

## PLANNING COMMITTEE

Report subject	<b>Protocol for Public Speaking at Planning Committee</b>
Meeting date	30 May 2019
Report author	Tanya Coulter, Director, Law & Governance, and Monitoring Officer
Contributors	Democratic Services, Legal Services, Planning Services
Wards	All Wards
Status	Public Report
Classification	For Decision
Executive summary	<p>The Council's Constitution requires a separate protocol to be established for receiving public representations relating to matters considered by the Planning Committee.</p> <p>This report sets out a proposal for consideration by the Committee. The report puts forward a proposal for the number of speakers and length of time the Committee wishes to allow for this purpose. The report also asks the Planning Committee to consider whether it wishes to apply the same time allowance for ward councillors who may wish to speak.</p> <p>The report forms the basis of a protocol for public speaking at Planning Committee which, once agreed, will be published on the Council's website.</p>
<b>Recommendations</b>	<b>The Committee is asked to consider Appendix 1 and agree the protocol for public speaking at Planning Committee as proposed, or make such amendments as the Committee considers appropriate.</b>
Reason for recommendations	To ensure that the Planning Committee has appropriate arrangements in place to allow objectors and applicants/supporters to express their views on planning applications which are considered and determined at Planning Committee meetings.

## Background

1. The procedure for public questions, statements and petitions at meetings of the Full Council, Cabinet and Committees is set out in Appendix 6 of Part 4 of the Council's Constitution. Paragraph 5 of this Appendix states that: 'this procedure does not apply to Planning Committee, Licensing Committee or Appeals Committee. A separate protocol will be established for public representations relating to matters considered at these Committees, such protocol to be published on the website.'
2. The Constitution as it currently stands provides that the Planning Committee considers and determines applications as specified in Part 3.2 of the Constitution, including applications which have a significant impact on a wide number of businesses or people, those referred by Ward Councillors where the application is potentially contentious and raises material planning issues which would affect the wider public interest, and applications made by, or on behalf of senior Management and fellow Councillors. These applications are deemed to require a public debate of the issues relevant to the application.
3. In accordance with the practices of the three preceding authorities (that is, the former Bournemouth, Christchurch and Poole Councils) it is proposed to allow objectors and applicants/supporters the opportunity to address the Planning Committee. Arrangements for public speaking need to be clear, fair and equitable for each side. They should enable the Committee to be appraised of the main issues for and against an application from the public perspective while ensuring that the meeting runs in a focussed and efficient manner.
4. Practices in the preceding authorities have varied slightly in terms of the number of speakers and the amount of time allowed. These variances are typical across many other authorities in the region. The Planning Committee is asked to consider allowing five minutes for each side to speak, that is, five minutes for people wishing to speak against an application and five minutes for those in favour. Within each five-minute timeslot it is suggested that up to two people may address the Committee. (Where more than two requests are received people will be required to nominate up to two people to act as spokespersons.) The proposed time allowances and number of speakers aims to strike a balance between the practices of the preceding authorities and, more widely, those of other local authorities.
5. Ward Councillors can attend the Planning Committee meeting and ask to speak about planning applications in their Ward. Some local authorities include in their protocols a time allowance for Ward Councillors to do this. Where this practice applies, the time allowed is normally the same as for objectors and

applicants/supporters. In the interests of parity, it is suggested that the Planning Committee consider agreeing a five minute timeslot for ward councillors to speak.

6. Exceptionally in cases of significant major planning applications it may be considered appropriate to allow the parties to have a longer period to address the Committee so that the importance and complexity of the issues raised by the application can be covered. This is common practice and was applied in the three preceding authorities. In these cases it is suggested that the Chairman exercises discretion to increase time limits and the number of speakers, to be applied equally to each side. It is suggested that the Chairman agrees these arrangements in advance in consultation with Planning Services and Democratic Services so that sufficient notice can be given.

#### **Summary of financial implications**

7. There are no financial implications arising from this report.

#### **Summary of legal implications**

8. Although there is no legal requirement to allow public speaking at Planning Committees, most local authorities do so. Where it is allowed, failure to have clear protocols in place setting out the arrangements risks allegations of bias; portrays a lack of transparency, and could result in subsequent challenge to the decision-making process.

#### **Summary of human resources implications**

9. There are no human resources implications arising from this report.

#### **Summary of environmental impact**

10. There are no environmental impact implications arising from this report.

#### **Summary of public health implications**

11. There are no public health implications arising from this report.

#### **Summary of equality implications**

12. There are no equality implications arising from this report.

#### **Summary of risk assessment**

13. There are no risks arising from this report.

#### **Background papers**

[BCP Council Constitution](#)

#### **Appendices**

1. Protocol for Public Speaking at Planning Committee