
PROTOCOL – PRESENTATIONS TO COUNCILLORS

PURPOSE OF PROTOCOL

The Council recognises the need for Councillors to be well informed about issues affecting the District. It also recognises that third parties will have information about proposals that they wish to provide to Councillors. However, there are circumstances where the provision of information, if handled inappropriately, can lead to problems. This is particularly the case where the council is required to make decisions on an issue at some future date.

PROTOCOL

- 1 This protocol, therefore, regulates how information may be given to Councillors in the form of a formal presentation in these circumstances. It is designed to complement the Members' Code of Conduct in Part 5 of the Constitution and the Members' Planning Code of Good Practice. In the event of any conflict between this protocol and those codes, the codes shall take preference.
- 2 Any request by a third party (the definition of which shall include a Councillor or an Officer acting in another capacity) to make a formal presentation of information to Councillors, other than in a meeting to which the Access to Information Rules in Part 5 Section 5 page 2 of the Constitution apply shall be made either:-
 - (a) to the Council's Monitoring Officer; or
 - (b) to the relevant Director.

In the case of (b) above, the relevant Director will refer the proposal to the Monitoring Officer for advice.
- 3 A request by a third party to make a formal presentation of information under 2 above shall be in writing, setting out the reason(s) for the proposed presentation, the subject matter, the Councillors for whom the presentation is intended and any other relevant information.
- 4 The Monitoring Officer will consider each request and advise the relevant Director of the suitability of the proposed presentation having regard to this protocol, the information submitted, the available alternative methods of providing the information, the codes referred to in 1 above and any other material considerations.
- 5 The Director, taking account of the Monitoring Officer's advice, may agree or

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- refuse the request or may agree to elements of the proposed presentation. Alternatively, he or she may refer the request to the Cabinet or a Committee (as appropriate to the proposal) together with the Monitoring Officer's advice, to agree or to refuse the request or to agree to elements of it.
- 6 Where a request is agreed, and the presentation proceeds, it shall do so strictly in accordance with the following rules:
- (a) A copy of this protocol will be supplied by the relevant Director or to the third party concerned at least 5 days before the presentation.
 - (b) At least two Officers shall be present at the presentation.
 - (c) A record of attendance at the presentation shall be made in accordance with the usual arrangements for Council, Cabinet and Committee meetings.
 - (d) Before the presentation starts, an Officer will outline these rules, and thereafter will maintain compliance with them and will ensure that notes of what is said at the presentation are taken.
 - (e) No Councillor shall be involved in making a presentation as a representative of the third party or otherwise.
 - (f) Before the presentation starts, all Councillors will be asked to disclose any personal interests in the matter, in accordance with the Members' Code of Conduct, and all disclosures made will be recorded as part of the notes referred to in (d) above.
 - (g) The presentation is for information only and the third party must not seek to ascertain Councillors' views on any issue nor lobby Councillors for support.
 - (h) Councillors may ask questions for clarification purposes. Any opinions on the merits or otherwise of any proposals should be made with caution as it could fetter your discretion and therefore the ability to vote at future meetings.
 - (i) Councillors and all present must be aware that the presentation does not form part of the Council's decision making process and that the process of debate and determination of any matter arising will be carried out in accordance with the Council's normal procedures.
- 7 Where a request is refused, the body or individual taking that decision must give reasons.