

**SCRUTINY BOARD – 26.10.04**

**APPENDIX TO:**

**AGENDA ITEM:**

**8.4**

**LUTON BOROUGH COUNCIL**

**CONSTITUTION**

**PART 16**

**OTHER PROTOCOLS AND CONVENTIONS**

# **LUTON BOROUGH COUNCIL**

## **CONSTITUTION**

### **PART 16 : OTHER PROTOCOLS AND CONVENTIONS**

#### **PROTOCOL FOR MATTERS OF CONVENTION**

1. The Council has agreed that the arrangements set out below should apply by way of convention.
2. The 3 Political Groups on the Council have each agreed that the party whip will not be applied at meetings of the Scrutiny Board, or of the Scrutiny Committees.
3. The Members appointed to be the Vice-Chairs of the Scrutiny Board, and of each of the Scrutiny Committees, shall be Members of one of the Opposition Groups on the Council, on the basis that 4 of the 5 available Vice-Chair positions will be held by the Major Opposition Group and 1 by the Minor Opposition Group.
4. This Protocol is a publicly available document.
5. For the purposes of this Protocol:

“Opposition Group” means a Political Group having seats on the Council other than any Political Group the Leader of which is the Executive Leader;

“Major Opposition Group” the Opposition Group having the largest number of seats on the Council;

“Minor Opposition Group” means the Opposition Group having the second largest number of seats on the Council

## **LUTON BOROUGH COUNCIL**

### **A PROTOCOL FOR SCRUTINY**

#### **Purpose**

The purpose of this protocol is to give guidance on the conduct of scrutiny. It supplements and interprets the Council's constitution, it does not take its place or override it. The status of this protocol is that it is advisory and nothing which follows limits the scope of scrutiny or prevents Members of scrutiny from carrying out their legitimate role. It does however represent agreed guidance on best practice and should only be departed from for good reasons.

#### **The nature of scrutiny**

Scrutiny is a means to an end, not an end in itself. The objective of scrutiny is to expose the way in which decisions are made about public services and by public bodies, to hold them to account and thereby to improve the quality of decisions about services and consequently the services themselves.

Scrutiny has no executive powers. It must therefore work by probing, investigating, enquiring, encouraging, persuading, reporting and recommending. Conflict should be a last resort because it is usually less effective than other more collaborative approaches.

#### **The functions of scrutiny**

- To hold to account the Council's Executive by scrutinising matters that are referred and decisions which are 'called in' and by challenging decisions of the Executive which represent a departure from any of the Council's policies.
- To inquire into matters of public interest selected by Members which are included in scrutiny committees' work programmes (Note: scrutiny committees are expected to stick to their work programme but it is recognised that matters will arise from time to time which require their urgent attention. The Director of Scrutiny has been authorised by the Scrutiny Board to deal with such situations subject to consulting Chairs and Vice Chairs.)
- To contribute to the development of policies and strategies of the Council
- To review and comment on the implementation of best value including the programme of service reviews, review briefs, review reports and to monitor the implementation and effectiveness of action plans approved by the Executive.
- To monitor, review and comment upon the Council's performance by reference to national and local performance indicators and by other means
- To scrutinise other public services in accordance with powers and duties conferred by statute (e.g. health services) and otherwise by agreement

## **The methods of scrutiny**

Scrutiny calls for a different approach from the previous committee arrangements. The absence of any executive responsibilities should allow scrutiny the time to examine topics in depth, to take evidence, to commission research, to consult the public and to study examples of best practice in order to reach well informed conclusions and to make soundly based recommendations. The techniques which scrutiny committees may use include the following :

- references back to the Executive - with recommendations
- recommendations to the Executive
- references to Council
- enquiries into topics
  - expert witnesses
  - research
  - public consultation (wide range of techniques - see consultation strategy/guidance)
  - panels involving local organisations
  - reports
- performance data/comparisons (see benchmarking guidance)
- challenging - poor performance, lack of improvement, easy targets
- training events (home and away)
- inspections of services
- visits to other authorities
- use of sub committees and panels
- commissioning information analysis and research which could include secondments or the use of external researchers
- collaboration with other public service delivery agencies to review their performance

Where an item is referred back to the Executive with recommendations there should always be a report back to the scrutiny committee to advise them of the decision of the Executive. The scrutiny officer will report back at the next meeting of the scrutiny committee following the meeting of the Executive at which the recommendations are considered.

