

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 been made.
- b) One **supporter** of, and one **objector** to, any given application, except those matters 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 meeting venue 30 minutes prior to the beginning of the relevant Planning Committee/Full Council meeting and make themselves known to the Planning Committee Clerk or the senior officer present at the meeting. Failure to do so will forfeit the right to make a representation.

Speakers will be invited to come forward to speak when the application with which they are concerned is about to be considered by the Committee/Council. After their respective representations they may leave the meeting or may return to the public seating area

Upon agreement from the Chair, following a request to do so, the Planning Committee may move items where either/or a **supporter** and **objector** wish to make representations to the start 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 only representation permitted.

Relevant site layout plans will be displayed.

No facilities for the projection of any material will be made available, however any speaker (including ward members) may request to display material contained on the Planning Portal such as photographs, maps or plans that are already in the public domain for reference by them.

Any such items must be identified to the Planning Department at least 48 hours before the meeting

The Speaker must remain seated at the microphone throughout the five minutes they are allowed to speak. No new information may be introduced and no additional time will be allowed if reference is made to material displayed on the Planning Portal.

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

Officers and Committee members may not question any speaker 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 Clerk of the meeting when 4 minutes have elapsed.

6. Content of representations

All representations must be made in a seemly manner and any speaker who fails to conduct themselves appropriately will *immediately* forfeit 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. Anyone who is unsure of these is 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 who made representations during* the initial debate shall have the right to make representations at the meeting when the deferred item is debated once more.

9. Exclusions

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

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

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