

Constitution Update – Public Speaking at Planning Committee  
Appendix

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**NEWARK & SHERWOOD DISTRICT COUNCIL**

**CONSTITUTION  
MAY 2022**

**Part B – Public Participation  
Page B1**

**4. ~~ACCESS TO INFORMATION PROCEDURE RULES~~ PLANNING COMMITTEE**

**~~4.1. Introduction~~**

The Planning Committee’s Protocol for Dealing with Planning Matters sets out who is entitled to speak at meetings of the Committee.

**45. ACCESS TO INFORMATION PROCEDURE RULES**

**45.1. Introduction**

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**NEWARK & SHERWOOD DISTRICT COUNCIL**

**CONSTITUTION  
JULY 2023**

**Part C – Responsibility for Functions  
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**7.3 PLANNING COMMITTEE**

**Rules**

- The Committee Procedure Rules and the Access to Information Procedure Rules shall apply to the Planning Committee.
- The Protocol for Planning Committee shall apply to the Planning Committee and shall take precedence in the event of their conflicting with the Committee Procedure Rules.

**Membership, Chair and Quorum**

Number of Members	15
Substitute Members Permitted	No

Political Proportionality Rules Apply	Yes
Appointments/Removals	Resolution of Full Council
Restrictions on Membership	<ul style="list-style-type: none"> <li>All Members of the Planning Committee must have undertaken the required training, a minimum of once a year.</li> </ul>
Restrictions on Chair/Vice-Chair	None
Quorum	One quarter (1/4) of the committee members rounded up
Number of Ordinary Meetings per Council Year	At least 4 per year

### Remit and Terms of Reference

1. To perform the duties and exercise the powers of the Council as the local planning authority.
2. To determine and advise on all planning and development management applications, including but not limited to:-
  - a. Planning obligations;
  - b. All matters concerning public path orders required as a result of planning legislation;
  - c. Advertisement consents;
  - d. Conservation area consents and notices;
  - e. Revocation or modification of planning permissions by order under planning legislation;
  - f. Enforcement action including in respect of advertisement contraventions;
  - g. Tree preservation orders;
  - h. Consent to carry out work to protected trees;
  - i. Listed building consents and notices;
  - j. Certificates of alternative development;
  - k. Direct action by execution of works, taking steps and/or carrying out operations, by or on behalf of the Council under any current planning legislation, including the recovery of any costs or expenses;
  - l. Legal proceedings in respect of any breach of planning obligations;
  - m. Any other notices, orders, demands, permissions, consents and grants under current planning legislation; and
  - n. Observations, comments and representations on development proposals being determined by other bodies and/or in adjoining or nearby administrative areas.
3. To determine planning and development management applications referred by Members or Officers of the Council.
4. To determine planning and development management applications submitted by, or on behalf of, the Council or such applications in which the Council has an interest;

5. To determine planning and development management applications submitted by Members, Senior Officers (Senior Leadership Team and Business Managers) and Officers who would otherwise be involved in the determination of the application.
6. The monitoring of enforcement action taken under planning and other applicable legislation.
7. To administer the registration and record keeping provisions required under applicable legislation.
8. To exercise the Council's statutory duties in respect of the Building Regulations and associated legislation.
9. To exercise the Council's statutory powers in respect of land drainage and associated legislation.
10. To exercise the Council's statutory powers in respect of highways and associated legislation.
11. To consider and make recommendations on the formulation of the Local Development Framework and other plans, policies, protocols or guidance impacting on functions within the remit of the committee.
12. To do anything which is incidental, conducive or calculated to facilitate any of the Committee's functions or which are necessary for the discharge of the functions.
13. To adopt a scheme of delegation to Officers, including the ability for District Councillors to reserve matters to Committee in circumstances prescribed by the scheme; the scheme to be reviewed as necessary and at least annually, and
14. To adopt a Protocol for Planning Committee which must take Probity in Planning or equivalent national guidance into account and may include provision for public speaking.

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## **NEWARK & SHERWOOD DISTRICT COUNCIL**

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**Part D – Council Procedure Rules  
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### **6.7 Attendance of other District Councillors**

- 6.7.1 Any District Councillor who wishes to attend a meeting of Cabinet, a committee or sub-committee of which they are not a member will be entitled to do so. With the consent of the Chair they will be entitled to speak once on any matter that is of primary importance to their electoral division or its inhabitants rather than a general matter, but not to vote.

6.7.2 A District Councillor who attends a meeting in this capacity will be entitled to remain in the meeting when a resolution excluding the public is in force.

6.7.3 These provisions apply to Planning Committee, subject to its Protocol for Members on Dealing with Planning Matters, but not to any other committee or sub-committee that is exercising a function which is judicial in nature.

## **6.8 Public Speaking**

Planning Committee may make arrangements for public speaking in its Protocol for Dealing with Planning Matters.

## **6.98 Suspension of Committee Procedure Rules**

These Committee Procedure Rules except Rule 2.7.1 (signing minutes) and Rules 6.1, 6.3 and 6.4 (conduct and general disturbance) may be suspended by the Chair of a Committee or by motion without notice if at least one half of the whole number of members of the Committee or Sub-Committee, are present. Suspension can either be for an item or for the duration of the meeting.