

Item 4 Public Speaking at Planning Committee

Purpose of Report

Members will recall that at the previous meeting of the Planning Committee in May 2007 the Head of Planning & Environmental Health advised that Officers were in the process of amending the leaflet that provides advice on public speaking arrangements at Planning Committee.

This report seeks Members views on a draft of the revised leaflet that is appended to this report.

Comments

The main changes to the draft-revised version are;

- 1 Updating the details on speakers rights to take into account the revised constitution (which now allows more than 1 person to speak on a matter and also increased delegated powers to Officers)
- 2 Allowing Parish Council's the right to speak
- 3 Confirming arrangements for speakers wishing to hand in hard copies of photographs / supporting documents (the leaflet suggests the submission of 20 copies by 12 noon on the day of committee)
- 4 Confirming arrangements for speakers wishing to use electronic presentations (the leaflet suggests details of what formats will be acceptable and when they need to be submitted)
- 5 Provides advice on what is / is not a material planning consideration
- 6 Provides some ' Rules of Committee' designed to provide clearer advice to speakers as to what is / is not permissible

Recommendation

That Members approve the revised leaflet in relation to speaking at planning committee.

Having your say in planning decisions

Chester-le-Street District Council is committed to acting as openly as possible. We also want to make sure that members of the public have the right to make their views known so that we can take these into account when we make decisions.

Because we are committed to these principles, we allow applicants and their agents, objectors, supporters and Ward and Parish Councillors the right to speak at Planning Committee meetings subject to certain rules

Where and when are the Committee meetings held?

The Planning Committee meets in the council chamber at the Civic Centre, Chester-le-Street. Meetings are normally held on the second Monday of each month. Committees normally start at 6.00 pm prompt. Anyone who has registered to speak is asked to arrive by 5:45 in order to facilitate the smooth running of the Committee

What applications are considered at planning committee?

Applications are reported to Planning Committee meetings when:

- There have been more than 2 letters of objections received and the Officer recommendation is for approval
- There have been more than 2 letters of support received and the Officer recommendation is for refusal
- The application would be determined by the County Council, for example open casting, mineral workings, waste disposal.
- The applications is a major application

All other applications are dealt with under delegated powers without the need to report them to Planning Committee by the Planning and Building Control Manager. If this is the case your objection will be fully considered by Officers before a decision is made. You will also be advised why a particular decision has been reached.

The following advice applies equally to objectors, applicants, their agents and their supporters.

Does the 'right to speak scheme' change the existing procedures for publicising planning applications?

No. Planning applications will continue to be publicised in accordance with established procedures. If you wish to object to a proposal, you should write to the Planning Team within three weeks giving your reasons. You will then receive an acknowledgement letter. Please note the Planning Services Manager has the power to determine certain planning applications without the need to report them to Planning Committee. If this is the case your objection will be fully considered by Officers before a decision is made. You will also be advised why a particular decision has been reached.

However if the application is determined by the planning committee, we will write to you before the committee to confirm the time and date of the meeting as well as the Officer recommendation. We will always report a summary of any objections received in the committee report that Councillors consider. .

If I object to a proposal, do I have to speak at the committee meeting?

No. Your objection is reported to the committee anyway, and it is entirely your choice whether or not you attend the committee meeting. You may decide that, because the officer's recommendation is to refuse the proposal, there may be little point in repeating your objection. You may however attend the meeting to observe proceedings, without requesting to speak.

However, the committee does not always accept the officer's recommendations and your arguments may make a difference.

If I am the applicant or agent do I have to speak at the committee meeting?

No. Any comments you have raised as part of the application are reported to the committee anyway, and it is entirely your choice whether or not you attend the committee meeting. You may decide that, because the officer's recommendation is to approve the proposal, there may be little point in repeating points made in support. You may however attend the meeting to observe proceedings, without requesting to speak.

If the officer recommends that the committee refuse the application then you may wish to put your case in favour of the application. Please note that the Committee does not always accept the officer's recommendations.

If I want to speak, how do I arrange it?

Before the committee meeting we will write to every person who has objected, or commented in writing, on the proposals being considered at that meeting.

We will also notify all applicants (or their agents) who have submitted the proposals. This notification will advise what the Officer recommendation is

If your comments are received less than one week before the committee we do not have time to do this. However, in this case we will report your comments verbally.

