

DERBY CITY COUNCIL

## **PUBLIC SPEAKING AT PLANNING CONTROL COMMITTEE MEETING - A PROTOCOL**

### **Introduction**

The City Council gives members of the public the opportunity to speak in objection to any planning or listed building consent application on the Planning Control Committee agenda, except any item that the Council has decided should not be heard in public, under the provisions of the Local Government (Access to Information) Act 1985. If anyone speaks in objection, it is permissible for a planning applicant to speak in support of their application or for someone to speak on their behalf.

It is also possible for an applicant to speak when their application is being recommended for refusal, or when the recommendation is for a split decision.

The meetings of the Planning Control Committee are available to view via live webcast at [www.derby.gov.uk](http://www.derby.gov.uk).

### **Procedure on Public Speaking**

1. These procedures only relate to applications for planning permission and listed building consent that are reported to committee, they are not applicable to other matters reported to committee, for example reports on; appeals, enforcement, tree preservation orders, prosecutions, village green registrations or reports simply brought for information.
2. The Chair, in the interest of fairness and to enable proper and effective debate irrespective of the adoption of these procedures, always retains discretion and the ability to alter, waive or vary the rules of procedure and debate. He may refuse anyone the option of speaking in the interests of preventing inappropriate behaviour, and running an orderly meeting.
3. Any objector wishing to speak at the Committee meeting shall give the Director of Planning and Transportation at least 5 working days notice in writing of their intention and shall provide the following information:
  - the date of the meeting at which they wish to speak;
  - the matter on which they wish to speak;
  - the code reference of the planning application;
  - their address, daytime telephone number and e-mail address .

4. If an application is recommended for refusal, or 1 or more objectors have registered to speak against an application, the applicant, or their representative may speak at the Committee meeting. They must give notice of their wish to speak after the Committee agenda is made public and at least 3 working days before the date of the Committee meeting.

The applicant shall provide the following information.

- the date of the meeting at which they wish to speak;
  - the matter on which they wish to speak;
  - the code reference of the planning application;
  - their address, daytime telephone number and e-mail address.
5. The applicant or their representative shall speak first at the meeting, followed by any Ward Councillors who have requested to speak, and then the objector(s)
  6. Speakers shall only make statements and shall not be allowed to ask questions of either Members or Officers of the Council.
  7. No more than two objectors may speak at Committee in relation to any one item on the agenda. If there are more than two objectors who have registered an interest in speaking in objection to an application, the objectors must decide who the two nominated people will be between themselves. If this is not possible, the nominated speakers will be chosen on a 'first come, first served' basis.
  8. If there are related applications on the same site or on additional sites, unless the Chair directs otherwise they will be treated for the purpose of speaking as a single application and objectors and applicants will only be allowed to speak once for no more than 3 minutes.
  9. When statements or representations are being made, they shall only relate to the specific item being considered by the Committee.
  10. On being requested by the Constitutional Services Officer to do so immediately before the meeting is due to start, an applicant or objector shall confirm whether they still intend to speak at the meeting and shall confirm that they understand the procedure governing public speaking.
  11. Speakers will not be allowed to make a statement until the Officer has completed his/her presentation of the agenda item.
  12. An applicant or objector may speak for up to 3 minutes.

13. In the normal course of the meeting, no Member or Officer shall ask questions of members of the public, the only exception being when the Chair may decide that clarification is needed.
14. Speakers, whether speaking in support as the applicant or in objection, shall not be allowed to ask questions of other speakers or enter into any dialogue with them.
15. When the objector(s) and/or applicant have all finished speaking, the Chair will make it clear that the Committee will then go on to debate the item and make a decision and the objectors and/or applicant shall take no further part.
16. Once a decision has been made, the Chair will make this clear in order that members of the public are informed about the decision and that the item on which they may have spoken has been dealt with.