Where the recommendations of the scrutiny committee are not accepted by the Executive, the appropriate portfolio holder should attend the next meeting of the scrutiny committee to give the Executive's reasons.

At their meeting on 11<sup>th</sup> March 2002 the Board approved a staged approach to scrutinising major topics which is set out in the appendix to this protocol.

Reports on completed scrutiny topics may be submitted to the Executive or the Council or both. Normally reports will be submitted to the Executive in which case the Chair of the relevant committee should attend the meeting of the Executive to present the committee's final report.

## **Scrutiny committee meetings**

The timetable for scrutiny committee meetings will be set annually as part of the process of compiling the diary of all of the Council's meetings.

The constitution provides (S.O. 55) that decisions of the Executive may be 'called in' to be scrutinised. Decisions that are called in must be considered by the appropriate committee within four weeks. This can be done at a scheduled meeting only if the Chair and Vice Chair agree; otherwise a special meeting must be called for the purpose.

Where a special meeting is called all reasonable efforts will be made to select a date when at least one of the Members who called in the decision can attend. The relevant Executive Portfolio Holder should be advised of the meeting and invited to attend.

The Council's diary is not a strait jacket but where it is necessary either to change the date of a meeting or to set a date for an additional meeting this should be arranged by the committee services section who will consult at least the Chair and Vice Chair and, as far as possible, all Members of the committee.

The Council's standing orders set out the procedural rules for the conduct of meetings; however committee Chairs do have some discretion and the following approaches are suggested :

- Meetings should take place in those community and other buildings which are most accessible to local people who are likely to be interested in the topic(s) to be discussed. Locations should be chosen having regard to the topic(s) to be discussed and with a view to visiting all areas of the Town over a period of time.
- Committees will be serviced by a committee administrator and officers will attend to advise the committees as appropriate.
- Where possible basic refreshments should be provided for those attending
- When there are people present who are not Members of the committee they should normally be allowed an opportunity, be given priority and be encouraged to speak if they wish.
- Members of scrutiny committees should, unless it would be inappropriate to do so, refrain from expressing opinions or stating conclusions until all the evidence has been heard and all the witnesses and public who wish to have had an opportunity to speak. The art of scrutiny is to ask good questions and to listen to and probe the responses. If a witness is evasive it is up to the Members of the committee to focus on the point in question in order to elicit an answer. Members should however avoid bullying or hectoring witnesses.

- Executive Members should be invited to give evidence to scrutiny committees about services for which they are responsible. It is reasonable for Executive Members asked to give evidence to be accompanied by the appropriate Chief or senior officer and the committee should not prevent officers from supporting or supplementing the evidence given by the Executive Member.
- After the meeting has finished Chairs may find it useful to ask the Members to remain in order to review the way in which the meeting proceeded, to identify what worked well and what didn't so that learning points can be captured and circulated to other Members of scrutiny committees.

### **Area Committees**

Area committees **may** refer matters to scrutiny. When scrutiny committees are reviewing topics which are location specific they should consider the potential advantages of

- asking the area committee for their views
- inviting the members of the area committee to attend the meeting of the scrutiny committee
- meeting together with the area committee

Any executive decisions taken by area committees are subject to scrutiny in the same way as if they had been taken by the Executive. **However, unless and until functional powers are devolved to the area committees, the power to call in decisions made by area committees should not be exercised.**

## **The Executive**

The relationship between scrutiny and the Executive could easily become adversarial. It needs to be kept in mind that there is a common objective to deliver the best and most cost effective services that meet the needs of local people and to continue to improve every aspect of the Council's performance to achieve the visionary goals set by the Council.

Liaison between Chairs of Scrutiny Committees and Executive Portfolio holders is a key role of the Chair of the Scrutiny Board.

References, reports and recommendations to the Executive from scrutiny committees should always be based on that principle. Scrutiny should not be used to block, delay or frustrate the legitimate will of the Executive without good reason. The Executive should give serious and proper consideration to references, reports and recommendations from scrutiny and should not ascribe unworthy motives to scrutiny if their views do not coincide. When scrutiny committees make recommendations to the Executive they must be able to support those recommendations with evidence and argument. If recommendations of scrutiny committees are rejected the Executive should be prepared to say why.

Scrutiny committees should always consider inviting and involving appropriate Members of the Executive in consideration of issues and topics. Members of the Executive should be prepared to respond to invitations from scrutiny to participate in such consideration.

