PUBLIC SPEAKING PROTOCOL

Area Planning Committees and the Planning and Environment and Rights of Way Committee

September 2014
Introduction

1. The principle of whether or not public speaking should be allowed at planning committee is a matter for each local authority to decide. Northumberland County Council has operated a system of public speaking since 2009, recognising that there should be opportunities for applicants, objectors and other interested parties to make presentations at planning committees. The purpose of public speaking at committee is to provide third parties with the opportunity to reinforce or elaborate on the points made in written submissions on planning applications.

2. Speaking by the public in relation to planning matters at Planning Committee meetings shall be conducted in accordance with the following procedures.

3. There are a number of other matters that come before the Planning and Environment and Public Rights of Way Committee. These are rights of way applications, matters relating to village greens and common land and the making of tree preservation orders. In relation to tree preservation order applications there is no public speaking. In relation to Rights of Way applications and applications and other issues in relation to Village Greens/Common Land, public speaking is only allowed at the discretion of the Chair of the Planning and Environment and Public Rights of Way Committee. His or her discretion to allow public speaking will only be exercised in exceptional circumstances; the basis of decision making on these matters is different to planning applications. Decisions on planning applications are based on the Council's planning policies and other material considerations whereas applications to record rights of way, village greens and common land are based on fact based documentary and user evidence.

4. The term ‘Local Councillor’ means the County Council Member or Members in whose electoral division the proposal is sited.

Who is allowed to speak on planning applications?

5. Any third party, including parish and town councils and other statutory and non-statutory consultees who have submitted written comments on an application may speak at committee. Those entitled to speak can nominate another person, with their consent, to speak on their behalf.

6. Applicants/agents may also speak at committee.

7. A Local Councillor may also speak for or against a proposal being considered at committee. If a Local Councillor is also a member of the Planning Committee but chooses to speak as Local Councillor, then they can take no part in the determination of that application. A Local Councillor who has a Members’ Code of Conduct interest in relation to the application which would otherwise mean that they would have to withdraw from the meeting during consideration of the application cannot speak as a Local Councillor and must withdraw unless they
have the benefit of a dispensation granted in relation to that interest. In the event that a Local Councillor has to withdraw from the meeting in such circumstances another member nominated by the Local Councillor so affected may speak in place of that Local Councillor

How much time will be allocated for speaking on planning applications?

8. Five minutes for each of the following three speaking slots:
   • Objectors
   • Local Councillor and/or parish/town council
   • Applicant/supporters

These time limits will be strictly adhered to.

How many people can speak on planning applications?

9. There may be cases where more than one person wishes to speak in each slot. If this arises, the Council encourages the parties to nominate a spokesperson. If there is more than one person wishing to speak in any of the three time slots and a spokesperson cannot be nominated, the five minute time allocation must be divided between the speakers. The Council encourages speakers in each slot to liaise about the division of the time. If no agreement can be reached the time will be apportioned equally.

10. In cases where there is an exceptional degree of public interest in a particular application, the time allocated for public speaking may be extended at the discretion of the Committee Chair. In such circumstances all three slots will be extended by the same amount of time so that objectors, supporters and the Local Councillor/parish and town council will be afforded equal periods of time to address the Committee.

How to register to speak at committee on planning applications

11. All third parties, parish/town councils and consultees that have submitted written comments will be sent notification of their right to speak at Committee at least 5 working days prior to the Committee at which the application is to be considered. The applicant/agent will also be sent notification at least 5 working days prior to the relevant Committee.

12. Local Councillors will be sent the schedule of applications in their ward to be considered at Committee at least 5 working days prior to the Committee and advised of their right to request to speak at the Committee.

13. Third parties, parish/town councils, consultees and Local Councillors who wish to
speak must notify Democratic Services before 12 noon the (working) day before Committee. Only those registering their request in accordance with this requirement will be allowed to speak.

14. This request must be made in person, by telephone or by email to Democratic Services. Democratic Services will then issue a registration number. This must be used in correspondence about public speaking. If a decision on an application is deferred then third parties, parish/town councils, consultees and Local Councillors who wish to speak when the application is next presented to Committee will have to re-register with Democratic Services.

15. If more than one objector or supporter requests to speak they will be able to request details of others wishing to speak in order to arrange a spokesperson or to divide the allocated time. Democratic Services should be informed of any such arrangements made.

16. Democratic Services will notify the applicant/agent of the list of public speakers by 3pm on the day before committee. The applicant/agent must confirm with Democratic Services by 12 noon on the day of Committee whether they intend to take up the opportunity to speak at committee.

17. Requests to speak can be withdrawn at any time.

**Procedure at the Committee meeting in relation to planning applications**

18. Those who wish to speak should arrive 15 minutes before the beginning of the meeting and will be met by the Democratic Services officer who will ask for confirmation of the registration number.

19. Any speaker not present when the application they are concerned with falls to be considered will lose their opportunity to speak.

20. Speaking offers the opportunity to reinforce or elaborate on points already made in the comments submitted on the planning application. Speakers should not introduce new issues. Speakers will not be allowed to question officers or Members or enter into debate.

21. Public speakers are not permitted to circulate additional material - written material, photographs etc. – to the Committee. They must restrict their contributions to oral address.

**Order of speaking in relation to planning applications**

22. The planning officer makes a verbal presentation and provides any updates on the application.

- The objector(s) will be asked to speak.
• The parish /town council representative and/or Local Councillor will then be asked to speak.

• The applicant/supporter(s) will be asked to speak.

23. No questioning of a speaker is permitted. Having spoken, speakers may observe proceedings but may take no further part in the consideration of the application.

**Determination of the application in relation to planning applications**

24. The Committee Members may ask questions of the officers prior to a proposal being duly made and seconded. The application will then be debated by Members of the Committee with professional support from the officers present, and a decision made by the committee. The Chair has a casting vote.

25. For the purposes of this document, working days are classed as Mondays to Fridays, not including bank holidays.