

**TEMPORARY RULES FOR PUBLIC SPEAKING IN RESPECT OF
PLANNING APPLICATIONS DURING THE CORONAVIRUS OUTBREAK**

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| 1. | Application of Rules |
| 1.1 | <p>These rules shall only apply until:</p> <p>(a) 7th May 2021;</p> <p>(b) In the event that the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 are amended to extend the period during which Council standing orders are suspended, such period as stated within those Regulations as amended; or</p> <p>(c) such earlier date as may be determined by the Leader</p> <p>These rules apply to the consideration of planning and allied applications that may be determined by the Borough Council where the application is to be determined by an Area Planning Committee (or by Council in accordance with Council and Committee Procedure Rule 15.23 or 15.24), but do not apply to applications where the Council is a consultee and not the determining authority.</p> |
| 1.2 | The right to speak does NOT apply to reports relating solely to enforcement matters or any other business of the Area Planning Committees than that in 1.1 above. |
| 2. | Procedure before Committee |
| 2.1 | Where these rules apply, the Applicant's Acknowledgement Letter will indicate that, in the event that the matter is to be determined by a Committee, members of the public will be given an opportunity to speak at the Committee. |
| 2.2 | Once the Director of Planning, Housing & Environmental Health has determined that an application will be determined by a Committee, the applicant will be sent written notification stating the date, time and manner of accessing the Committee's meeting. |
| 2.3 | The Neighbours' Consultation Letter will state that, in the event that the matter is to be determined by a Committee, members of the public or a representative of the relevant Parish Council will be given an opportunity to speak if they have made a written representation. |

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| 2.4 | <p>Anyone who has made a written representation on an application, and the applicant/their agents, must notify the Council in advance that they wish to take advantage of the opportunity to speak at Committee. Anyone who wishes to do so must register with the Democratic Services Officer contact as early as possible but, in any event, no later than 5.00pm on the closest working day prior to the day of the meeting. For example, any person wishing to speak at a meeting scheduled to take place on a Wednesday must give notice no later than 5pm on the Tuesday before the meeting. Notice should be given by email to committee.services@tmbc.gov.uk. Anyone seeking to register to speak after this time will be refused.</p> |
| 2.5 | <p>A person wishing to address committee but who does not wish to appear “live” at the virtual meeting may either provide a video or audio recording of their statement (limited to 3 minutes) or provide the address in writing to be read out by the Chairman (or an Officer nominated by the Chairman) (up to 3 minutes per statement), no later than 5.00pm on the closest working day prior to the day of the meeting. In any event, anyone wishing to address the committee whether in person or otherwise is encouraged to provide a written copy of their statement.</p> |
| 2.6 | <p>Where a recorded (or written) statement is being provided, the representor is encouraged to state their postal address at the beginning of their statement for the committee’s reference.</p> <p>Potential speakers are encouraged to indicate (for the purposes of the Data Protection Act 2018 and/or any other relevant data protection legislation) if they agree to their contact details being shared with other representors to enable them to get in contact with each other and to encourage them to select a single spokesperson.</p> |
| 3. | Procedure at Committee |
| 3.1 | <p>In the introduction to the meeting the Chairman will explain the composition of the virtual “top table”. The Chairman will also explain the need for speakers to only deal with planning matters and the need to guard against making defamatory statements.</p> |
| 3.2 | <p>The Chairman will indicate the order in which the Agenda is to be dealt with, this will ordinarily be as the Agenda, but is at the absolute discretion of the Chairman (on advice of officers where needed).</p> |
| 3.3 | <p>The Chairman will explain the speaking time limitations. Each speaker will be limited to 3 minutes for each application. Where there is more than one application for a site, for example an application for planning permission and listed building consent, the time allowed will be limited to 3 minutes for each application i.e. 6 minutes in total.</p> |

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| 3.4 | Where the Chairman has suggested at the Chairman's briefing that an initial officer presentation is required, that presentation will be the first step in consideration of the Committee item, and will occur before the speakers are invited to speak. |
| 3.5 | <p>The speakers shall be taken in the following order:</p> <p>The representative of the relevant Parish (where they have registered in advance to speak);</p> <p>Individual speakers will then be invited to come forward by the Chairman, by name;</p> <p>Where a written statement has been provided in lieu of attending, the Chairman shall read out the statement (up to 3 minutes per application, per statement) after all "live" speakers have addressed the committee;</p> <p>Any pre-recorded statements shall then be played;</p> <p>Finally, the applicant and/or their agent will then have an opportunity to address the committee where they have registered to do so in advance.</p> <p>Where any written statement or pre-recorded statement exceeds 3 minutes, only the first 3 minutes shall be read or played.</p> |
| 3.6 | Committee Members will not be able to question speakers directly but may seek clarification of matters of fact raised by the speaker through the Chairman. |
| 3.7 | At the conclusion of their presentation, the speaker's microphone will be muted by the meeting organiser. |
| 3.8 | At the conclusion of the public speaking, the Chairman will invite Members to debate the application. The members will indicate their wish to address the meeting through the virtual meeting platform and the Chairman will invite each member to speak in turn. All other microphones will be muted by the meeting organiser. |
| 3.9 | After Members have debated the item, Officers will answer questions, summarise the debate or clarify points, including any matters arising from the points raised by speakers, and to give any necessary professional advice before Members reach their decision. |
| 3.10 | If the case is deferred for a site inspection or for a further report speakers will be permitted to speak again at a subsequent meeting. |