

APPENDIX 22

Public Speaking at Planning Committee

Public representations are allowed at the Development Control meetings of the Newcastle-under-Lyme Borough Council Planning Committee subject to the following regulations. In cases where a planning application is brought to Full Council, the same rules concerning the **supporter** and the **objector** shall apply as would for a meeting of the Planning Committee.

1. Those allowed to speak

Apart from members of the Planning Committee, the following are allowed to make a representation at the relevant Planning Committee meeting:

- a) Councillors of the ward where an application has made.
- b) One **supporter** of, and one **objector** to, any given application, save those listed as excluded in paragraph 9 below.
 - (i) A **supporter** of an application is defined as a person who has made a submission in writing concerning an application, prior to notifying the Council of a wish to make an oral representation on that application to the Committee. The applicant, regardless of whether or not they have used an agent to submit an application, will be taken to have made such a submission. A person or agent speaking on behalf of such a person is also capable of being considered to be a **supporter**
 - (ii) An **objector** to an application is defined as a person who has made a submission in writing about an application, prior to notifying the Council of a wish to make an oral representation about that application to the Committee. A person or agent speaking on behalf of such a person is also capable of being considered to be an **objector**.

If more than one request to make a representation in favour or against an application is made, it is requested that potential supporters/objectors determine amongst themselves who is to speak. If agreement cannot be reached, the individual who made the earliest written representation to the Council shall be given the right to speak. In the case of **supporters**, if the applicant or his agent indicates a wish to speak, the right to speak shall be given to that person.

2. Requests to speak

Requests to speak must be made no later than the end of business three working days before the advertised Planning Committee/Full Council meeting whose published agenda contains the application concerned.

This request must be made in writing or sent via email to the Senior Planning Officer of the Council.

The request must list the specific agenda item on which the representation is to be made and indicate whether the speaker wishes to be the **supporter** or the **objector**.

Attention is drawn to sections 1. b) (i) & (ii) above.

On receipt of an application, the Council shall inform the applicant whether his application has been successful. If prior applications have been made, a contact address/telephone number of such applicants will be made available in order that those applying may come to an agreement about who shall speak.

3. Attendance

The **supporter** and **objector** must arrive at the Civic Offices 30 minutes prior to the beginning of the relevant Planning Committee/Full Council meeting and make themselves known to the Planning Committee Chair/Mayor or the senior officer present at the meeting. Failure to do so will forfeit the right to make a representation.

The **supporter** and **objector** will be invited into the Council Chamber when the application with which they are concerned is about to be considered by the Committee/Council. After their respective representations they will be asked to leave the Chamber. They may retire to the public gallery.

Normally it will be expected that the Planning Committee will move items where either/or a **supporter** and **objector** wish to make representations to the head of the agenda.

4. Nature of representations

Ward Members, the **supporter**, and the **objector** may make an oral representation to the committee. This oral representation is the sum of representation permitted.

No facilities for the projection of any material will be made available.

No material may be circulated or distributed to members of the Committee by Ward Members, the **supporter**, or the **objector**.

It is not permitted for officers or Committee members to question those making representations,

5. Length of representations

Ward Members, the **supporter**, and the **objector** will be given 5 minutes to make their representations.

They will be advised by the Chair of the meeting when 4 minutes have elapsed.

6. Content of representations

Representations must be made in a seemly manner. Failure to conduct oneself in this way will forfeit, *immediately*, the right to speak.

Under no circumstances must personal, malicious or frivolous remarks, insults, or libellous comments be made. These will *immediately* forfeit the right to speak

Speeches should address material planning concerns. Those who are unsure of these are strongly advised to seek advice in advance of speaking.

Speeches should address issues directly concerned with the specific application under consideration.

Speaking from notes is permitted. However in no circumstances will more than five minutes for a representation be granted.

Ward Members, the *supporter*, and the *objector* may not ask direct questions of the Committee or Council officers, though they may suggest questions that members of the Committee may feel ought to be put to officers.

7. Procedure

Each item on any given Planning Committee agenda shall be dealt with in the following sequence:

- i. The officer's report on the item
- ii. Ward members' representations (if any)
- iii. The *objector's* representation (if any)
- iv. The *supporter's* representation (if any)
- v. Comments by officers on the *objector's/supporter's* representations
- vi. Debate of the item by the Committee and its determination.

8. Deferrals

If an item is deferred, the *supporter* and the *objector* at the initial debate shall have the right to make representations at the meeting when the item is debated once more.

9. Exclusions

No public representations shall be permitted on items dealing with the following:

Classification: NULBC **UNCLASSIFIED**

Any item included in the closed section of any agenda: namely items subject to the paragraphs 1, 2 and 6 in Part 1 of Schedule 12A of the Local Government Act 1972, or successor legislation.

Planning Enforcement matters

Proposed litigation

Financial interests or other Member interests.

Matters delegated to officers of the Council

September 2016