

## **Protocol for Public Speaking On Planning Applications at Development Management Committee Meetings**

1. The Council welcomes the general principle that the public should be able to participate in the decision making process by speaking on planning applications at Development Management Committee meetings. This document will outline the procedure under which such spoken comments may be made, in order to ensure that the decision-making process remains fair and effective.
2. For the purposes of clarity public speaking applies only to those planning applications that come before the Development Management Committee for determination and not those applications dealt with under the delegated powers of the Head of Place and Policy.
3. A letter will be sent to all people who responded to a planning application consultation advising them that the application will be decided at a Development Management Committee meeting. This letter will indicate the date of the meeting and specify the procedures for public speaking at these meetings.
4. A list of planning applications to be decided at a Development Management Committee Meeting will also be published in paper and electronic format at least five clear working days before the meeting. The Agenda may be viewed at the Council Offices and on the Council's website.
5. One person will be allowed to speak at the Development Management Committee in objection to the application under consideration regardless of the officer recommendation. This person may speak for a maximum of three minutes and should restrict their statement to material planning considerations. A list of such considerations is set out for guidance purposes at the end of this protocol. The person will not be able to question members or officers and neither will members or officers be able to question the person speaking.
6. One person will be allowed to speak at the Development Management Committee in support of the application under consideration regardless of the officer recommendation. This person may be the applicant or their agent or a member of the public. This person may speak for a maximum of three minutes and should restrict their statement to material planning considerations. The person will not be able to question members or officers and neither will Members or officers be able to question the person speaking.
7. Where both an objector to an application and a supporter of an application wish to speak the objector shall speak first and the supporter second.
8. Where a member of the public wishes to speak in objection or support of a planning application that person must contact the Council's Chief Executive's Department by 5.15 p.m. on the Monday prior to the meeting and give their name and contact details, the application concerned and whether it is in objection or support. Any person wishing to speak at the meeting is requested to be present at the Council offices by 6.45 p.m. at the latest on the

day of the meeting and make themselves known to the Committee Officer so that arrangements can be finalised. The Committee meeting will begin at 7.00pm.

9. Where more than one person wishes to speak in objection to an application the persons who have expressed a wish to speak will be contacted by the Council's Chief Executive's Department prior to the Development Management Committee meeting. They will be advised that they should work collectively to prepare one three minute objection statement to be delivered by a spokesperson. This will be known as a multiple objection
10. The Committee Officer will seek the agreed name representing the multiple objection at 6.45 p.m. on the day of the meeting.
11. If those within the multiple objection are unable to agree on a spokesperson the Chairman will determine which of the persons who have expressed a wish to speak will be allowed to do so. Whilst it is at the Chairman's discretion who will be allowed to speak priority will be given to a local resident directly affected by the application. The person nominated to speak on behalf of the multiple objection by the Chairman shall be notified prior to commencement of the Development Management Committee meeting.
12. The Council will not accept documentary submissions by supporters/objectors to applications at this time.
13. At the Development Management Committee meeting the Planning Officer shall deliver their report. This will ensure that the members of the committee are aware of the nature of the issues related to the application in question and will ensure that the public speakers do not have to waste time in their three minute period describing the application. Public speaking on a planning application shall take place immediately after the Planning Officer has delivered their report.
14. Where a multiple objection is to be delivered the Chairman will indicate that it is a "multiple objection representation". Thereafter the objector and supporter will be invited to speak by the Chairman. The objector's and supporter's three-minute period will be strictly timed, and the objector and supporter must stop speaking when the end of the time period is indicated by the Chairman. Where an objector or supporter does not respect this rule, they may be asked to leave the chamber and future opportunities to speak at the Development Management Committee may be restricted.
15. Whilst a member of the public is speaking, other members of the public, Councillors and Officers must respect the right of the speaker to express their opinion. The Chairman may ask anybody who interrupts or heckles the speaker to leave the chamber for the remainder of the meeting.
16. After a member of the public has spoken against the application, the applicant or their agent will be invited by the Chairman to speak in support of their application.
17. In certain circumstances, a Member of the Council for that particular Ward whether or not a member of the Development Management Committee may

wish to address the Committee on a planning application. The Member may have personal views or be representing the community. In these circumstances, the Member should advise the Committee Officer by the Monday prior to the date of the meeting of his or her request to address the Committee. At the meeting, the Chairman of the Committee will then invite the Member to speak after any members of the public have addressed the Committee. No questions to or from the Member, or to or from Members of the Committee shall be allowed.

The Member will speak on the matter before the Development Management Committee after members of the public and the applicant have spoken on the matter pursuant to this Protocol”

18. Once the objector, the supporter and Member of the Council have addressed the meeting, the Planning Officer will sum up the material planning considerations contained within each of the representations.
19. The Committee will then debate the application, taking into account the representations made by the members of the public and on behalf of the applicant. Members of the public must not interrupt or heckle during this debate and will be asked by the Chairman to leave the chamber should such activity occur.
20. Committee Members must explain the reasons for reaching a decision. Where the decision follows the Officer’s recommendation, the reasons contained within the Officers report may be cited if Members’ reasons for reaching a decision are consistent with the officer’s report. Where the Committee does not agree with the Officers recommendation, the Committee must identify material planning considerations for reaching the decision at the meeting. Such reasons must be complete, precise, specific and relevant to the application.

### **What can I speak about?**

Your comments should relate to the application and to issues that the Committee can take into account when determining an application such as:

- Planning Policy (Government Guidance and Local Plans)
- Design, appearance, layout and effect on nearby property
- Impact on visual or residential amenity (including loss of light, noise, odour and other environmental impacts)
- Impact on trees, conservation areas or nature conservation
- Highway safety and traffic issues

Try to avoid issues that are not planning matters such as:

- Private property rights (boundary or access disputes, restrictive covenants)
- Effect on property values
- Personality or a developer’s motives
- Loss of view over private land

- Please do not make personal remarks. (Committee proceedings are not exempt from the laws of slander).

**If you have any queries about speaking at the Development Management Committee please telephone (01268) 882400 or email [sworthington@castlepoint.gov.uk](mailto:sworthington@castlepoint.gov.uk)**