When officers are providing briefings to the appropriate Member(s) of the Executive on topics such as a Government consultation paper or a new piece of legislation, they should consider inviting the Chair of the appropriate scrutiny committee to the briefing in order to save time and effort.

## **The Scrutiny Board**

The Board will support and oversee the work of the scrutiny committees.

The Board will nominate one or two Members to attend each of the scrutiny committees to carry out this function. The function of the Members nominated by the Board will be to attend and observe the meetings of the appropriate scrutiny committee, to provide the Chair and other Members of the Committee with observations and constructive criticism about the conduct of meetings and to report back to the Board on the conduct and effectiveness of scrutiny.

## **Scrutiny Committees**

The membership of the committees must be politically proportional to the overall membership of the Council. It is good practice for the Chairs of the scrutiny committees not to be members of the party that holds the Executive.

## **Participation by Consultative Forums**

The Council has established three consultative forums covering gender, race and disabilities. The Chairs of the equalities forums should be invited to attend or send a substitute when matters are being considered which have a particular significance for equalities. The three equalities forums should be informed in advance about the dates, times, venues and topics to be discussed by the scrutiny committees so that they can attend the meetings if they wish and so that they can draw to the committees' attention any particular equalities issues in relation to the items on the agenda.

A similar approach should be adopted in relation to tenants' committees so that they receive advance notice of the programme of meetings and the Chairs should be invited to attend or send a substitute when committees are going to discuss topics relating to rented housing or which have implications for any of the Council housing estates.

Chairs of scrutiny committees should encourage tenants or other community representatives who receive payment for attending meetings to be prepared to give evidence orally and/or submit written evidence with the support and assistance of officers if requested.

The Council has internal consultation methods for consulting with its employees through the recognised trades unions. These and other appropriate methods should be used when topics under consideration have implications for employees.



## **Policy development**

Standing orders (and indeed primary legislation) require that certain policies can only be approved by the whole Council and that any proposed departure from such policies must go to the Council as a recommendation from the Executive. Other policies are determined by the Executive.

Policy development is a long and often tortuous process. If scrutiny is presented with a finished document which has either been approved by the Executive or is being recommended to the Council for approval it is likely that scrutiny will find fault with the document and call it in or refer it back. A more productive approach is for the appropriate scrutiny committee (to be determined by the Board in cases of doubt or dispute) to be used as a 'sounding board' throughout the process and at key stages so that for example the committee should be 'sounded out' at the very outset as to what factors should be considered, what information should be gathered, what consultation with local people, interested parties and other organisations should be carried out and how it should be carried out, and what issues will need to be addressed. No conclusions should be drawn at this stage.

When the work suggested at the first stage has been carried out the scrutiny committee could be asked to review what has been done and to comment on whether sufficient work has been done to inform policy development. At this stage, after having heard all the evidence, the committee could be asked to give a general 'steer'.

When the policy has been developed in the light of the evidence gathered and the 'steer' from the committee it could be reported to the scrutiny committee whose role would be to test the policy against the background of the information they have already seen and their knowledge of local circumstances.

The advantage of this process is that scrutiny committees will have more time available for a full consideration of all the issues and they are also able to bring a cross party perspective to policy issues.

The result of this process is more likely to be a soundly based policy proposal which has the support of scrutiny and can then be reported to the Executive with a recommendation for approval from the scrutiny committee thus significantly reducing the risk of conflict and delay.

## **Consultation documents**

A similar approach could be adopted to developing responses to major consultation papers so that the proposed response could be developed using the appropriate scrutiny committee as a 'sounding board' and the result could be reported to the Executive with a recommendation for approval from the scrutiny committee.

## **Budget and Capital Programme**

Scrutiny Committees should be consulted at the planning stage and draft revenue budget and capital programme proposals should be submitted to scrutiny at an early stage in order that Committees are given an opportunity to make a full and proper contribution to the Council's budget making process. A comprehensive protocol setting out the arrangements for

scrutiny committees to examine the budget is under development and will be appended to this protocol if and when it is agreed.

### **Publicity**

The arrangements for committee meetings will be publicised in the Council's newspaper. Where a topic of interest to local organisations is to be discussed they will be invited to send representatives. Ward councillors will be invited when the topic is of particular interest to people living in their ward. The recommendations of scrutiny committees will be publicised by issuing press releases where they are of significant public interest. (See also the publicity strategy for Scrutiny)

### **Work programmes**

Standing orders provide that the work programmes of the scrutiny committees are co-ordinated by the Scrutiny Board. In practice each committee should develop its own programme and then ask the Board to approve it.

