

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 April 2011

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PUBLIC SPEAKING PROTOCOL – REVIEW OF ARRANGEMENTS AT PLANNING COMMITTEE MEETINGS

Purpose

1. To conduct a review of the public speaking protocol in the context of experience gained during the past two years.

Recommendations

2. It is recommended that the Planning Committee endorses the draft protocol attached at Appendix A, and adopts it for use with immediate effect.

Reasons for Recommendations

3. The protocol needs to be amended in order to remain effective, relevant and understandable.

Background

4. At its meeting on 24 May 2007, Council resolved that public speaking at Planning Committee be introduced, and that the Planning Committee be authorised to review and amend the scheme at its discretion, Part 4 of the Constitution being amended accordingly.
5. Planning Committee last reviewed the protocol in April 2009.

Considerations

6. Public speaking at Planning Committee meetings, which includes contributions from local Members not on the Committee and members of parish councils, has been well received generally, and has allowed applicants, their agents, and objectors to take a greater part in the planning application process.
7. During the past two years, public speaking has operated well, but unforeseen circumstances have arisen from time to time, which have been dealt with under the Committee Chairman's general discretionary powers. The current review proposes the incorporation of those circumstances into the written protocol. This will provide clarity and certainty for Committee members and other interested parties.
8. The review focuses on the following new or clarified issues:
 - A. Can members of the public speak at Planning Committee meetings?**
 - The proposed revision gives the Chairman formal and sole authority to allow more than one public speaker for or against an application. In

practice, it is unlikely that the Chairman will exercise that authority except in very special circumstances.

- The proposed revision allows Parish Council clerks duly authorised by their Council to address the Committee. In practice, the Chairman might want to see a formal scheme or minute delegating authority to the clerk for speaking on behalf of the parish council.
- At the sole discretion of the Committee Chairman, up to one objector, one supporter, the Parish Council and local District Councillor(s) from adjacent parishes to the parish containing an the relevant application site may be granted speaking rights.
- The Committee Chairman may allow a local District Councillor from a single-councillor ward and unable to attend in person to appoint another South Cambridgeshire District Councillor, with appropriate knowledge of the site and other issues, to speak on his or her behalf.

B. Can public speakers give Committee members written information or photographs relating to an application or objection?

- The proposed revision emphasises the need for natural justice.

Options

9. The Committee has the option to approve the proposed protocol, either in whole or in part or as amended, or continue with the existing protocol.

Implications

10. Financial	None
Legal	None
Staffing	None
Risk Management	None
Equality and Diversity	The protocol is available electronically and in hard copy. Provision has been made for the document to be provided in alternative formats. Democratic Services Officers can advise verbally about the protocol's main requirements.
Equality Impact Assessment completed	No An EqIA will be carried out during 2011-12 looking at public speaking and public questions on a corporate basis
Climate Change	None

Consultations

11. The Corporate Manager (Planning and New Communities), Head of Planning, Senior Lawyer and Democratic Services Team Leader have all been consulted. Apart from some minor amendments to the text, the main response was that reference should be made to the need for natural justice – the idea that everyone should be treated fairly and that there should be no suggestion of bias.

Effect on Strategic Aims

12. The introduction of, and subsequent agreement of improvements to, the public speaking scheme, enables effective engagement by residents and parish councils with the decision-making process.

Conclusions / Summary

13. To be effective, any system of public speaking must be clearly understood. It must be seen to be fair to everyone, and members of the Planning Committee should adhere to its general principles. A system of customer feedback is in place.

Background Papers: the following background papers were used in the preparation of this report:

- None

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