If you wish to speak at the committee meeting you must contact the planning services team no later than 12 noon on the day of the committee meeting. You should preferably do this in writing but a telephone call will suffice. We will then make a list of people who wish to speak on each relevant application, in the order in which they contact us.

Can I present photographs / documentation at Committee?

Yes. The Council is committed to giving people the best possible opportunity to present their case (whether it be in support, or against a particular proposal). However any documentation in hard copy must be submitted to the Planning Services Team by 12 noon on the day of the committee. 20 copies of any such documentation must be submitted. Officers will then hand the documentation out to Members at the Committee meeting

You can submit documentation electronically. In such Council Officers will project the information themselves at the Committee meeting. In such instances this should be submitted on a USB Memory Stick / or on a disk by 12 noon on the day of the committee. Acceptable formats for electronic submission are:

- Microsoft Officer Word 2000 onwards
- Microsoft Powerpoint 2000 onwards
- PDF Version 7
- Windows Media Player

Are there any rules about who speaks first on items at the Committee?

The Planning Officer will introduce the item, followed by members of the public in this order:

- 1 objector(s)
- 2 applicant or agent and any
- 3 supporter(s).

The Planning Officers will have the opportunity to respond to comments or provide clarification of any points raised. Committee members may ask questions of each speaker when they have finished speaking. Speakers may also ask questions, although the Council has no powers to make others respond. The committee then has the opportunity to debate the application and may seek further information from the Officers

or speakers themselves . The committee then makes its decision.

What will be the order of items at the Committee meeting?

Before the meeting, we prepare a list of the applications where people have requested to speak. We give this list to members of the committee.

These applications may be dealt with first, but it is difficult to predict how long each one will take. We therefore can't give you an accurate estimate of when your item will be heard. However when your application is heard you will be invited to speak by the Chair of the Committee

How long will I be able to speak for?

There is a time limit of ten minutes for each group of speakers (i.e. people in support or against). Individuals are restricted to a maximum of five minutes each. If there are more than 2 speakers for a particular point of view then the time allowed will be reduced, pro-rate amongst the speakers. We would encourage objectors to get together and make a joint case by appointing a representative who will speak on behalf of the group.

Objectors will normally be heard in the order in which they contacted the planning services team until the five minutes have expired.

If the chair of the committee feels that it will best serve the public interest, he or she may intervene to change the order of speakers or extend the time limit.

What issues does the Committee take into account when it considers proposals ?

The Council must restrict its assessment of planning applications, to issues that are considered to comprise proper material planning considerations relevant to the case. These may include the following;

Planning Legislation / Case Law	Central Government Advice
Local Planning Policy (including at Regional / District level)	
Highway Safety	Noise, disturbance and smells
Design and layout	Residential amenity / loss of light
Impact on trees / nature interests	Economic impact

What issues are usually irrelevant in reaching planning decisions?

These will vary from case to case, but the following are usually considered not to comprise material planning considerations

Loss of view
Devaluation of property
Matters covered by other legislation (e.g. licensing laws)
Competition

Land ownership / boundary disputes
the fact an application may be retrospective

Who do I ask if I have any other queries?

If you have any questions not answered by this leaflet, you are welcome to contact:

Development Control section
Planning Services Team
Chester-le-Street District Council
Civic Centre
Newcastle Road
Chester-le-Street
Co Durham
DH3 3UT

Alternatively, phone 0191 387 2172 / 2173
Or e-mail
planning@chester-le-street.gov.uk

Further information in relation to the Council's Planning service can also be obtained on line from the Council's web site at: www.chester-le-street.gov.uk

Rules Of Committee

- Anyone wishing to support their representation with documents / photographs must ensure that 20 copies are submitted by 12 noon on the day of committee. It will not be acceptable for speakers to produce such documentation on the night

- Anyone wishing to support their representation electronically, i.e with a disk or CD Rom, must ensure that these are submitted by 12 noon on the day of committee. It will not be acceptable for speakers to produce such material on the night
- Individuals are restricted to a maximum of five minutes each. If there are more than 2 speakers for a particular point of view then the time allowed will be reduced, pro-rate amongst the speakers. Once a speaker has used up their five minutes allocation no further questions may be raised or points raised
- Speakers are not allowed to ask questions of Members; nor interfere with Member debate
- Speakers must not interrupt other speakers, Officers or Members