Programmes of work should be 'paced' having regard to the capacity of the committee and of the officers who will need to undertake work in support of the programme. One of the responsibilities of the Director of Scrutiny is to co-ordinate the support for scrutiny committees and to identify how their work programmes can be resourced. This can best be done by co-ordinating the work programmes of Scrutiny and the Executive. To this end, with the assistance of the Director of Scrutiny, Chairs of Scrutiny Committees should liaise with other Directors and with Executive portfolio holders when mapping out draft work programmes.

### **Performance information**

- Members of scrutiny committees will receive performance information relating to the services which fall within their remit. The information will include the results of past performance, estimates of current performance and targets (supported by action plans) set for future performance and will relate to general health indicators, national best value indicators and local performance indicators. The role of scrutiny is to expose poor performance, to celebrate excellent performance and to challenge targets which are either unrealistic or not sufficiently ambitious by reference to the action plans for service improvement. The objective should always be to identify opportunities for improvement beyond what is already planned. Each committee will nominate a Member or Members of the committee to review the information about the performance of services within the remit of the committee. It will be their prerogative to call for a report to the committee if they consider that a serious performance issue is not being adequately addressed.
- Special considerations apply when the performance of schools is being scrutinised. A separate note will be produced for the guidance of the Lifelong Learning and Social Inclusion Scrutiny Committee

## **Best Value**

The role of scrutiny in best value is for the **Scrutiny** Board to determine the programme of reviews and for scrutiny committees to examine the briefs for service reviews and the reports on those reviews when they are completed and to make appropriate recommendations to the Executive. In order to limit the amount of work which each Member of scrutiny has to undertake, the detailed examination of briefs and review reports will be carried out by groups of three Members drawn from the appropriate scrutiny committee. Each group will then report back to their scrutiny committee on their findings. Post review monitoring of the implementation of the actions approved by the Executive should be carried out on an exception basis with only significant departures from the approved plan or from predicted results being reported to scrutiny committees. The groups of three Members appointed to carry out the in depth examinations should involve the appropriate Executive Member. Training will be provided for all Members of scrutiny committees in order to explain the process of examining best value service reviews and to equip them with the necessary skills.

## **External organisations**

Local Authorities have been given the responsibility for scrutinising local health authorities. This is likely to be a precursor to further responsibilities for scrutinising the delivery of local public services. The Council has a legitimate role as community champion and a local leadership role in relation to the development of the Community Plan. The Council therefore has some legitimacy in terms of scrutinising local public services. This can best be done with the co-operation and participation of local public service delivery agencies. It is part of the role of the Director of Scrutiny to build effective partnerships with those organisations which deliver public services to local people so that a programme of external scrutiny can be developed. When scrutinising services delivered by others it is especially important to focus on service improvement rather than criticism of inadequate services which will produce a defensive reaction from those being scrutinised. Only as a last resort, when all else has failed, should 'naming and shaming' be contemplated.

### The Scrutiny Process

1	Scoping, planning, method, evidence, witnesses, stakeholders, publicity	<p>Define the scope of the topic, identify all the aspects which need to be considered but exclude those which should not.</p> <p>Plan how the study is going to be carried out, decide what information is required and who should be called as witnesses to give evidence.</p> <p>Identify people and organisations who have an interest in the topic and should be invited/involved/consulted.</p> <p>Decide whether and how the work of the panel should be publicised.</p> <p>Plan the process for collecting evidence and interviewing witnesses (e.g. whole panel, individual Members etc.)</p>
2	Evidence and information	Carry out the plan, site visits if appropriate, consult stakeholders to find out their views, collect information
3	Analyse the evidence/information	Identify any gaps in the evidence or information, follow up to fill the gaps, check any information or evidence which conflicts, identify common threads.
4	Reach conclusions and formulate recommendations	Conclusions should be based on the evidence and information. Consult stakeholders about the recommendations.
5	Report	<p>Prepare and agree a report to the Executive/Council.</p> <p>The report should describe the work which has been done, summarise the evidence and information about the topic, justify the conclusions based on the evidence and argue the case for any recommendations.</p>

## **PROTOCOL ON THE SCOPE OF THE HOUSING APPEAL PANEL**

### **1. Purpose**

The purpose of this Protocol is to set out the scope of the Housing Appeals Panel and to define the extent of the Housing Appeals Panel's powers in relation to the appeals it considers and what action(s) is(are) or is(are) not available to it in its determinations.

