

PART 7 – THE CONSTITUTION

F – PROTOCOL FOR PUBLIC SPEAKING AT MEETINGS

1. Public Speaking at Development Management Area Committee Meetings

- 1.1 Planning applications are determined by ~~either an Area~~ Royal Borough Development Management Committee or officers acting under delegated authority.
- 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 Development Management Committee makes their decision.
- 1.4 If objectors speak at the meeting, the applicant must be allowed to speak provided they have notified Democratic Services of their intention (or provided the Chairman has used his discretion to allow speaking in the absence of notification to Democratic Services). 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 Committee 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 representations on a planning application will be contacted by the planning department 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.

Notification to Democratic Services

- 1.6 If anyone does wish to speak they must register with Democratic Services by 12pm, 2 working days before the Royal Borough Development Management ~~Area~~ Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). Democratic Services are unable to register speakers until the relevant planning application is listed in a published agenda. Registered speakers should provide a copy of their proposed representations prior to the start of the meeting to allow their representation to be read in the event of any technical failure or unavoidable delay in attending the meeting.
- 1.7 The Committee Chairman will not normally allow applicants, the public, any other members of the public (or their respective agents) to speak if they have failed to notify the Council as stated above, of their wish to speak.

Speeches to the Development Management Committee

- 1.8 Generally, applications where the public are to speak will be moved to the start of the agenda, at the discretion of the Chairman.
- 1.9 No new documents should be circulated to the Committee at the meeting except the Committee Update prepared by officers. The Committee Update will contain information pertinent to the application provided to the case officer after the Committee report publication date and up to 5pm of the working day before the date of the Committee meeting. It shall be at the discretion of the planning officer if any further updates are to be accepted after this point. Messages should not be passed to individual Committee Members.
- 1.10 Only one public speaker will be allowed to speak against an application. They will be given, a total of **three (3) minutes** in which they can present their views. They must register their intention to speak with Democratic Services by 12pm, 2 working days

before the Royal Borough Development Management ~~Area~~ Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). Democratic Services are unable to register speakers until the relevant planning application is listed in a published agenda. If there are multiple people wishing to express opposition to an application, they must nominate a single spokesperson. If a single spokesperson is not nominated only the first person to register will be allowed to speak.

- 1.11 If a Parish or Town Council, has made representations, and a member of that organisation wishes to address the meeting, they must register their intention to speak with Democratic Services by 12pm, 2 working days before the Royal Borough Development Management ~~Area~~ Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). Democratic Services are unable to register speakers until the relevant planning application is listed in a published agenda. The Committee Chairman will not normally allow a member of the organisation to speak if they have failed to notify the Council as stated above, of their wish to speak.
- 1.13 A Parish or Town Council representative will be allotted a total of **three (3) minutes in which they can present their views**.. If more than one Parish or Town Council wishes to address the meeting they should nominate a single spokesperson for all organisations no additional time will be allocated unless exceptional circumstances apply (see below).
- 1.14 The applicant, their agent or any member of the public wishing to support an application will be allocated, in total **three (3) minutes** in which to present their views. They must register their intention to speak with Democratic Services by 12pm, 2 working days before the Royal Borough Development Management ~~Area~~ Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). Democratic Services are unable to register speakers until the relevant planning application is listed in a published agenda. Only a single spokesperson will be allowed to speak in support of an application, as such should a member of the public wish to speak they are encouraged to contact the applicant or their agent. If a single spokesperson is not nominated only the applicant~~ion~~ or their agent will be allowed to speak.
- 1.15 Any Member of the Council, not already a Member of the Committee, wishing to speak at a meeting will be permitted to speak in favour or against any agenda item after all public speakers have spoken and prior to the Committee debating the item. Non Committee Members will be restricted to **three (3) minutes** each in total. Non Committee Members must register their intention to speak with Democratic Services by 12pm, 2 working days before the Royal Borough Development Management ~~Area~~ Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). Democratic Services are unable to register speakers until the relevant planning application is listed in a published agenda.
- 1.16 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 rarely. Exceptional circumstances might arise as a result of the range of issues raised by the matter. Where the Chairman has extended speaking time for any one party, then the time shall be extended by a similar amount for any other party.
- 1.17 Where any circumstances prevent a party from attending the meeting or being able to present for their full allotted time the Committee shall continue to consider and determine the application having regard to the written copy of their representation if

one has been submitted to Democratic Services in advance of the meeting as detailed in paragraph 1.6 above.

2. Public Speaking at Cabinet.

Please see Part 3 A2.8 of the Constitution.

3. Public Speaking at Council.

Please see Part 2 C9 of the Constitution.

4. Public speaking at other Committees, Forums and Panels

- 4.1 This Protocol sets out how members of the public can take part in many Council meetings, including meetings of most Committees, Forums and Panels. As set out above there are separate provisions for the public to ask questions at meetings of the Council (Part 2 C9); Cabinet (Part 3 A2.8) and speaking at Development Management Panels (covered in the preceding section).
- 4.2 The operation of this Protocol will be the responsibility of individual Chairmen and may need to be revised from time to time, or disapplied in particular circumstances.
- 4.3 Members of the public cannot attend meetings when confidential or exempt items are being discussed.
- 4.4 This Protocol will not apply to appeal or other quasi-judicial hearings, such as most Appeals Panels.
- 4.5 Any members of the public wishing to speak may only do so in relation to an item on the agenda of the meeting. The Council wishes to provide the opportunity for the public to speak at the meeting before the Members take their decision but the Chairman will have the right to apply the criteria to restrict public questions or participation if he feels it necessary to do so for the better conduct of the meeting.
- 4.6 If the matter is one where there are applicants or supporters of a proposal speaking, objectors must be allowed to speak at the meeting, and vice versa. An applicant may speak at a meeting even where there are no objectors wishing to speak (but if the applicant or objector is in agreement with the Officers' recommendations to the Panel Forum or Committee, the Chairman will request the applicant or objector to restrict any comments to matters not covered, or not covered fully, in the Officer's Report). Members of the public may not necessarily be supporters or objectors but may wish to ask questions or make statements to Members about the item under discussion. This is permitted under the terms of the Protocol.
- 4.7 If anyone wishes to speak at a meeting, they must register with Democratic Services by 5pm, 2 working days before the meeting. If anyone wishes to use visual material, e.g. photographs, plans, etc., or present documents, these should be sent to the Council, as soon as possible, before the relevant meeting. The 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.

- 4.8 In respect to any meeting that is not an ordinary committee, joint committee or subcommittee of the Council (such as non-statutory Forums) at the sole discretion of the Chairman, items may be added to the agenda and/or additional public speaking be allowed at the meeting.
- 4.9 Generally, items where the public are to speak will be moved to the start of the agenda. The individuals speaking on the item will be allowed up to a maximum of **3 minutes** to speak, with a total time for public speaking of **9 minutes** per agenda item. It may be convenient, if there are a number of members of the public that they agree amongst themselves to appoint one or two spokesmen for them all to stay within the time allotted. If the speakers are unable to agree amongst themselves, the Chairman shall share the **9 minutes** equally amongst the persons on the list recording the names of members of the public wishing to speak attending the meeting. The Chairman shall call them strictly in the order the names are recorded. When the end of the period allowed for public speakers has been reached, the Chairman will not permit any more public speakers.
- 4.10 The Chairman of the meeting has discretion to extend the speaking time for the public by up to a further **3 minutes** in exceptional cases. This discretion is intended to be applied only rarely. Exceptional circumstances might arise as a result of the range of issues raised by the matter.