



# COMMITTEE ADMINISTRATION COURSE 2023

## REGULATORY COMMITTEES & DECISIONS

### GROUP EXERCISES

#### 1. Connection with someone affected by a decision

A district councillor also belongs to a parish council that has complained about the conduct of an officer employed by the district council. As a result of the complaint the officer has been disciplined. He appeals against the disciplinary action and the district councillor is nominated to sit on the member panel hearing the appeal.

Can the district councillor participate in the decision?

#### 2. Prior involvement by a twin-hatted councillor

A district councillor is also a member of a parish council that has been consulted about a planning application for a retail development.

Can he take part in the determination of the planning application as a member of the district council planning committee?

#### 3. Involvement of someone with an interest in the outcome

1. A local authority receives an application to divert a public right of way. At the meeting of the committee which considers the application the chairman invites a representative of the Ramblers' Association to speak on its letter of objection. This invitation is not extended to other interested parties present at the meeting, one of whom makes a complaint.

What would you advise?

2. The Chair of the Licensing Committee is the Council's representative on a local amenity group. The Council has received an application to extend the licensing hours in the village pub with late night drinking and live bands on Fridays and the amenity group has voiced its strong opposition.

Can the councillor take part in the meeting when the licensing application is considered?



Would it make any difference if:

- a) The amenity group had not yet formed a view on the licensing application?
- b) The councillor was not present at the meeting of the amenity group when it agreed to object to the application?
- c) The councillor was not chairman of the licensing committee but merely a committee member?

#### **4. Commenting before a decision is made**

1. ASDA has submitted a planning application for an out-of-town supermarket. Prior to consideration of the matter, councillors belonging to the Lib.Dem Group on the council (some of whom sit on the planning committee) write to the local newspaper saying that it's their party's policy to encourage local business and preserve the historic town centre. They believe that the proposed development would be detrimental to the local economy and the viability of the town centre.

When the planning committee meets to consider the matter, should any members of the committee who signed the letter declare an interest? And should they take part in the meeting?

What if one of the committee members said on local radio: "I'm against this application. It's our party's policy and that's good enough for me." Is he in a different position?

2. A council decides to hold a public inquiry into an application to register a village green. The barrister acting for the council produces a report recommending that the application is rejected. A councillor attends a meeting in one of the affected wards and says publicly: "speaking for myself I am inclined to go along with the barrister's recommendation".

Can she participate in the decision?

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February 2023