### **2. Scope and Powers**

The Housing Appeals Panel determines appeals against decisions made by the Corporate Director of Housing and Social Services. As the matters considered by the Housing Appeals Panel involve determination of appeals by individuals, they are considered in private pursuant to Paragraph 3 or 4 of Part I to Schedule 12A of the Local Government Act 1972 as amended.

Its determinations will be restricted to:-

- (i) upholding the appeal including the giving of its reasons for that action;
- (ii) dismissing the appeal including the giving of its reasons for that action;
- (iii) deferring the making of any decision pending the receipt of further information; or
- (iv) making a recommendation either to the Full Council (or one of its Committees) or to the Executive on an issue arising from any appeal but not related to that specific appeal.

### **3. Limitations**

The Housing Appeals Panel is not empowered to make the following determinations:-

- (i) to make any offer of housing;
- (ii) to make any recommendation in relation to the matter then subject of the appeal; or
- (iii) to make any specific determination in any case other than one of those decisions specified at 2 above.

## **Luton Borough Council**

### **The Right to Speak at Development Control Committee (Draft Rules 2002)**

These Rules ("the Rules") come into force on 1 August 2002 and shall be for a temporary period of six months. Subject to further review at the end of that period the Right to Speak and the Rules governing its procedure will be adopted either as currently drafted or with such amendments as are considered necessary. Following their adoption the Rules shall be subject to regular review and such revision as is considered necessary.

Comments on the implementation and effectiveness of the Rules are welcomed and should be sent to:-

The Development Control Manager  
Luton Borough Council  
Town Hall  
Luton  
LU1 2BQ

#### **Interpretations**

**"Applicants and Objectors"** means the applicants and objectors or such other persons nominated to speak on their behalf, whether professional or otherwise.

**"Application"** includes any application for planning permission, and any other application, matter or notification which are before the Committee for determination.

**"the Chair"** means the Chair of Development Control Committee.

**"The Right to Speak"** means the Right to Speak Scheme as set out in these Rules.

**"Working Days"** means any day from Monday to Friday (inclusive) which is not Christmas Eve, Christmas Day, Good Friday or any other Statutory Bank Holiday.

#### **The Right to Speak Scheme**

1. The Right to Speak shall apply to all Applications which are referred to the Council's Development Control Committee for determination. It shall not apply to any Applications which may be determined by the Council's Development Control Manager under the Council's Scheme of Delegation to Officers.
2. The Right to Speak shall be as described in the Rules.

3. The Interpretation of the Rules shall be at the sole discretion of the Chair.
4.
  - (a) A summary of the Rules ("the Summary") will be printed on the acknowledgement letter sent to applicants when an Application is first received and also on the notification letters sent by the Council to local occupiers on receipt of an Application.
  - (b) The Summary is intended to be for guidance only and is to be no more than a resume of the Rules.
  - (c) In any case of conflict between the two, the Rules will always prevail.
  - (d) Full copies of the Rules will also be held in the offices of the Council's Development Control Group and the Council's Democratic Services Section and will be available to members of the public on request, free of charge during normal working hours.
5. The lead officer for the receipt of requests to speak shall be the Committee Administrator for Development Control Committee in the Democratic Services Section, currently Sandra Paradine on Luton 546041.
6. In the event of receipt of written representations relating to any Application (that may be reported to Development Control Committee and not determined by Development Control Manager under Delegated powers) the Planning Case Officer shall inform both the writer and the Applicant of the target committee date.
7.
  - (a) Requests to speak on an Application must be received and registered by the Committee Administrator (see paragraph 5 above) either in writing or by telephone at least 5 Working Days before the day of the Committee (that is, in the case of a Committee on Wednesday, by 5.30 p.m. on the preceding Wednesday).
  - (b) Any person submitting a Request to Speak must leave a contact telephone number with the Committee Administrator.
  - (c) Any requests received will be communicated to the Development Control Manager by the Committee Administrator.
  - (d) If someone submitting a request to speak does not qualify to speak at the Committee Meeting they will be informed by telephone not less than 4 Working Days preceding the Meeting

(that is, in the case of a Committee on Wednesday, by 5.30 p.m. on the preceding Thursday).

