

RULES FOR PUBLIC SPEAKING IN RESPECT OF PLANNING APPLICATIONS

1.	Application of Rules
1.1	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.
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	<p>Where these rules apply, any member of the public wishing to address the committee (including applicants, their agents, parish council representatives and local residents) have the opportunity to attend the meeting in person or to attend via MS Teams.</p> <p>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.</p>
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.
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.</p> <p>Anyone who wishes to do so must register with Democratic Services 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</p> <p>Anyone seeking to register to speak after this time will be refused.</p>

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	<p>When registering to speak, every participant must indicate whether they wish to attend in person or attend remotely.</p> <p>In parished areas, a maximum of <u>4-5</u> speakers will be permitted to speak in favour of an application and 1 against.</p> <p>In unparished areas, a maximum of <u>2-6</u> speakers will be permitted to speak in favour of an application and 2 against.</p> <p>The applicant (or their agent) and a representative of the relevant <u>Town or Parish Council in whose area the red line of the planning application is situated</u> will be permitted to speak in addition to the above public speakers. <u>In the event that the red line of the planning application straddles 2 Town/ Parish Council areas then representatives of both councils shall be permitted to speak.</u></p> <p>The Director of Planning, Housing and Environmental Health may, in consultation with the Chair of the relevant Area Planning Committee allow an additional speaker for both objectors and supporters where the application raises issues either by virtue of its size or a particular characteristic that warrants it. This will be determined prior to publication of the agenda.</p> <p>Speaking slots are allocated on a first come, first served basis. The first members of the public, who register to speak (whether, for and or against the application), will be invited to address the committee. However, the Democratic Services team will (where permitted under data protection legislation) advise other people who wish to speak of the nominated speaker(s) and, if that speaker is agreeable, then an alternative speaker can be put forward provided the alternative speaker has made a written representation and has notified the Council in advance that they wish to take advantage of the opportunity to speak at Committee.</p>
2.5	<p>Anyone wishing to address the committee remotely is encouraged to provide a written copy of their statement, which may be read out in the event of a technical issue preventing the person connecting to the meeting.</p> <p>Whether or not written statements will be read out is at the discretion of the Chair of the committee.</p>
2.6	<p>Potential speakers are asked 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.</p>
3.	Procedure at Committee
3.1	<p>In the introduction to the meeting the Chair will explain the composition of the top table and how the meeting will be conducted. The Chair will also explain the need for speakers to only deal with planning matters</p>

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	and the need to guard against making defamatory statements. The Chair will remind speakers that their face and voice may appear on the live stream, and the archived recording of the meeting
3.2	The Chair will indicate the order in which items of business is to be dealt with, this will ordinarily be as on the Agenda, but is at the absolute discretion of the Chair (on advice of officers where needed).
3.3	The Chair will explain the speaking time limitations. Each speaker will be limited to 5-3 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 5-3 minutes for each application i.e. 10 minutes in total.
3.4	Where the Chair has suggested at the Chair'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 Town or Parish Council (where they have registered in advance to speak);</p> <p>Individual public speakers will then be invited to come forward by the Chair, by name (see paragraph 2.4 for maximum numbers of public speakers).</p> <p>Finally, the applicant or their agent will then have an opportunity to address the committee where they have registered to do so in advance.</p>
3.6	Committee Members will not be able to question speakers on any matter.
3.7	At the conclusion of their representation, online speakers will be asked to turn off their video feed and mute their microphone. In person speakers will be asked to return to the public gallery.
3.8	<p>At the conclusion of the public speaking, the Chair will invite members of the public to leave the "Teams" meeting and watch the debate on the live stream to save bandwidth. Members will then debate the application.</p> <p>Members of the Committee will debate the matter as per the guidance on the conduct of meetings set out in agenda packs.</p>
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

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	speakers will be permitted to speak again at a subsequent meeting.
<u>3.11</u>	<u>If the case is deferred for the submission of a report by the Director of Central Services & Deputy Chief Executive on the possibility of costs or compensation being awarded against the Council pursuant to Committee Procedure Rule 15.25 no further public speaking shall be permitted at future meetings of the Area Planning Committee or full Council at which the application is considered.</u>

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