

## Part 3 – procedure rules

### c. Planning Committee procedure rules

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Unless otherwise specified, the council procedure rules apply to meetings of the Planning Committee, in addition to the specific procedures contained in this section.

1. Seating arrangements at Planning Committee
  - 1.1 Members of the committee will sit in their allocated seats, with members in attendance who are not on the Planning Committee sitting at the outer circle of desks.
2. Procedure at the meeting
  - 2.1 The order of the agenda will be arranged or amended to ensure applications with speakers are heard first.
  - 2.2 The chairman will announce each application in turn.
  - 2.3 The planning officer will make any introductory comments.
  - 2.4 Registered speakers will have the opportunity to address the meeting – the objector will go first, followed by the applicant (or agent). Speakers will be allowed a maximum of three minutes to address the meeting.
  - 2.5 Members will have the opportunity to question the speakers on matters of clarification to establish matters of fact only. The speakers may not be cross examined and care should be taken not to put speakers under pressure.
  - 2.6 The relevant ward member and the Executive member for development management matters will be allowed to speak for no more than two minutes each on an application. Ward members have a right to reply at the end of the debate for a maximum of two minutes. The chairman may exceptionally allow the Executive member to speak for up to five minutes where he considers the application to be of major significance.
  - 2.7 The Member of Parliament and County Councillor may speak on matters affecting their constituency or division for a maximum of two minutes.
  - 2.8 The planning officer will have the opportunity to respond to the comments made by the speakers.
  - 2.9 The committee will then consider the application and ask any questions of officers.

- 2.10 The planning officer and/or solicitor will be allowed to make any concluding points.
- 2.11 The committee will vote on any proposition or amendment which has been moved and seconded.
- 2.12 There shall not, on the first consideration of an application, be a refusal of permission against the officer's recommendation. Any such motion shall be deemed to be a motion of "minded to refuse" and consideration of that application will be deferred to the next meeting of the committee.

In considering that application at the subsequent meeting of the Planning Committee, only officers and members (including the relevant ward councillor) will be permitted to speak on the application. The Planning Committee may, at this subsequent meeting, determine to grant permission either unconditionally or subject to conditions, or to refuse the application, in accordance with section 70 of the Town and Country Planning Act 1990.

- 2.13 When a decision is likely to be taken contrary to an officer's recommendation (either for approval or refusal) the Head of Planning & Development, Planning Manager (Development Management) or Principal Planning Officer may request a recorded vote. If that vote results in a contrary decision, the committee's reasons shall be minuted. The Head of Planning & Development, Planning Manager (Development Management), Principal Planning Officer and/or the Legal Services Manager (or his/her nominee) shall also be given the opportunity to explain the possible implications of a contrary decision.

### 3. Speaking by the public on planning applications

- 3.1 Public speaking is allowed at the discretion of the chairman. The chairman's decision is final.

- 3.2 Both an objector or an applicant (or their nominated agent) may speak at Planning Committee except on those applications where
  - another body directs refusal
  - where the borough council is a consultee only.

- 3.3 Speaking at meetings of the Planning Committee is limited to:

An objector to a planning application where:

- The objector has made a written comment on the application
- The grounds of objection raise material planning consideration
- The objector has given the required notice of a wish to speak.

An applicant, or agent appointed to act on their behalf.

Where more than one objector wishes to address the meeting, the speakers should choose one spokesperson. If no agreement is reached, the first person who made the request shall speak.

- 3.4 Speaking will be allowed only if the planning application is one which is reported to a meeting of the Planning Committee for them to determine, on the basis that it is not delegated for decision at officer level.
- 3.5 Anyone wishing to speak will need to confirm his or her intention with Democratic Services by email, telephone or in writing no later than 4.00pm on the Friday before the meeting.

- 3.6 Speakers are allowed a maximum of three minutes to address the meeting.
- 3.7 No written submissions, photos, presentations or other material will be accepted from speakers at the meeting.
- 3.8 If a decision on an application is deferred (except where the deferral results from a resolution of 'minded to refuse'), any objectors or applicants registered to speak on that item will have the opportunity to speak again when the item is brought back to a future committee. If they do not wish to speak, opportunity for others to register in line with the normal procedure will be afforded.
- 3.9 Applications will not be deferred because of the absence of an applicant or objector, or other person, who has indicated a wish to speak.
- 4. Training
  - 4.1 The Head of Planning & Development and Democratic Services Officer will be responsible for formulating a member development programme for Planning Committee members and will inform members which elements of the development programme are mandatory for all Planning Committee members and those substituting for regular members. Planning Committee members who fail to attend the mandatory elements of the members development programme may, at the discretion of the Chairman and the Chief Executive, be prohibited from attending Planning Committee as a voting member.