

STANDING ORDERS FOR THE CAIRNGORMS NATIONAL PARK AUTHORITY PLANNING COMMITTEE – SECOND REVISION [15 OCTOBER 2010]

N.B. Standing Orders 9 – 11 remain as per 8 – 11 of the previous version, but will be the subject of a further report with recommended revisions as soon as possible.

1. This paper sets out the procedures which apply to meetings of the Cairngorms National Park Authority (CNPA) Planning Committee. These Standing Orders replace previously agreed versions and should be read in conjunction with the Standing Orders which have been agreed for the CNPA Board.

Frequency of Meetings

2. The Planning Committee will normally meet every four weeks, and a diary of provisional meeting dates and venues will be approved for each calendar year in advance. Special meetings may be called by the Committee Convener at other times, giving notice of seven clear days. The meeting venue may be varied and this will be notified with the agenda papers. Meetings may be cancelled where there is no business to be considered and notice of such cancellations will be given at least three clear days in advance of the previously agreed date.
3. A decision to cancel a meeting because of exceptional adverse circumstances (for example, the weather) will be taken at least one day in advance and notice will be posted at the CNPA offices in Ballater and Grantown on Spey and on the website www.cairngorms.co.uk. CNPA staff will endeavour to notify the cancellation to Committee Members and to those with an expressed written interest in any item on the agenda for that meeting. In the event of a cancellation, business will be carried forward to the next scheduled meeting unless the Committee Convener calls a special meeting under 2. above.

Pre-Agenda Briefing Meetings

4. Pre-Agenda meetings to brief the Convener and Vice Convener on forthcoming agenda items will be held at the discretion of the Convener normally during the week prior to the distribution of agenda papers.

Notice of Meetings

5. A notice giving details of the meeting will also be posted at the CNPA offices, and on the website www.cairngorms.co.uk, as well as the offices of each of the local Councils within the Park. Applicants, objectors and others who have made representations to planning applications will be notified of the date time and location of the Committee meeting which will determine the application in which they have an interest. Notification will be sent as soon as possible after a draft agenda is drawn up.

**CAIRNGORMS NATIONAL PARK AUTHORITY
Planning Committee Standing Orders 4 February 2011**

Agenda Papers

6. The Agenda papers will normally be sent to all Board Members seven days before each Committee.

Quorum

7. The quorum of the Planning Committee will be 10 Members. No business can be considered at the Committee unless a quorum is present. An item of business cannot be dealt with if, because one or more members declare an interest, less than a quorum of members are entitled to vote on an item.
8. If, thirty minutes after the time set for the start of a meeting of the Committee, a quorum is not present, the meeting will be abandoned and it will be recorded that no business was considered because there was no quorum. If a quorum is not present, the meeting will be adjourned to another time of the same day, or to another date and time as the Committee Convener may decide then or afterwards.

Oral Representations

9. In relation to the determination of applications called-in by the CNPA, any applicants, objectors or other third parties who wish to make oral representations to the Committee in respect of an agenda item must request to do so in writing (including by e-mail) to planning officials at the National Park Authority at least 48 hours prior to the time of the meeting. In doing so, they must set out clearly the reasons for wishing to address the Committee. If an objection is proposed, it must be competent in planning terms. Such requests will be drawn to Members' attention when the item is presented at Committee. It will then be at the Committee's discretion to determine whether to agree to the request. Requests received less than 48 hours before the appointed time of a Committee meeting will not be considered.
10. If such a request is refused the application will then be determined. If such a request is granted then, where there are other parties not present (the applicant or objectors) who may also wish to speak, the application will be continued for consideration at the following Committee meeting so that there is sufficient opportunity to give notice to such parties that they may also speak at the same meeting if they wish. Where there is a group of individuals with similar views and wishing to raise similar issues, they will be asked to elect a spokesperson, or a maximum of two spokespersons, to speak for the group in order to avoid repetition. This will ensure that such representations can be dealt with efficiently within the formal Committee meeting.
11. Opportunities to address the Committee will be limited to 10 minutes for the applicant and 10 minutes (in total) for the objectors. Community Councils who have made a request to speak will be given 5 minutes to do so and in the event that there are other parties who are neither applicants nor objectors they, too, will be limited to 5 minutes speaking time. The normal procedure will be for the applicant to speak first, objectors to speak second and other interested parties to speak last. Members

**CAIRNGORMS NATIONAL PARK AUTHORITY
Planning Committee Standing Orders 4 February 2011**

will then have opportunities to ask questions of any of the speakers and, at the Committee Convener's discretion and direction, the speakers may ask questions of each other. At the conclusion of this procedure, and before any debate takes place, the Committee's planning advisor will be given an opportunity to respond to any new issues raised or criticisms of the officer report.

12. In relation to items on the Committee's agenda dealing with the call-in of planning applications, no opportunities will be given for oral representations by applicants, their agents, objectors or other interested parties.

Written Representations

13. Written representations which are received before the Committee papers are issued will be included with those papers.
14. Where applicants/supporters, objectors or Community Councils make written representations (including by email) after the Committee papers have been issued, but no less than 48 hours prior to the meeting, this will be drawn to the Committee's attention by the Convener at the meeting and copies of the relevant correspondence made available to Committee. The Convener will give the opportunity to officers to respond orally to any points made in such representations. Where a submission is received less than 48 hours from the appointed time of the Committee meeting it will not be permitted to be drawn to Members' attention due to the lack of time to properly scrutinize its contents.

