

APPENDIX B

Part 1

2. HOW THE COUNCIL OPERATES

2.4 All Councillors meet together as the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall policies and set the budget each year. The Council will elect from its Councillors a Leader at the Annual Council following ordinary local elections or at any other Council meeting following the death or disqualification or resignation, or if removed from office by resolution. The Leader will appoint members to a Cabinet. The Council will also appoint the Chair and Members of the Regulatory, other Committees and Council Panels for each year. If during the municipal year the Chair or Vice-Chair of a Committee or Panel were to step down, then nominations would be determined by the Group Leaders in consultation with the Monitoring Officer. This however will not apply to Overview & Scrutiny Panels, who appoint their own Chairs and Vice-Chairs, in accordance with Part 4 of the Constitution. The Council will undertake the business reserved to it by these Articles and, with the Overview and Scrutiny Panels, will hold the Cabinet to account. It will have responsibility to oversee all activities of the Committees and Panels it appoints.

Part 2

C4.4 Substitution

Substitute Councillors may attend meetings in that capacity only:

- i) To take the place of the ordinary Councillor for whom they are designated substitute for their meeting;
- ii) Where the ordinary Councillor will be absent for the whole of the meeting; if the ordinary Councillor arrives after the meeting has started, the Substitute Councillor shall continue and the ordinary Councillor shall be present as a non-member of that body.
- iii) ~~After notifying the clerk to the meeting by 12.00 noon on the day of the meeting that a substitute is required; to enable Democratic Services to contact potential substitutes in advance of the meeting. If notified after 12 noon on the day of the meeting, the responsibility to identify a substitute falls to the relevant Group. The notification of the named substitute must be provided to the clerk ideally before the meeting begins; at minimum under the item 'Apologies for Absence' at the start of the meeting.~~ After the ordinary Councillor or relevant group, has notified Democratic Services, prior to the commencement of the meeting; at minimum under the item 'Apologies for Absence' at the start of the meeting, of the substitute Councillor's attendance. This applies to all panels, committees, and forums of the Council.

iv) Democratic Services shall be responsible for arranging substitute Councillors for all quasi-judicial appeals, such as for the Appeals Panels and all Licensing & Public Space Protection Order Sub-Committees.

C9.1 **General**

Members of the public who live, work, study, or own property within the borough may ask questions of

- i. the Leader; or
- ii. a Cabinet Member;

at ordinary meetings of the Council for which the Council will set aside a period of **30 minutes**, which may be extended at the discretion of the Mayor in exceptional circumstances. Public questions at the meeting at which the council budget is considered must relate directly to the budget proposals. Public questions are permitted at Extraordinary meetings of the Council where such a question is directly related to an item on the Agenda.

C21.1 **Councillor wishing to Speak**

A Councillor wishing to speak shall indicate by raising their hand and shall speak when called upon to do so by the Mayor. When called the Councillor shall stand or remain seated when speaking and shall address The Mayor using the form 'Mr Mayor' or 'Madam Mayor' as appropriate. The Councillors shall speak of each other and of Officers by their respective titles.

C21.2 **Standing to speak**

When a Councillor speaks at full Council ~~they must~~, unless the Mayor in their discretion provides otherwise, may either stand or remain seated and address the meeting through the Mayor. If more than one Councillor stands, the Mayor will ask one to speak and the others must sit. Other Councillors must remain silent whilst a Councillor is speaking unless they wish to make a point of order or a point of personal explanation.

C25 DURATION OF MEETINGS

C25.1 Unless the majority of Councillors present vote without debate, for the meeting to continue, any meeting of the Council, its Committees, Forums, Panels and Sub-Committees, together with meetings of the Cabinet and its Sub-Committees, ~~which commence at 7.30pm, and that~~

~~has not concluded by 10.00pm that has not concluded within 3 hours from its start time.~~ will adjourn immediately at the conclusion of the agenda item then under discussion. 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 ordinary meeting.

