

Planning Committee procedure rules

Purpose of the Planning Committee

1. The key purpose of planning is to manage development in the public interest.
2. The committee will apply national and local policies to determine planning applications as set out in the head of planning scheme of delegation in section 2 of this constitution.

Membership

3. The Planning Committee will comprise 11 councillors for South Oxfordshire District Council and nine councillors for Vale of White Horse District Council, appointed annually by Council and will be politically balanced. The Council will appoint substitutes with an equivalent political balance.
4. Any non-Cabinet councillor may be a member of the Planning Committee. A councillor who is a member of both the General Licensing Committee/Licensing Acts Committee and the Planning Committee shall only consider licensing and planning applications relating to a particular site as a member of one of those committees during a 12 month period.
5. The chair and vice-chair of the Planning Committee shall be appointed by Council annually or elected by the committee as a vacancy arises. The chair or the vice-chair of Council shall not act as chair or vice-chair of the committee.
6. At Vale of White Horse District Council's Planning Committee, a councillor may not participate in a decision on an application in their ward. The ward councillor must stand down from the committee during its consideration of that application, and must not take part in the debate or vote. However, the ward councillor may address the committee as part of the public participation.
7. At meetings of South Oxfordshire District Council's Planning Committee, a councillor may participate in decisions on applications in their ward, take part in the debate, and vote.

Time and place of meetings

8. The time and place of meetings will be notified in the agenda for each meeting. Planning committee meetings will take place in accordance with an agreed programme. In addition, extra meetings may be scheduled as required.

Notice of and agenda for meetings

7. The head of legal and democratic will give notice to the public of the time and place of any meeting. At least five clear working days before a meeting, the head of legal and democratic will publish the agenda on the council's website and send a summons signed by him/her in hard copy or electronically, to every member of the planning committee. The summons will give the date, time and place of each

meeting and specify the business to be transacted, and will be accompanied by such reports as are available. Where not all of the reports are available with the summons they will be posted on the council's website as soon as they become available and e-mailed or posted to councillors.

Chair of meetings

8. The chair (and vice-chair in their absence), appointed by Annual Council each year or by the planning committee if a vacancy arises, will preside over meetings and lead and guide the work of the committee. The chair may choose to indicate how they wish to be addressed, according to personal preference.

Substitutes

9. The council will appoint the same number of preferred substitutes in respect of each political group as that group holds ordinary seats on the Planning Committee. Each political group will be entitled to up to a maximum of three named substitutes where it has fewer than three members on the committee. A political group need not appoint to all available substitute places.
10. Substitute members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting. These powers and duties will only be attained by the substitute members from the start until the close of the meeting at which they are substituting.
11. Substitute members may attend meetings:
 - to take the place of the ordinary member for whom they are the substitute;
 - where the ordinary member will be absent for the whole of the meeting; and
 - after notifying the head of legal and democratic before the start of the meeting.
12. Where possible, absent members must be substituted by a preferred substitute who has been named; where that is not possible, any member of the same political group may act as a substitute. A councillor may only substitute if they have received up to date training.

Quorum

13. A quarter of the number of members of the committee must be present for a legally valid committee meeting to be held. During any meeting, if the chair counts the number of councillors present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next meeting.
14. If there is no quorum at the published start time for the meeting, a period of 15 minutes will be allowed. If there remains no quorum at the expiry of this period, the meeting shall be declared null and void. The business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next meeting.

Duration of meetings

15. No meeting shall exceed two and a half hours in duration unless the committee, prior to the expiry of the period, votes for the meeting to continue to complete the item under discussion. Remaining business will be considered at the next meeting.

Meeting procedure

16. The order of business is as follows:
 - (a) to receive any apologies and notifications of substitutes;
 - (b) declarations of disclosable pecuniary interests and other interests;
 - (c) minutes of the previous meeting;
 - (d) notification of any urgent items;
 - (e) notification of applications deferred or withdrawn; and
 - (f) applications will be presented and subsequently debated.
17. Planning item process:
 - (a) Officers will present each planning application.
 - (b) Registered speakers will have their allocated time to speak.
 - (c) Committee members may ask questions of clarification of each speaker following their speech.
 - (d) Committee members may ask questions of the presenting officer.
18. Motions – the chair will ask for the following:
 - (a) A member to move a motion. Motions can be to support, go against or defer the officer's recommendation as stated in their report.
 - (b) A seconder for the motion; the committee member may reserve their speech until later in the debate.
 - (c) If a seconder cannot be found, an alternative motion will be requested.
 - (d) If no member puts forward a motion, the chair (or vice-chair) will put the officer's recommendation forward to commence the debate.
 - (e) A debate will ensue.
 - (f) If refusing or deferring an application, members will need to have material planning reasons based on national and local policies.
19. Voting as follows:
 - (a) The chair will put the motion to the vote.
 - (b) Unless a recorded vote is requested under rule 19 (c), the chair will take the vote by show of hands.
 - (c) If three councillors present at the meeting request it, the names of those voting for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. If a recorded vote is requested, the vote shall be taken alphabetically.
 - (d) If there are equal numbers of votes for and against, the chair will have a second or casting vote. There will be no restriction on how the chair chooses to exercise a casting vote. If the chair does not exercise his/her casting vote, the motion being considered will be deemed to be lost.
 - (e) The motion will be carried with a majority vote in favour.

