Planning Applications Committee and Major Planning Development Committee

Summary procedure for speaking

Council meetings operate under the Council's Standing Orders in Part 4 of its Constitution. The procedures described here supplement the standing orders in meetings of the Planning Applications Committee and Major Planning Development Committee. They replace those approved in 2010.

1. Registering to speak at a meeting

1.1 If it is decided an application will be referred to committee for a decision, we will write to the applicant or their agent and anyone who has made representations on the application to tell them a committee will decide the application. The letter or email will advise them that they may speak at the committee if they register and include a telephone number for a person to whom they must speak in order to register. Only that person will register speakers, and there must be a personal conversation rather than an exchange of letters or emails. This makes sure there is no confusion about who has registered to speak. Speakers must register before midday two working days before the committee. For example, if the committee is on Tuesday, requests to speak must be made by midday on the preceding Friday.

1.2 Only the applicant or their agent and people who have commented on the application may register to speak, although they may also nominate someone to speak on their behalf provided they do so at the time of registering. Only those who have registered to speak may address the committee. The Chairman will not normally allow comments to be made by other people attending the meeting or for substitutions of speakers to be made at the meeting.

1.3 We will ask those registering whether they wish to speak in support of the application or against it. Where more than one person registers to speak from one of these viewpoints, it will be for those registered to decide how to share the time available. They may wish to appoint a spokesperson or split the time between them. The applicants or their agents often speak in support of an application, but other people may also register to speak in support.

1.4   Where the officers' recommendation is to approve the application, speakers may only be allowed in support of the application where someone has registered to speak against it. Where the officers' recommendation is to refuse the application, speakers may only be allowed in opposition to the application where there is someone registered to speak in support of it.

1.5   A maximum of three minutes will normally be provided for those speaking in support of the application (including applicants and their representatives) and three minutes for those speaking against the application, irrespective of the number of people registered to speak. An additional maximum period of two minutes (whether or not the other speaker(s) use their maximum time) may be provided for one Councillor attending to represent their constituents. When this additional time is provided, an additional two minutes will be provided to those with the opposing view. Only in exceptional circumstances (for example, the largest major applications) will the Chairman use discretion to allow a longer period of time for any speakers. This discretion is likely to be appropriate only at the Major Planning Development Committee.

1.6   Where there is more than one application for the same site on the agenda, the time provided for speaking will not normally be increased unless the applications are for substantially different proposals. For example, if there are applications for both planning permission and listed building consent for a single development speakers will be allowed three minutes as described in paragraph 1.5. Similarly, where there are two alternative applications to the same property, speakers will also be allowed a total three minutes to speak on both applications. The Chairman may agree to allow two separate speaking opportunities of three minutes where there are two quite different applications on the same site, as the issues may be different.

1.7   Speakers should not introduce new matters which have not been raised before. Speaking provides an opportunity to highlight directly to Councillors the key points in the written comments they sent as part of the application or representations made during the consultation period. Councillors prepare for the meetings by reading the papers, looking at the plans and supporting information and often visit the area of the site or the site itself to make sure they understand the context for the application. They have access to all the information supporting the application and all the comments and supporting information submitted by interested parties. They also know the local area well, as most live locally.

1.8   The Chairman will not normally allow material to be circulated or presented at the meeting, including plans, photographs and other visual or aural aids. All such information should be submitted in advance as part of the consultation process or with the application.

1.9   Speakers should normally arrive in time for the start of the meeting as applications may not be discussed in the same order as stated in the papers. Sometimes we may suggest arriving by another specified time, in which case the application will not be considered before that time.

2.   Procedure for each application

2.1   For each application a Planning Officer will give a brief factual introduction and provide an update on any additional information received since the papers were prepared. Councillors may ask questions of officers to clarify anything about which they are unsure both at this point and any other point in the meeting. With the permission of the Chairman, officers may also speak at any point to provide factual corrections, ensure clarity and provide advice.

2.2   There will be no opportunity for speakers to cross-examine one another, to question officers or councillors or to take part in the deliberations of the Committee.

2.3   Those speaking against the application will speak first. When they have finished the committee may ask questions of the speakers if officers are unable to provide the required information and it relates to a planning matter which the Chairman considers is necessary to be answered before the decision is made. Speakers should respond as briefly as possible to any questions without restating their case or expanding into areas beyond the question. Speakers should return to the public gallery after they have spoken and answered any questions.

2.4   Those speaking in support of the application speak second, following the same process as paragraph 2.3.

2.5   Where a Councillor is provided an additional period as described in paragraph 1.5 they will speak after the speaker(s) to whom their comments most closely align. If the Councillor is supporting the application, they will therefore speak after those supporting the application have returned to the public gallery.

2.6   Once the committee has heard from officers and speakers and sought any necessary clarifications, they will discuss the application and make a decision. There may be a lot of debate over some applications, whereas others may be decided quickly. The committee will not normally debate every point of every application and will normally focus on the matters which will affect whether the application is approved or refused.

2.7   The motion for decision may differ from the recommendation in the report. Where this is the case, any conditions (where the application is proposed to be granted) or reasons (where the application is proposed to be refused) should be part of the motion so the basis of the vote is clear. The committee needs to give reasons for its decision and a vote will be taken to record its decision.

2.8   After the application has been decided the Chairman will announce the decision to ensure everyone present understands what has been decided.

Agreed at the Planning Applications Committee
28 January 2014

Agreed at the Major Planning Development Committee
Insert date