

**REPORT TO THE
PLANNING COMMITTEE**

6th November 2018

**SCHEME FOR PUBLIC SPEAKING AT PLANNING COMMITTEE
REVIEW OF POLICY REGARDING DISPLAY OF MATERIAL**

Purpose of the Report

To enable Members to determine whether or not they wish to revise existing policy concerning the display of material during public speaking, or direct representation, to the Planning Committee

Recommendation

That the existing scheme be amended to allow public speakers, including ward councillors, to refer to material, excluding “presentations”, that has been submitted as part of, or in relation to, the application that is being considered by the Committee; and that this amendment be brought into immediate effect

Reasons

To ensure that the Planning Committee’s procedures remain fit for purpose

1. **Background**

- 1.1 In July 2008 the Planning Committee agreed to a package of measures entitled “Reforms to Planning Procedures” of which arrangements for public speaking at the Committee, and withdrawal from the Planning Committee of “called-in” application were part of. At the same time the Committee agreed to a guillotine on late representations and the submission of amended plans, and a policy voting on planning applications where a site visit had been held.
- 1.2 The Committee at the same time agreed that the changes should be reviewed by the Planning Committee within a 6 month period.
- 1.3 At its meeting on 30th September 2008 the Committee considered and agreed a requested amendment to the Committee’s protocol on public speaking.
- 1.4 At its meeting on the 21st April 2009 the Committee agreed, having considered a detailed report, that the current procedures for the operation of the Planning Committee be continued.
- 1.5 At its meeting on the 31st March 2015 the Committee undertook a further review of its procedures. With respect to Public Speaking, or direct representation, to the Planning Committee certain amendments to the procedures were mad
- 1.6 Comments have been received about the policy of the Committee that no facilities for the projection of any material will be made available, and the Chair has asked that this item be brought to the Committee.

2. **Current procedure**

2.1 As members will be aware the current procedure is that ward councillors, a supporter and an objector may make an oral representation to the Committee. Their oral representation is the sum of the representation permitted. No facilities for the projection of any material are made available and no material may be circulated or distributed to members of the Committee by the ward members, the supporter, or the objector.

3. Discussion

3.1 The argument has been made that, as the Council does have the means by which material can be displayed on screen at the Committee, that it would be advantageous to the Committee's understanding of the representation for speakers to be able to refer to material that is displayed concurrently at the Committee.

3.2 The counter argument is that by limiting the representation to a purely oral one this creates a "level playingfield" for applicant's agents and other interested parties. There is also a secondary concern that speakers, knowing that they could ask for material to be displayed, might use material that had not been previously submitted and had been available for public comment and inspection. Concerns have been voiced about the display of photographs because of the potential for the manipulation of images.

3.3 This issue needs to be considered in context – all application material and representations, which not uncommonly includes photographs – is available to view on the Council's website, members of the Planning Committee are provided with a link to the Council's website and are assumed to have viewed the documentation associated with the application prior to coming to the Committee. They are therefore assumed to be already taking that material into account in coming to their decision

3.4 Your Officer considers that upon occasion it might have been helpful to the Committee, particularly when reference is being made to the relationship between properties and design, if the speaker had been able to refer to layout and elevational details in particular, and to "point to" features. It is an aspect of the planning system that agents employ professional agents to make their case and this "advantage" is built into the system, but members of the public are often very capable of making their points persuasively as well. Provided officers continue to be given an opportunity to comment upon anything said, and material displayed, by the speakers, the Committee should be able to be appropriately advised - to avoid taking into account in their determination any "immaterial" considerations.

3.5 Provided the material being displayed has been submitted in advance (and for the avoidance of doubt that means in advance of the Committee's guillotine), is not in the format of a "presentation", and has been subject to public inspection (including by applicants in the case of material submitted by third parties) there should, in your Officer's view, be no particular problem with introducing such a change in procedure.. It is recommended, for practical and resource reasons, that officers would continue to operate the display equipment, although the speakers would be provided with a "pointer". Speakers would need to notify officers in advance what material, if any, they wished to have available for display.