



COTSWOLD
DISTRICT COUNCIL

PROCEDURAL GUIDANCE FOR PUBLIC SPEAKING AT PLANNING COMMITTEE

Introduction

Most planning decisions are made by Planning Officers, in consultation with elected members, under so-called delegated powers; however some decisions are made by the Planning Committee. This usually includes very controversial applications; applications made by officers and members of the Council and any other application where a member considers that the decision should be made by the Committee, rather than under delegated powers.

When planning applications are heard by the Planning Committee, there is an opportunity for applicants, members of the public and others to speak for and against the application. The information that they provide is very useful in helping the Committee to reach a sound planning decision.

It should be noted that applications cannot be brought to Committee solely to give the opportunity for public speaking, nor can planning decisions be made by officers and individual members, under delegated powers as a way of preventing public speaking.

When is “public speaking” allowed?

Public speaking will be allowed on any application on the Schedule of planning applications to be considered by the Planning Committee.

Public speaking will not be allowed on items within the Agenda, such as potential enforcement action cases etc.

If public speaking has taken place on an application and the application is then deferred – for example, to continue negotiations – further public speaking will be permitted when the application is reconsidered by the Committee.

In cases where an application has been deferred to allow Members to have a Site Inspection Briefing, a second opportunity to speak will be allowed.

Who is allowed to speak?

The following individuals and/or organisations can speak (and in the order shown):-

- A representative of the Town or Parish Council or Parish Meeting;
- A representative on behalf of objectors;
- A representative on behalf of supporters;
- The applicant or his/her representative
- No one is required to speak – it is an entirely voluntary opportunity.

What happens if the public speaker has a direct or personal interest in the application?

Any speaker who has a personal interest in an application must declare it before they speak. The speaker representing the Parish Council / Meeting must put forward the considered views of that Council/Meeting, rather than their own personal views. The speaker must be seen to be truly independent and must not have a direct interest in the application or be related to, or be a business associate of, the applicant. Town and Parish Councillors are reminded of their responsibilities under the agreed Code of Conduct.

It is likely that Objectors who speak may well have an interest in the application, as they may be an adjacent landowner or be otherwise directly affected by the application.

Any supporting speaker, however, must not be related to, or a business associate, or an employer or employee of the applicant.

Do public speakers have to be professionally qualified to speak?

There is no need for Parish Councils/Meetings, objectors, supporters or applicants to be professionally represented.

For how long are public speakers allowed to speak?

Within each speaking 'slot', a maximum of three minutes per speaker per application will be allowed in which to speak. The time must be strictly adhered to and speakers are encouraged to 'practise' their presentation in order to use the time constructively. If more than one speaker wishes to contribute within one category of speaker, for example two supporters, the maximum time of three minutes will then have to be shared between them.

If there are two applications for the same development, for example where there is both a planning application and a listed building consent, double time will be allowed, i.e. six minutes (or the speaker may speak twice, three minutes on each application).

Speakers do not need to spend time introducing themselves or their organisations to the Committee, as the Chair of the Committee will introduce the speakers.

When and where will public speaking take place?

The Chair of the Committee will announce the application and ask the Planning Officer to provide any updates on the case. Public speakers will then be asked to make their representations. Speakers will be invited to sit directly in front of the Chair of the Committee, facing the members of the Committee and the public. A microphone is provided so that the speaker can be clearly heard by all those present. At the end of the three or six minutes "slot" speakers should return to their seats in the public seating area; they are not allowed to take any part in the debate.

Committee meetings usually start at 9.30am, but can be quite lengthy, so speakers are advised to confirm with the Case Officer the likely time at which the application in which they are interested will be heard. If you require any additional assistance to make your representation, for example a hearing loop, help with access etc, please let us know.

What are speakers allowed to say?

Speakers should clearly outline their views concerning the application, although it is important to remember that all comments must relate to the applications being considered and to the relevant planning policies. The case officer will be able to provide further advice on what the key issues are felt to be and on any matters that are not material considerations (i.e. that cannot be considered in reaching a planning decision). Please remember that Planning meetings are held in public and that, therefore, no comments of a personal, slanderous, defamatory, or otherwise offensive or abusive nature should be made. The Chair of the Committee has the right and duty to stop anyone speaking if such comments are made and the speaker may then forfeit their opportunity to continue to speak.

Representations should be confined to spoken comments only. No further written material, photographs or drawings can be provided at the meeting. Any such material should have previously been sent to the case officer as part of the initial representation.

Speakers will not be allowed to question other speakers, councillors or officers, and, as a rule, no questions will be asked of those who have made presentations except, by the Chairman, if necessary for clarification.

How and when will speakers be contacted and invited to speak?

As soon as it is known that an application is to be included within the Schedule of applications, usually around 8 – 10 days before the meeting, a letter regarding the date, time and venue of the meeting, together with an invitation to speak will be sent to:

- those who have objected to or supported the application
- the Applicant/Agent
- the Parish Council/Meeting

If you wish to register to speak please email planning@cotswold.gov.uk or contact us on 01285 623000 by 12 noon on the last working day before the meeting