be heard, with the exception of Standing Order 21(e) [***Paragraph 1 under Questions below***]. As soon as the movers of the motion or amendment have replied, the discussion will be regarded as closed and the Convener will call for the vote to be taken.

**Questions**

- (1) No Member will speak more than once on the same question at the meeting (excluding the mover of a motion or amendment), with the following exceptions:-
  - (a) on a question of order;
  - (b) with the permission of the Convener; or
  - (c) in explanation or to clarify a point.

- (2) Any Member can indicate that they wish to ask a question or give information immediately following a speech by another Member. The question, or offer of information, to the last speaker can be accepted or declined by them.

### **Discussion**

- (1) A Member may still speak in the debate, when he/she moves a motion or amendment that is not seconded.
- (2) In accordance with Standing Order 21(e) [***Paragraph 1 under Questions***] no new matter should be introduced.
- (3) Any Member who has not spoken in the debate can move for the closure of the debate. As soon as the motion has been seconded, the vote will be taken and in the event that a majority of the Members present vote for the motion, the debate will be regarded as closed. It should be noted that closure is subject to the mover of the motion and the amendment being given a right to reply. Following this, a vote will be taken immediately on the subject of debate.
- (4) Officers present at the meeting, with the exception of Statutory Officers and the Legal Officer will not be allowed to address the Committee once the Committee is in debate, with the exception where:-
- (a) the officer has been asked a direct question by the Convener;
  - (b) a question of legal or financial propriety requires to be addressed or clarified;
  - (c) the officer is asked to address an issue for clarification by the Convener; and
  - (d) the Convener decides that the officer's advice is required.

(With regard to the above, officers should be treated in accordance with the Protocol for Member/Officer relations.)