

PART 14

APPENDIX B PLANNING COMMITTEE PROCEDURE RULES

1.

Terms of Reference of Planning Committee

1.1

The Council will appoint a Planning Committee.

1.2

The Terms of Reference of the Planning Committee are set out in Part 5 of the Constitution.

2.

Time and Place of Meetings

1.1

There shall be at least 10 meetings of the Planning Committee each year.

1.2

The time and place of Planning Committee meetings will be determined by the Chief Executive and notified in the agenda.

3.

Composition of the Planning Committee

3.1

The Planning Committee will comprise 11 Councillors.

3.2

Article 8.4 of the Articles at Part 2 of this Constitution applies to the Planning Committee.

3.3

Members of the Planning Committee who cannot attend a particular meeting may arrange for a substitute to attend in his or her place provided that they have completed the appropriate training.

3.4

The Leader of the Council cannot be a member of the Planning Committee and cannot sit as a substitute on the Planning Committee.

4.

Chairman

4.1

The Planning Committee will appoint one of its members as Chairman at its first meeting following the Annual Council Meeting.

4.2

The Chairman of the Planning Committee cannot be a member of the Cabinet.

5.

Quorum

The quorum for a meeting of the Planning Committee is 6.

6.

Application of Council Procedure Rules

The Council Procedure Rules (as specified in Council Procedure Rule 22) will apply to all meetings of the Planning Committee except as modified by these Rules.

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7 Procedure for Determining Applications for Planning Permission

- 7.1 An officer will present the report of the Head of Planning, ~~and~~ Regeneration and Leisure Services.
- 7.2 Members of the public who have registered to speak may address the meeting when invited to do so by the Chairman and in accordance with the public speaking rules.
- 7.3 Ward members who have registered to speak may then address the meeting when invited to do so by the Chairman and in accordance with both the public speaking rules and these Procedure Rules.
- 7.4 The Chairman will invite members of the Committee to address the meeting. With the consent of the Chairman, members of the Committee are entitled to address the meeting more than once.
- 7.5 Before taking the vote the Chairman will read out the recommendation of the Head of Planning and Regeneration Services and ascertain if any member of the Committee wishes to put forward an alternative recommendation.
- 7.6 If no alternative recommendation is put forward the Chairman will proceed to the vote.
- 7.7 If one or more alternative recommendations are put forward the Chairman will:
 - (a) request each member who puts forward an alternative recommendation to read out the alternative recommendation and specify the reasons for the alternative recommendation;
 - (b) invite the Head of Planning and Regeneration Services to advise the Committee on the extent to which the alternative recommendation and reasons for it fall within or outside planning policy;
 - (c) consider whether an adjournment is required to enable the member proposing the alternative recommendation to take advice from officers;and only then proceed to the vote.
- 7.8 Each member of the Committee may vote only once in favour of either the recommendation proposed by the Head of Planning and Regeneration Services or an alternative recommendation.

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8. Public Speaking at Planning Committee

- 8.1 The Council has decided to introduce a public speaking scheme to allow members of the public and other parties to EITHER give their views in person OR in writing about an application for planning permission which affects them when it is being considered by the Planning Committee.
- 8.2 The four classes of speaker who may exercise the opportunity to speak publicly at Planning Committee are:
- objector (or agent/ spokesperson on behalf of objectors);
 - applicant, or their agent (or supporter);
 - Parish Council representative (if applicable);
 - Ward Councillor
- 8.3 A person wishing to address either in person or in writing the Planning Committee must give notice to the Democratic Services Team of his or her intention to do so by 12.00 noon two working days prior to the Planning Committee meeting in question. ~~A person~~ ~~Members of the public~~ registering to submit comments in writing must submit the written statement by the same deadline.

Members of the public who register to address a meeting of the Planning Committee can do so using one of the three options below:-

- By attending in person and addressing the ~~the~~ committee verbally;
 - By joining the meeting virtually by video link and addressing the committee verbally; or
 - By providing a written statement in advance of the meeting to be read out by an officer.
- 8.4 A total of three minutes shall be allocated to the applicant and/or his/her agent (or to a member of the public) who wish speak in favour of a planning application; if more than one person wishes to speak the time will be allocated in accordance with the Council's Guidance for Public Speaking at Planning Committee.
- 8.5 A total of three minutes shall be allocated to ~~a person~~ ~~members of the public~~ who wishes to either speak or provide a written statement, against a planning application; if more than one person wishes to either speak or provide a written statement, the time will be allocated in accordance with the Council's Guidance for Public Speaking at Planning Committee:-

