

Report of Business and Systems Support Team Leader

Report to Chief Planning Officer

Date: 27 August 2019

Subject: Amendments to the Public Speaking protocol at Plans Panel

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Recommendation

The Chief Planning Officer is recommended to implement the changes in the attached Public Speaking protocol, in the interests of a consistent approach at the Plans Panel meetings, with effect from 1 October 2019.

1 Purpose of this report

1.1 The purpose of this report is to obtain approval to implement the amendments highlighted in the public speaking protocol following consultation with the Joint Plans Panel on 11 July 2019, which is the route for making changes to this document.

2 Background information

2.2 The Council has made provision for public speaking on planning applications at the Plans Panels for a number of years. It is generally considered good practice to provide the opportunity for objectors and supporters of an application to make an address to the Panel; it provides the chance for people to feel more involved in the decision making process by being able to describe and share their concerns before a decision is taken.

2.3 The protocol has been updated over time to reflect latest good practice and historically, the responsibility for updating the protocol lay with the Joint Plans Panel; however

following changes to the constitution the protocol can now be approved by the Chief Planning Officer as a delegated decision in consultation with Joint Plans Panel; the proposed changes were taken to the Joint Plans Panel on 11 July 2019 along with suggestion for two other pieces of information for the public to aid understanding of the planning process, with particular reference to the Plans Panel and public speaking.

3 Main issues

- 3.4 The latest revisions seek to further clarify existing provisions in the protocol by minor wording changes. However there is a more significant change proposed in relation to the order in which speakers make their representations and the terminology used. This is in response to recent customer feedback at a South and West Plans Panel about the difficulty understanding the procedure of public speaking meeting and recent of administrative misunderstanding on the order of speakers.
- 3.1 The current the protocol makes speaking provision for objectors and supporters of the *officer's recommendation*; where an application is recommended for approval, the speaker against the recommendation that is the objector to the application would speak first, however, where the application is recommended for refusal, the applicant would speak first, as the speaker against the recommendation (subject to the exceptions). As mentioned above this has led to some confusion. The proposed changes seek to clarify and simplify terminology referring to *objectors and supporters to the application* and standardise the running order of speakers, objectors to an application to always speak first, followed by supporters of the application (often the applicant). This maintains the applicant's right to reply but also provides improved clarity and certainty for members.
- 3.2 Members at the Joint Plans Panel expressed concerns that the document was not written in Plain English and requested a glossary of terms to append the document. This has now been produced.
- 3.3 The report to the Joint Plans Panel also indicated that a more user friendly guide to the proceedings at the meeting, including public speaking would be produced for the public and information would be provided in advance of the meeting setting out how to make effective representations to the Panel. These are in the process of being produced.
- 3.4 Following sign off, a tracked change version along with the new glossary of terms will be sent to Corporate Governance who will make the necessary updates to the Constitution.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The Executive Member for Executive Board Member for Climate Change, Transport and Sustainable Development , the Plans Panel Chairs, the Joint Officer Member Working Group and Joint Plans Panel have been consulted and comments from the Joint Plans Panel have been taken on board.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no adverse impacts on any of the protected characteristic groups. Clarity around the order of speaking, the production of a glossary and an easy to understand guidance on how the Plans Panel meeting operate will assist customers engage with the planning process more easily
- 4.3 **Council policies and City Priorities**
- 4.4 The effective and expedient determination of planning applications contributes to the overall prosperity of the City and plays a key part in the regeneration and growth agenda.
- 4.5 **Resources and value for money**
- 4.5.1 There are no specific implications arising from this report.
- 4.6 **Legal Implications, Access to Information and Call In**
- 4.6.1 The contents of this report are not subject to call-in and would be publically available under the Freedom of Information Act.
- 4.7 **Risk Management**
- 4.7.2 There are a number of risks associated with the decision making process which are both financial and reputational. The adoption of a clearer and more consistent approach reduces the risk of challenge on procedural grounds at the Plans Panel meetings.
- 5 **Conclusions**
- 5.1 The revised public speaking protocol, with glossary will provide greater clarity on the planning process, which can be difficult to comprehend due to its complexity. Similarly the production of additional guidance for the public at the Plans Panel meeting and notes prior to attending the meeting will hopefully contribute the better engagement and involvement in the planning process.
- 6 **Recommendations**
- 7 The Chief Planning Officer is recommended to accept the proposed changes to the public speaking protocol, with implementation from 1 October 2019.
- 8 **Background documents¹**
- 8.1 None.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.