- (f) If the motion is not carried, the chair will request another motion be put forward, or will put forward a motion him/herself.

Public participation

20. An application to speak must be made in writing or by email to the South Oxfordshire District Council planning team: planning@southoxon.gov.uk, or the Vale of White Horse District Council planning team: planning@whitehorsedc.gov.uk **by midday on the last working day before the day of the meeting**. Persons who have registered to speak may appoint someone to speak on their behalf provided that written authority from the person who has registered to speak is given to the planning@southoxon.gov.uk or planning@whitehorsedc.gov.uk planning teams before the meeting commences.
21. All questions, statements and petitions must relate to an item on the agenda, and parties wishing to speak must already have registered an interest in the application.
22. Following the introduction of each application, the following procedure will apply:
- (a) The following groups of speaker may then address the meeting for up to five minutes (South Oxfordshire) or three minutes (Vale of White Horse) each:
- Parish/town council/parish meeting representatives who have been consulted.
 - Objectors.
 - Applicants and/or supporters.
 - Ward councillors in whose area the application falls.
- For the avoidance of doubt groups of speakers will be entitled to five minutes (South Oxfordshire) or three minutes (Vale of White Horse) per application site regardless of the number of individual applications. A county councillor or MP wishing to address the committee may do so by sharing the appropriate speaking period designated for objectors or supporters.
- (b) Where more than one person has registered to speak in any of the above groups of speaker, the speaking period will be shared. In those circumstances, speakers are encouraged to appoint a spokesperson; if that is not possible, speakers will be heard in the order in which they have registered until the time period has elapsed.
- (c) On conclusion of each address, members of the Planning Committee may question the speaker solely to clarify any matter that they have not understood in the address. The ruling of the chair of the meeting as to what is an acceptable question shall be final.
- (d) A person who has registered to speak may circulate written or photographic material in support of their representations, provided they are given to the head of legal and democratic or his/her representative no later than 4pm on the last working day before the meeting: democratic.services@southandvale.gov.uk
- (e) The chair of the meeting may suspend the operation of speaking rules at any time if he/she considers it necessary for the purpose of maintaining order.

Minutes

23. The chair will sign the minutes of the proceedings at the next suitable meeting. The chair will move that the minutes of the previous meeting be signed as a correct record. Only the accuracy of the minutes may be discussed.

Record of attendance

24. All councillors present must sign the attendance list provided at the meeting.

Exclusion of the public

25. The public and press may only be excluded from attending a Planning Committee meeting for the consideration of confidential or exempt business or under rules 29 and 30 (disturbance by the public).

Councillors' conduct

CHAIR SPEAKING

26. When the chair speaks during a debate, any councillor speaking at the time must stop.

COUNCILLOR NOT TO BE HEARD FURTHER

27. If a councillor persistently disregards the ruling of the chair by behaving improperly or offensively or deliberately obstructs business, the chair may move that the councillor be not heard further. If seconded, the motion will be voted on without discussion.

COUNCILLOR TO LEAVE THE MEETING

28. If the councillor continues to behave improperly after such a motion is carried, the chair may move that either the councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

Disturbance by the public

REMOVAL OF A MEMBER OF THE PUBLIC

29. If a member of the public interrupts the meeting, the chair will invite the person to stop. If they continue to interrupt, the chair will order their removal from the meeting room.

CLEARANCE OF PART OF THE MEETING ROOM

30. If there is a general disturbance in any part of the meeting room open to the public, the chair may call for that part to be cleared and if necessary, adjourn the meeting for as long as he/she thinks necessary.

Attendance by other district councillors at planning committee

31. A councillor who is not otherwise entitled to attend and speak at a committee shall be entitled to do so (but not to vote) at a meeting of a committee in any of the following circumstances, including where confidential or exempt information is being discussed:
- (a) during the consideration of any matter which specifically affects his/her ward, provided that prior notice is given to the head of legal and democratic before the start of the meeting; or
 - (b) with the agreement of the chair, or the person presiding at the meeting of the committee, provided that prior notice is given to the head of legal and democratic before the start of the meeting.