

Protocol for public speaking at the Plans Panels

1 Introduction

- 1.1 This Protocol sets out the procedures to allow public speaking at the meetings of the Plans Panels.
- 1.2 Subject to the exceptions below public speaking does not apply where Members are considering a report for information or where Members are considering detailed reasons for refusal or conditions of approval following a decision of an earlier Panel not to accept the Chief Planning Officer's recommendation. It also does not cover applications subject to non-determination appeals, where members' views may be sought.

2 Procedures

2.1 Pre-application presentations

- 2.1.1 Pre- application presentations are a valuable part of the planning process and allow information to be shared at an early stage, proposals to be altered and amended prior to the submission of a formal application and for applicants to take on board comments from Ward Members and representatives from the local community.
- 2.1.2 Agents or applicants have the opportunity to present their proposal to the Plans Panel for a maximum of 10 minutes. The *Protocol for pre-application presentations at Plans Panel meetings¹* sets out the formal process of the pre-application presentation to the plans panels.
- 2.1.3 A Ward Member or their nominated community representative may then address the panel on giving notice of their intention to speak to the Chief Planning Officer by no later than 5pm on the Tuesday before the Panel meeting. Speakers should register before the panel meeting begins, with a member of staff who will be inside the meeting room.
- 2.1.4 A Ward Member or their nominated community representative will be allowed to speak for a maximum of 10 minutes following the developer/ applicant presentation. Where there is more than one speaker, the time may be shared.
- 2.1.5 At this stage no formal decision will be taken by the Plans Panel and members may ask questions from both parties to seek clarification on any points arising.

¹ Leeds City Council Protocol for pre-application presentations at the plans panels, 2014

2.2 Position Statements

- 2.2.1 Position statements are part of the three phase process for determination of a planning application usually on large, complex or sensitive schemes and are brought to provide an update to the Panel. Position statements are provided for information and no decisions will be taken by the Plans Panel at this stage.
- 2.2.2 Applicants or agents have the opportunity to speak on the information provided in the Position Statement for a maximum of four minutes.
- 2.2.3 A Ward Member or their nominated community representative may then address the Panel for a maximum of four minutes.

2.3 Matters for determination or other matters requiring a decision

- 2.3.1 Applicants, supporters and objectors to an application or other form of consent before the Panel for determination or other matter requiring a decision, will normally be allowed to speak to the Panel, subject to the details of the procedure set out below and on giving notice of their wish to do so to the Chief Planning Officer by no later than 5.00pm on the Tuesday immediately preceding the Panel.
- 2.3.2 Applicants, supporters or objectors will have a maximum of four minutes to address the Panel. At the discretion of the Chair additional time maybe allowed; this additional time will be offered to both supporters and objectors.
- 2.3.3 In the event of more than one applicant, supporter or objector wishing to speak, a spokesperson should be nominated. However, at the discretion of the Chair more than one speaker for each side may be allowed, provided that the total presentation does not exceed the four minute time limit.
- 2.3.4 Where an application is recommended for approval, objectors to an application will be invited to speak first. Members of the Panel may ask questions and seek clarification of any point arising. The applicant or supporters will then have the right to reply after which Members of the Panel may ask questions and seek clarification of any points arising.
- 2.3.5 Where an application is recommended for refusal, the objector will only be allowed to speak if the applicant or supporter has registered their intention to address the Panel, except in circumstances outlined in paragraph 2.3.7. The objector will be invited to speak first and Members of the Panel may ask questions and seek clarification of any points arising. The applicant then has the right to reply and Members of the Panel may then ask questions to seek clarification.

Protocol for Public Speaking at Plans Panel

- 2.3.6 The applicant, supporter and objectors shall take no further part in the Panel debate but may answer questions of fact put by the Chair to clarify matters arising during the debate.
- 2.3.7 If the applicant or supporters do not speak in relation to an application recommended for refusal the objectors will not normally be invited to speak unless, in the Chair's opinion, the Panel is likely to move approval against the Officer recommendation.
- 2.3.8 If no objector wishes to speak to an application for approval, the applicant or supporter will not normally be invited to speak unless, in the Chair's opinion, the Panel are likely to move refusal against the officer recommendation.
- 2.3.9 In the circumstances where the officer's recommendation of approval is not accepted by Panel and the applicant or supporters have not been given an opportunity to speak, they shall be given the opportunity to address the Panel for up to four minutes when detailed reasons for refusal are reported. Members of the Panel may then ask questions and seek clarification of any point arising.
- 2.3.10 In the circumstances where the officer's recommendation of refusal is not accepted by Panel and the objectors have not been given the opportunity to speak they shall be given an opportunity to address the Panel for up to four minutes when detailed conditions for approval are reported. Members of the Panel may then ask questions and seek clarification of any point arising.
- 2.3.11 For the avoidance of doubt applicants, supporters or objectors will only be entitled to address the Panel on one occasion unless, in the opinion of the Chair, significant new information has been produced raising new material planning considerations. In these circumstances, speakers should only speak about new matters or the amended details, not about matters which have been previously considered by the Panel.

3 Passing around of information

- 3.1 The circulation of materials will not normally be accepted during the meeting. Public speaking is an opportunity to highlight important points already made in representations, rather than to introduce new information. Members of the Panel will not be able to give proper consideration of any new issues raised in the material.

4 Members of Plans Panel

- 4.1 A Member of the Plans Panel having a disclosable pecuniary interest in an application must either declare that interest or bring it to the attention of the meeting (if it is already included on the Register of Interests) and may not participate in the discussion or vote on the matter and must leave the room.
- 4.2 No Members with a disclosable pecuniary interest (whether they are a member of the Plans Panel or not) is entitled to address the panel in accordance with the terms of this protocol for public speaking².

5 Review

- 5.1 This Protocol may be reviewed, revised or revoked by the Chief Planning Officer in consultation with a meeting of the Joint Plans Panel³ at any time.

² A Member may address the meeting if they have in place an appropriate dispensation relating to the relevant DPI.

³ An informal meeting bringing together the Council's Area Plans Panels, City Plans Panel and Development Plan Panel