

APPENDIX 2 TO SECTION 8

PROCEDURE FOR PARTICIPATION OF NON-PLANNING CONTROL COMMITTEE MEMBERS IN THE CONSIDERATION BY THE PLANNING CONTROL COMMITTEE OF APPLICATIONS MADE UNDER THE TOWN AND COUNTRY PLANNING ACT AND RELATED LEGISLATION

1. SCOPE OF SCHEME

- 1.1 The scheme should apply solely to applications, made under the Town and Country Planning, Listed Building and Conservation Area Acts and related legislation, which are the subject of a written report to the Planning Control Committee and not to those applications which fall to be determined under officer delegation.
- 1.2 The right of Non-Planning Control Committee Members to address the Committee should be in the following circumstances:
 - 1.2.1 the Ward Member(s) in whose ward the application site is located;
 - 1.2.2 on applications which are considered to be of significance within the wider area, and with the agreement of the Chairman of the Committee, other Members may address the Committee in addition to the relevant Ward Members;
 - 1.2.3 on applications in Wards where all Ward Members serve on the Planning Control Committee (including single Member Wards), such Members may nominate another Member to address the Committee in the role of advocate (see footnote 1 below) either for or against the application.
- 1.3 There will be a maximum of two “groups” of speakers (i.e. those supporting and those objecting) for each application. The time slot allocated to each “group” of speakers should not exceed 5 minutes except where the applications are Major Applications (see footnote 2 below) where the time for each “group” will not exceed 10 minutes. In cases where Major Applications are of significant public interest the Chairman can, in advance of the meeting, extend the maximum 10 minute period. Where this discretion is to be exercised the Democratic Services Manager will be informed. If more than one Member registers their wish to speak either for or against the application, they should be advised by the Democratic Services Manager to contact the first Member who has registered in an endeavour to agree how to make best use of their total time. This time limit should be strictly adhered to in order to ensure that the business of the Committee can be transacted as expeditiously as is reasonably possible. It is suggested that the Committee & Member Services Officer has the responsibility for time-keeping rather than the Chairman.
- 1.4 The Chairman of the Committee should have the right to stop persons from speaking at any time if he/she considers the matters being presented to be defamatory, improper or outside the scope of the responsibilities of the Committee. This would be additional to the Chairman exercising discretion as to whether a meeting should be suspended for the purpose of maintaining order.
- 1.5 Members should only be allowed to address the Planning Control Committee if they have previously registered with the Council's Democratic Services Manager by 12 noon

on the day of the meeting, but not before the agenda of the meeting has been made public (normally five working days prior to the meeting). They may speak at subsequent meetings, in the case of a decision being deferred.

- 1.6 Members addressing a Committee should not be permitted to put questions to the Chairman, Committee Members or officers. Likewise, that Member should not, normally, be questioned as this could give the opportunity for extending their presentation which would be unfair on the other parties.
- 1.7 Members should not require an application to be referred to the Planning Control Committee for decision solely to enable a person to speak.

2. **PROCEDURE AT MEETINGS**

- 2.1 Those Members who have registered to speak should arrive at least 10 minutes before the meeting in order to make contact with the Committee & Member Services Officer.
- 2.2 At the appropriate point in the meeting, the Chairman announces the item and invites the planning officer to speak.
- 2.3 The planning officer introduces the proposal, drawing attention to significant issues and up-dating, if necessary, the written agenda report.
- 2.4 The representative(s) of those members of the public objecting to the application is/are invited to address the Committee for up to 5 minutes in total. Any Non-Planning Control Committee Members objecting to the application is/are then invited to address the Committee for up to 5 minutes in total or 10 minutes in total where the application is a Major Application (see footnote 2 below). In cases where Major Applications are of significant public interest the Chairman can, in advance of the meeting, extend the maximum 10 minute period. Where this discretion is to be exercised the Democratic Services Manager will be informed.
- 2.5 The applicant, applicant's agent or the representative of those persons supporting the application is/are invited to address the Committee for up to 5 minutes in total. Any Non-Planning Control Committee Members supporting the application is/are then invited to address the Committee for up to 5 minutes in total or 10 minutes in total where the application is a Major Application. In cases where Major Applications are of significant public interest the Chairman can, in advance of the meeting, extend the maximum 10 minute period. Where this discretion is to be exercised the Democratic Services Manager will be informed.
- 2.6 The Chairman will invite the planning officer to comment on any of the issues raised.
- 2.7 The Committee will debate the proposal and then make its decision.

Footnote 1

In this context 'advocate' is a Member championing their constituents' views upon an application to the Committee and is not a legal adversarial role.

Footnote 2

"Major Application" is defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015/595 as:

- (c) the provision of dwelling houses where –
 - (i) the number of dwelling houses to be provided is 10 or more;
 - (ii) the development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development falls within (c) (i);
- (d) the provision of building or buildings where the floor space to be created by the development is 1000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more

In addition, there may be circumstances outside these definitions where the application is of significant public interest, which will be treated as Major Applications. The determination of this will be a decision for the Chairman.