~~C25.2 For all meetings of the Council, its Committees, Forums, Panels and Sub-Committees, together with meetings of the Cabinet and its Sub-Committees, that commence prior to 7.30pm,, rule C25.1 above shall apply where the meeting has not concluded by 9.30pm.~~

Part 6

B7 Licensing & Public Space Protection Order Sub Committee

B7.1 Purpose

The Licensing & PSPO Sub Committee will consider all matters relating to the following functions:

- i. Where an objection or representation is made for an application for or a variation to; a personal licence, a premises licence, a club premises certificate or a provisional statement.
- ii. Where a Police objection has been received in relation to an application for or to; vary a designated premises supervisor, a transfer of premises licence or Interim Authorities.
- iii. Where the authority must carry out a review of a premises licence.
- iv. Where an objection or representation is made for an Application for club gaming/club machine permits.
- v. Where there is a decision to be made for the cancellation of a club gaming or club machine permit.
- vi. Where there is a decision to be made to give a counter notice to a temporary use notice
- vii. Where an application for Licensed Premises Gaming Machine Permits involves over 4 machines.
- viii. Where a decision to object involves the local authority as a consultee and not as the relevant authority considering the application.
- ix. Where there is a determination of a Police objection to a temporary event notice.
- x. Where an application is received from a Sexual Entertainment Venue, including applications for existing premises
- xi. To consider the implementation of Public Space Protection Orders (PSPOs) within a single ward with regard to determining whether such an order should be made, extended, varied or discharged under Part 4 Chapter 2 of the Anti-social behaviour, Crime and Policing Act 2014;
- xii. To consider whether to make, extend, vary or discharge PSPOs proposing to restrict public right of access to highways (including alley ways) in accordance with Part 4 Chapter 2 of the Anti-social behaviour, Crime and Policing Act 2014 and under s.118b of the Highway Act 1980 for the stopping up of highways..

- xiii. In accordance with the Council's agreed Cold Calling Control Zone Policy, (as agreed by Cabinet on 27 November 2008), to consider requests to establish Cold Calling Control Zones.

(The above circumstances (i. to ix) in which functions may be delegated to the Licensing & PSPO Sub Committee are set out in the Licensing Act 2003 and drafted in RBWM's Licensing Policy Statement and within Annex A of RBWM's Statement of Principles Gambling Act 2005. (x) is pursuant to the Local Government (Miscellaneous Provisions) Act 1982, as amended).

B7.2 Membership

Any 3 Members of the full Licensing Panel (including its Substitutes). The Members will be called for a sub-committee meeting on a rota basis from amongst those appointed by the Council, with political balance being maintained wherever possible.

B7.3 Quorum

3 Members

B7.4 Frequency

As required

Part 7

DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS THEIR CLOSE RELATIVES AND OFFICERS AND COUNCIL DEVELOPMENT

- 5.4 Proposals for the Council's own development (or a development involving the Council and another party) and private applications in respect of Borough owned land (e.g. prior to a land sale being agreed or negotiated) – that receive 3 objections or more will be determined by the relevant Development Management Committee and not delegated to Officers. Decisions will be made strictly on planning merits and without regard to any financial or other gain that may accrue to the Borough if the development is permitted. It is important that the Borough is seen to be treating such applications on an equal footing with all other applications as well as actually doing so.

Part 7F

1. Public Speaking at Development Management Area Committee Meetings

- 1.9 No new documents should be circulated to the Committee at the meeting except the Committee Update prepared by officers. The Committee Update will contain information pertinent to the application provided to the case officer after the

Committee report publication date and up to 5pm of the working day before the date of the Committee meeting. It shall be at the discretion of the planning officer if any further updates are to be accepted after this point. Messages should not be passed to individual Committee Members. and no hardcopy materials or presentations should be distributed by the public to Members of the Committee at the meeting.