~~Written statements will be read out by the Democratic Services Officer at the meeting. The written statement should be a length that would take no longer than the allotted time to read. The Democratic Services Officer when reading the written statement will not speak for more than the allotted time, when doing so.~~

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8.6 ~~Written statements will be read out by the Democratic Services Officer at the meeting. The written statement should be a length that would take no longer than the allotted time to read. The Democratic Services Officer when reading the written statement will not speak for more than the allotted time, when doing so.~~

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8.7 A total of three minutes public speaking time shall be allocated to the representative of the local Parish Council; if more than one Parish Council representative wishes to speak the time will be divided equally between them. The time limits for public speaking may be extended at the discretion of the Chairman but only in exceptional circumstances.

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8.87 A total of three minutes shall be allocated to Ward Councillors who wish to speak in relation to a planning application or proposed confirmation of a Tree Preservation Order (TPO) in their ward; if more than one Ward Councillor wishes to speak the time will be divided equally between them. In the event that a Ward Councillor is unable for any reason to exercise their Ward Councillor speaking rights they may nominate a substitute member to represent the views of the ward residents.

8.98 Guidance for public participation at Planning Committee is published from time to time by the Council. The Chairman of the Planning Committee will retain the discretion to decide at the meeting in which order the public speakers will address the Committee.

8.109 The Chairman shall invite the representative of Head of Planning and Regeneration at the conclusion of public speaking on planning applications to correct any factual inaccuracies.

8.119 The Council has also decided to introduce a public speaking scheme to allow members of the public and other parties to EITHER give their views in person OR in writing on the subject of an application in respect of a Tree Preservation Order (TPO).

8.124 The public and other parties will be permitted to register to speak publicly at meetings of the Planning Committee either in opposition to or in support of a TPO.

8.132 A person wishing to address the Planning Committee either in person or in writing the ~~Planning Committee~~ in respect of TPOs must give notice to the Democratic Services team in accordance with the timescales set out at paragraph 8.3.

8.143 A total of three minutes shall be allocated to a person member of the public who wishes to speak or provide a written statement to be read out in respect of a TPO. If more than one person wishes to either speak or provide a written statement, the time will be allocated in accordance with the Council's Guidance for Public Speaking at Planning Committee.

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8.1~~54~~ Where a planning application is fully considered at Planning Committee and public speaking rights are exercised, in the event that Members decide to defer application there will be no further public speaking rights. This rule will apply to all classes of public speaker listed at paragraphs 8.2. and 8.1~~32~~ above.

9 Members of the Planning Committee with Disclosable Pecuniary Interests (DPI) or other disclosable interests and Public Speaking

Any Member who considers they have a DPI or other disclosable interest in any planning matter, whether or not as a Planning Committee Member, should seek advice from the Monitoring Officer, deputy Monitoring Officer or a member of the Democratic Services Team at an early stage.

10 ~~Site Visits~~

~~During the pandemic, formal site visits will not be possible. Officers will endeavour to provide as much information as necessary, to assist members in their understanding of the site. Should any member of the Committee decide to go on a personal visit to see a site, then they must observe the following:~~

- ~~• Only view the site from the public highway (you do not have the authority to enter a site);~~
- ~~• Do not engage in any conversation with any person you may see at the site, nor disclose the purpose of your visit. If you are approached, explain that the purpose of the visit is to view the site and its surroundings and that you cannot enter into any discussion about the merits of the application.~~
- ~~• Do not take photographs or make recordings with any device including your phone.~~
- ~~• View alone – no third parties may accompany you. Someone can travel with you in your car, but must not be with you when viewing the site.~~

10 Calling-In Procedure for Ward Members for Planning Committee

10.1 When a ward member wishes to call in an application to Planning Committee for consideration, they will, within 21 days of receipt of the notification of that application, contact the case officer and set out their reasons for wanting the application to be considered at committee rather than by officer delegation. The case officer will, in writing, record the request and reasons and send a written record to the Portfolio Holder,

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Chairman of the Planning Committee and any other ward member(s) for the area in which the application site is situated, of the request and reasons.

10.2 If a request is made after the deadline set out in paragraph 10.1 above, the Chairman of the Planning Committee shall make the final decision, taking into account all relevant matters, as to whether the application is considered by the Planning Committee, and will inform the case officer of his decision within 2 working days of receiving the request from the case officer. The ward member who made the request will also be informed of the Chairman's decision.

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