Site Visits

15. The normal method of appraising Committee Members of the characteristics of any site which is on the agenda will be by means of video and/or projected photographic images. The images relevant to each application will be shown, with any necessary commentary by officials, prior to the hearing of any representations or questions on that application. Where it is considered necessary to carry out a formal site visit by the Committee prior to the determination of an application the decision will be deferred and the visit will be arranged prior to the following month's Committee meeting. When a suitable time has been arranged officers will formally notify all Committee Members, the applicants and objectors or other third parties in writing. The Head of Development Management in consultation with the Committee Convener or Vice Convener may also arrange a site visit prior to the matter coming before Committee in which case the same notification procedures will be followed.
16. Further consideration of the application following the site visit will be made at a future Committee meeting. When making site visits Members are not functioning as a Committee. There is therefore no requirement for a quorum and while applicants/supporters, objectors and Community Councils may attend they have no right to speak.
17. A site visit is managed by the Committee Convener. CNPA officers will provide a short presentation on the proposal and point out any relevant features of the site and its surroundings. Members of the Committee may ask, via the Committee

**CAIRNGORMS NATIONAL PARK AUTHORITY
Planning Committee Standing Orders 4 February 2011**

Convener, questions about matters relating to the site to officers, applicants or their agents, or objectors. Non-Members present will only be allowed to speak on the direction of the Committee Convener and they will be permitted only to point out features of the site or building, land ownership and means of access. No discussions on the merits of a proposal, or decisions, will take place during site visits.

18. Members may make themselves familiar with sites in a number of different ways and non-attendance at a site visit will not preclude Members from taking part in the decision process on an item at a formal Committee meeting.

Planning Committee Decisions

How motions and amendments are moved and decided on

19. Every motion and amendment must be moved and seconded. The terms of all motions and amendments will be stated immediately when they are proposed and before the Member speaks to the motion or amendment. If the Committee Convener decides, a motion or amendment will be written down, signed by the mover and seconder, and given to the Clerk who will read it to the meeting. Votes will be recorded by a roll-call.
20. When a motion and one amendment only are before the meeting a vote will be taken between the motion and the amendment and the proposal receiving a majority of the votes will become the decision of the Committee.
21. When a motion and two or more amendments are before the meeting, the vote will be taken on the last proposed amendment against the preceding proposed amendment, each Member having one vote. If an amendment receives the support of an overall majority of the Members taking part in the vote, that proposal will progress to a further vote if necessary until all the proposed amendments have been dealt with. Amendments will be dealt with in reverse order until only one proposed amendment remains. A vote will then be taken on the motion and the remaining proposed amendment and the proposal receiving the majority of votes will become the decision of the meeting.
22. Motions or amendments which are not seconded will not be discussed or recorded in the minutes. Any Member who has moved a motion or amendment and who is in a minority of one may ask for his/her dissent from the eventual decision to be recorded in the minutes.
23. A motion or amendment may be withdrawn by the mover if his/her seconder agrees. Such a motion or amendment will not be inserted in the minutes.
24. A motion for the approval of a report of, or a minute of, a Committee will be considered as an original motion and any proposal involving alteration or rejection of the report or minute will be dealt with as an amendment.
25. The Committee Convener, if present, has the right to move approval of the report of, or minute of, that meeting.

**CAIRNGORMS NATIONAL PARK AUTHORITY
Planning Committee Standing Orders 4 February 2011**

26. The mover of an amendment and the mover of the original motion each has a right of reply, in that order. When the mover of the original motion has replied, the Committee Convener will close the debate, and no other Member will be allowed to speak. The Clerk or the Committee Convener will announce the terms of the motion and amendment(s) and take the vote.
27. A motion or amendment that is contrary to the officer's recommendation shall include clear planning reasons.
28. At any meeting of the Committee, if five or more Members of the Committee (in addition to the mover and seconder of the motion and any amendments) have spoken on a matter, any member who has not spoken on the matter may move for the debate to be closed, and the motion and any amendments be voted upon.
29. On the motion being seconded, the Committee Convener shall put the same to the meeting without speeches or discussion, and the vote shall be taken by roll call. If the motion for closure of debate is carried, the mover of the original motion and of any amendments shall have the right of reply and thereafter the matter under discussion shall be voted on in the ordinary way; if the motion is not carried, the debate shall be resumed.
30. Where the decision on a planning application or other matter is contrary to the planning officer's recommendation, the precise reasons for refusal or full terms of approval, including conditions and the terms of any matters to be contained in a legal agreement, shall thereafter be agreed by the Head of Development Management in consultation with the Committee Convener or Vice Convener.

What happens if votes are equal?

31. In the cases of an equality of votes, the Committee Convener or person presiding at the meeting will have a second or casting vote.

Procedural Motions

Adjourning a meeting

32. The Committee Convener may adjourn any meeting for a reasonable interval if he/she decides there is a good reason to do so.
33. The Committee may adjourn any meeting for a reasonable interval or to another date as they may agree or if no decision on a date the Committee Convener will decide then or afterwards. The vote on a motion to adjourn, on being seconded, will be taken without amendment or discussion and by show of hands. A similar motion to adjourn to another day will not be competent within a period of one hour after the decision on the earlier motion.

Suspending Standing Orders

PAPER 8 APPENDIX 2

**CAIRNGORMS NATIONAL PARK AUTHORITY
Planning Committee Standing Orders 4 February 2011**

34. The provisions of these Standing Orders may be suspended by a motion supported by a majority of the Committee members present.