- (e) Where a request to speak has been received from an Objector the Development Control Manager shall notify the Applicant and where a request to speak has been received from the Applicant the Development Control Manager shall notify the Objector. In each case notification shall be made without delay.
- 8. Subject to these Rules, requests to speak received after the time specified in Paragraph 7 above will not be considered other than in exceptional circumstances.
- 9. Notwithstanding the foregoing the Chair shall have the right at his or her absolute discretion to suspend the operation of the Rules in such circumstances as he or she considers appropriate.
- 10. The Right to Speak at Development Control Committee will apply in the following circumstances:-
  - (a) When an Application is recommended by officers for approval:-
    - (i) Objectors may address the Committee.
    - (ii) Where one or more Objector has submitted an intention to speak at Committee, the Applicant or his/her agent may also address the Committee, even if they have not submitted a request to do so.
    - (iii) The applicant or his/her agent may address the Committee where a request to speak has not been received from objectors, but must have submitted their Request to Speak within the time specified in Paragraph 7(a) above.
  - (b) When an application is recommended by officers for refusal:-
    - (i) The applicants may address the Committee
    - (ii) Where an applicant has submitted a request to speak at the Committee Meeting, objectors who have submitted their requests within the required time may also address Committee.
    - (iii) Objectors may not address Committee where a request to speak has not been received from the applicants.
- 11. If, at the Committee Meeting, the Committee is minded to determine the application contrary to the officer



recommendation, the application will be deferred to a later Committee Meeting to provide objectors and applicants [subject to Paragraphs 10 (a) and (b) above] with the opportunity to request to speak if they so wish, if they have not already addressed the Committee.

12. (a) Objectors and applicants must restrict the length of their address to Committee to not more than 5 minutes. If more than one objector has submitted a request to speak, they will be permitted to do so but must not exceed a total time of 5 minutes. Only one person may speak on behalf of the applicant.
- (b) Notwithstanding sub-paragraph 12(a) above, in any cases considered by the Chair to be of Town wide significance the Chair may at his or her absolute discretion permit each individual speaker to address Committee individually for a maximum of 5 minutes each
13. Attendance at the Committee Meeting will be subject to the following:-
  - (a) All Applicants or Objectors who have submitted a valid request to speak in accordance with these Rules must ensure that they are present in the Committee Room in time for the start of the Committee Meeting (usually 6.00 p.m.).
  - (b) The Chair will try to ensure that Agenda items on which there is a valid request to speak and where the speaker(s) is/are present are brought forward for consideration.
  - (c) In cases where Applicants or Objectors are late or do not take up the opportunity to speak, the Committee will proceed to determine the Application at its normal place in the written order of the published Agenda. There will be no second opportunity afforded to those who have missed their opportunity to speak and an Application will not be deferred because an objector or applicant has failed to attend.
14. All parties invoking the Right to Speak at Committee must restrict the content of their speech to relevant planning issues raised by the Application.
15. Procedure at the Committee Meeting will be as follows:-
  - (a) The Development Control Manager will present his report on the application.
  - (b) The Objector(s) will address the Committee for not more than 5 minutes in total

- (c) Members of the Committee may ask questions of the Objector(s) to seek clarification of points raised in their speech
  - (d) The Applicant or his/her agent will address the Committee for not more than 5 minutes
  - (e) Members of the Committee may ask questions of the applicant or his/her agent to seek clarification of points raised in their speech
  - (f) The Committee will then debate the issues and determine the application with no further involvement from either objectors or applicants.
16. Under no circumstances may Objectors and Applicants either cross examine each other or engage in a debate with Council officers or Committee Members.
17. The time limits for addressing Committee shall be strictly adhered to without exception. Objectors and Applicants shall cease to address Committee at the end of their allocated 5 minutes.
18. (a) Where any Objector and/or Applicant fails to comply with paragraphs 16 or 17 above (and following a request by the Chair to do so) the Chair shall have the authority at his or her absolute discretion to adjourn the Meeting for such period as he or she considers necessary.
- (b) Where any Objector or Applicant refuses to comply with the Chair's earlier direction the Chair shall have the power to order his or her removal from the meeting room in addition to the power to adjourn the meeting.
19. No written submissions may be made by applicants or objectors at the Committee Meeting (although photographs may be displayed and circulated to illustrate a point). Any written submissions must be made to the Planning Case officer for the Application or the Development Control Manager at least 5 Working Days before the Committee Meeting (that is, for a Committee Meeting on Wednesday, by 5.30 p.m. on the preceding Wednesday).
20. If, after an application which is subject to the Right to Speak has been considered by the Committee, it is deferred for further consideration, no further opportunity will be provided to Applicants or Objectors to address the Committee for a second time.

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