

## Motions and Amendments Scenarios

### Scenario 1

You are the Democratic Services Officer to the Newmarket District Council Planning Committee which is considering an application for a three storey development adjacent to the River Swift.

The application is recommended for permission, however before voting on the application several Members raise concerns about the loss of trees required for the development.

Although the trees do not have Tree Protection Orders, Councillor Short declares that they have a strong amenity value to local residents and should not be removed and so he cannot support the application. Some other Councillors make statements supporting Councillor Short and the Chairman says that he senses the Committee does not support the Officer's recommendation.

He turns to you to ask your advice on how to conduct the voting.

What do you advise him?

Notes for the Facilitator:

If he is unclear as to which way the vote might go after the views section he should start by asking for someone to propose a motion for permission (as per the Officer recommendation), once this has been seconded it should be voted on. If this vote falls this does not mean the application has been refused and Members would need to propose and second a motion for refusal. They could then debate reasons for refusal. Once the Chairman is happy that all potential reasons for refusal have been debated and voted on/agreed he should read them all out loud (or ask the Clerk to do so) in order that the Committee is clear what they are voting on and then take the substantive vote for refusal



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## Scenario 2

An application for a new block of garages to meet the demand for parking in the local area comes to Committee. A group of residents whose homes will look out over the garages come to the Planning Committee to speak against the application. Councillor Roundhouse, who has been liaising with the residents to oppose the scheme, declares an interest and observes the item from the public gallery.

The Committee grant permission to the development with some conditions and informatives to mitigate the impact on local residents. After the vote Councillor Roundhouse comes back to the table and interrupts the Chairman who is introducing the next item. He suggests that the Committee amend one of the additional conditions to say that the applicant should introduce soft landscaping around the perimeter rather than the fence that the Committee had just decided. Immediately, several of the other Committee members agree with Councillor Roundhouse and ask you as the Clerk to amend the condition

What issues does this raise?

How would you deal with these issues?

Notes for the facilitator:

Councillor Roundhouse should not be commenting on this application as he had declared an interest and sat out.

The item had concluded and the Chairman had moved on so the amendment was not valid as conditions, informatives and the substantive vote had all already taken place.

Applicants are able to apply to the planning authority to vary conditions and would be able to introduce soft landscaping in this way if they so wished.

May also wish to debate whether Councillor Roundhouse should of sat in the gallery. In particular if a local constitution states that they should have left the room (body language/ influence etc)



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### Scenario 3

Shorebury Council Planning Committee is considering a controversial application for a new supermarket. After a lengthy discussion the Chairman asks whether any Members wish to put forward a motion for permission or refusal.

Councillor Gee proposes a motion to grant planning permission subject to a Section 106 legal agreement as recommended in the officer's report. Councillor Banks seconds the motion. A debate takes place in which Councillor Travis expresses her view that the application would cause demonstrable harm to local residents because of traffic and congestion and she moves a motion for refusal. Councillor Peters seconds the motion.

What issues does this raise?

What would you suggest to the Chairman he should do next?

Notes for the facilitator:

Only one motion should be 'on the table' at any one time. Explain that there can only be one motion at a time and that the motion for permission subject to a S106 had been moved and seconded so Members could make amendments (so long as these did not negate the original motion) and once these had been agreed that vote would be taken. The second motion could be dealt with once all of this had happened and only if the original motion fell.



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