

# COUNCIL

16 MARCH 2021

## REPORT OF THE MONITORING OFFICER

### **A.5 THE PLANNING COMMITTEE'S PUBLIC SPEAKING SCHEME**

(Report prepared by Ian Ford, Committee Services Manager)

#### **PURPOSE OF THE REPORT**

To enable Full Council to consider the Planning Committee's recommendation to re-arrange the order of speakers in that Committee's Public Speaking Scheme to ensure that the applicant (or their agent or their representative) speaks first after the Officer presentation of the planning application at the Planning Committee's meeting.

#### **EXECUTIVE SUMMARY**

At its meeting held on 17 February 2021 the Planning Committee, in response to a request made by the Review of the Constitution Portfolio Holder Working Party (CRWP), discussed the order of speakers within the Public Speaking Scheme for the Planning Committee and considered whether it should be changed, for example, in order to allow the relevant Ward Member(s) to speak last (rather than the applicant/agent as at the present time).

The Planning Committee's decision at its meeting held on 17 February 2021 was as follows:-

***"RESOLVED*** that the Planning Committee agrees to its Public Speaking Scheme being revised to re-arrange the order of speakers so that the applicant (or their agent or their representative) speaks first after the Officer presentation of the planning application at the Planning Committee's meeting and are then followed by:-

- One member of the public who wishes to speak in favour of the application;
- One member of the public who wishes to speak against the application;
- A representative of the relevant Parish/Town Council for the application site;
- All District Councillors for the Ward in which the application site is situated.

*For the avoidance of any doubt the Committee confirms that the rights of members of the Executive under the Scheme remain unchanged. In addition, the Committee will undertake a review after six months' operation of the amended Public Speaking Scheme (Planning Committee).*

***RECOMMENDED TO COUNCIL*** that the Planning Committee's Public Speaking Scheme be amended so that the applicant (or their agent or their representative) speaks first after the Officer presentation of the planning application at the Planning Committee's meeting."

Members will be aware that Council Procedure Rule (CPR) 40 (which relates to the public speaking schemes operated by the Planning Committee and the Planning Policy & Local Plan Committee) currently states (following an amendment Council approved in July 2020):-

*"The schemes shall be in such a form as the Full Council determines having considered a recommendation from the relevant Committee."*

Therefore any amendment to the Public Speaking Scheme proposed by the Planning Committee has to be submitted to Full Council for its formal adoption.

The Monitoring Officer's Report and accompanying Appendices which were considered by the Planning Committee at its meeting held on 17 February 2021 are attached as Appendices to this report.

#### **RECOMMENDATION**

**That, subject to Members' consideration of the recommendations of the Planning Committee arising from its meeting held on 17 February 2021, Council resolves:**

- (a) that the Planning Committee's Public Speaking Scheme be amended so that the applicant (or their agent or their representative) speaks first after the Officer presentation of the planning application at the Planning Committee's meeting;**
- (b) that this change comes into effect on 28th April 2021 i.e. the day after the Annual Meeting of the Council (along with the changes to the Council's Constitution that will have been approved earlier in the meeting); and**
- (c) to note that a review will be undertaken by the Planning Committee after six months' operation of the amended Public Speaking Scheme (Planning Committee).**

#### **BACKGROUND INFORMATION**

At its meeting held on 18 December 2020, the CRWP discussed the order of speakers within the Public Speaking Scheme for the Planning Committee and whether it should be changed, for example, in order to allow the relevant Ward Member(s) to speak last (rather than the applicant/agent as at the present time).

Members of the CRWP then consulted with their respective political groups to canvass opinions on the principle of whether the order of speakers should be rearranged, so that the Ward Councillor spoke last rather than the Applicant/Developer. The outcome of such consultation, was that the majority of Members felt that the Scheme should be amended to allow the Ward Councillor to speak last during the public speaking part of the Planning Committee meeting.

Consequently, the CRWP at its meeting held on 22 January 2021 agreed that –

- (a) the Planning Committee be requested to consider amending its Public Speaking Scheme and re-arrange the order of speakers to ensure that the Ward Councillor spoke last on a planning application at a Planning Committee meeting rather than the Applicant/Developer, who was currently listed last under that Committee's public speaking scheme; and*
- (b) examples of the practice used at other local authorities be provided to the Planning Committee in order to assist it in its deliberations.*

The Planning Committee thereupon considered that request together with the additional information and guidance provided by the Monitoring Officer in her report at its meeting

held on 17 February 2021.

## **BACKGROUND PAPERS**

There are no background papers (as defined by the Local Government Act 2000) arising from this report.

## **APPENDICES**

### **A.5**

<b>APPENDIX A</b>	<b>Local Government Association Probity in Planning Guidance – Advice for Councillors and Officers making planning decisions</b>
<b>APPENDIX B</b>	<b>Tendring District Council’s Public Speaking Scheme</b>
<b>APPENDIX C</b>	<b>Report of the Monitoring Officer which was submitted to the meeting of the Planning Committee held on 17 February 2021</b>