

Appendix 1: Proposed Part 7F of the Constitution

This appendix sets out the proposed changes to part 7F of the constitution with the words to be removed struck through ~~thus~~ and the new words inserted shown in italics *thus*.

1. Public Speaking at Development Management Panel Meetings

- 1.1 Planning applications are determined by either officers acting under delegated authority or a Development Management Panel.
- 1.2 Each application is subject to a public consultation exercise which enables the public and other bodies to comment in writing on the application before it is determined.
- 1.3 The Council provides the opportunity for the public and for applicants (or their agents) to speak at the planning meeting before the Council Members take their decision.
- 1.4 If objectors speak at the meeting, the applicant must be allowed to speak. An applicant may speak at a meeting even where there are no objectors wishing to speak (but if the applicant is in agreement with the Officers' recommendations to the Panel the Chairman will request the applicant to restrict any comments to matters not covered, or not covered fully, in the Officer's Report).
- 1.5 Anyone who has written to the Council with objections or comments to a planning application will be contacted at least one week before the relevant meeting is due to take place when the application will be considered. They will be invited to tell the Council if they wish to speak at the meeting. If anyone does wish to speak they must let Democratic Services know by 5 pm, two working days before the Development Management Panel (i.e. Monday, 5pm, if the Panel is on Wednesday). ~~If anyone wishes to use visual material e.g. photographs, plans etc. or present documents, these should be sent to the Case Officer using the planning.maidenhead@rbwm.gov.uk address as soon as possible before the relevant meeting.~~ The Panel Chairman will not normally allow members of the public to speak if they have failed to notify the Council as stated above, of their wish to speak ~~or to present additional information to the panel that has not been first submitted to the Case Officer.~~
- 1.6 Generally, applications where the public are to speak will be moved to the start of the Agenda. Any objectors will be given, together, a total of three minutes in which they can present their views. It may be convenient, if there are a number of objectors, that they agree amongst themselves to appoint one or two spokesmen for them all, to stay within the three minutes allotted. If the objectors are unable to agree amongst themselves, the Chairman shall refer to the list of notifications received from people wishing to speak and shall call them in the order the names are recorded, which shall, as far as reasonably possible, reflect the time of notification of their interest in speaking. When the end of the 3 minute period has been reached, the Chairman will not permit any more objectors to speak.
- 1.7 No new documents should be circulated to the Panel at the meeting except the Panel Update. *The Panel Update will contain information pertinent to the application*

provided to the case officer after the Panel report publication date and up to the end of the working day before the date of the Panel meeting. Messages should not be passed to individual Panel Members.

- 1.8 If a Parish or Town Council or a *Neighbourhood Forum with a made Neighbourhood Plan (where there is no parish) or a properly constituted Neighbourhood Plan Forum or Steering Group where the plan is in progress and has not yet been made* has made representations and a Member of that body wishes to address the meeting, they should notify Democratic Services by 5 pm, two working days before the Development Management Panel of their intention to speak. If Democratic Services are not notified in advance, then the Chairman of the meeting has a discretion to allow members to address the meeting. *For those parishes preparing a neighbourhood plan either the steering group or the parish council representative may speak for the allotted time but not both, preference will be given to the first to register.*
- 1.9 If any other Parish or Town Council or a *Neighbourhood Forum with a made Neighbourhood Plan (where there is no parish) or a properly constituted Neighbourhood Plan Forum or Steering Group where the plan is in progress and has not yet been made* wishes to address the meeting, they should notify Democratic Services by 5 pm, two working days before the Development Management Panel of their intention to speak. If Democratic Services are not notified in advance, then the Chairman of the meeting has a discretion to allow members to address the meeting. *For those parishes preparing a neighbourhood plan either the steering group or parish council representative may speak for the allotted time but not both preference will be given to the first to register.*
- 1.10 A Parish or Town Council or *Neighbourhood Forum (with a made plan)* representative will be allotted a further two minutes, in addition to the objectors' three minute period. If more than one Parish or Town Council or *Neighbourhood Forum member* wishes to address the meeting, no additional time will be allocated unless exceptional circumstances apply (see below).

~~1.11 If a neighbourhood plan successor organisation wishes to address a Development Management Panel meeting to speak on any planning application, they should notify Democratic Services by 5 pm two working days before the Development Management Panel of their intention to speak; this will be at the discretion of the Chairman. If Democratic Services are not notified in advance, then the Chairman of the meeting has discretion to allow the organisation to address the meeting. The organisation must be based in the appropriate neighbourhood plan area. The organisation will be allocated two minutes to speak. If more than one group registers to speak, they will be asked to share the single two minute speaking opportunity.~~

~~1.12 Following the adoption of a Neighbourhood plan or equivalent, should a bona fide representative residents' organisation wish to address a Development Management Panel meeting to speak on any planning application, they should notify Democratic Services by 5 pm two working days before the Development Management Panel of their intention to speak; this will be at the discretion of the Chairman. If Democratic Services are not notified in advance, then the Chairman of the meeting has discretion to allow the organisation to~~

~~address the meeting. The organisation will share the allocated two minute opportunity to speak with any successor Neighbourhood Plan resident group.~~

- 1.11 The applicant, his agent or any supporters, will be allocated in total three minutes in which to present their views. If in addition to the Applicant or his agent, members of the public wish to speak in favour of an application, they must notify the Council, by 5.00 pm, at least two working days before the Panel meeting. They should also contact the applicant or his agent as the total time allocated to the applicant and any supporters is a total of three minutes.
- 1.12 Any Member of the Council, not already a Member of the DMP, wishing to speak at a Panel will be permitted to speak in favour or against any agenda item after all public speakers have spoken and prior to the Panel debating the item. Non Panel Members will be restricted to three minutes in total and should not then participate in the Panel debate.
- 1.13 The Chairman of the meeting has discretion to extend the speaking time for any party, in exceptional cases. This discretion is intended to be applied only very rarely. Exceptional circumstances might arise as a result of the range of issues raised by the matter.