

## **PLANNING COMMITTEE PROCEDURE RULES**

### **1. General**

- 1.1 These procedure rules govern the conduct of all cases at Planning Committee, including applications for planning permission; listed building consent and conservation area consent; consultations for development proposals by other public bodies; enforcement cases; certificates of lawfulness; tree preservation orders and other related cases.

### **PROCEDURE PRIOR TO THE MEETING**

### **2. Registration to Speak**

- 2.1 Members of the public who wish to make representations to the Committee must register to speak by 12 noon on the day before the meeting. Councillors who wish to speak on an item are advised to adhere to the same deadline. The maximum number of speakers on each item is limited as follows<sup>i</sup>:

- Householder [HOT] Applications<sup>ii</sup>  
Two speakers both for and against the proposal, not inclusive of interested Councillors or Members of Parliament.
- Non-Householder [FUL / COU / OUT] Applications<sup>iii</sup>  
Three speakers both for and against the proposal, not inclusive of interested Councillors or Members of Parliament.
- Major Applications<sup>iv</sup>  
The number of speakers will be set by the Chairman on a case by case basis, with a default number of three speakers both for and against the proposal.

- 2.2 If the limit on the number of speakers is exceeded by the time registration closes, those registered will be advised to liaise with each other in order to agree who will speak at the meeting. In the event that no decision can be reached between those wishing to speak on an agenda item, priority to speak will normally be given to neighbours directly adjacent to the application site and to representatives of residents' associations.

### **3. Documents & Written Representations**

- 3.1 Written representations received prior to the completion of the committee report will be referred to within the report. Representations received after the report is published will be reported to the Planning Committee via the Addendum, providing they are received by the Development Control Officer by 12 noon on the day before the meeting.
- 3.2 Registered speakers and interested councillors who wish to use photographs, drawings or other material as evidence whilst addressing the Planning Committee, must first have submitted these documents to the Development Control Officer prior to 12 noon on the day before the meeting, where possible. All such documents submitted by registered speakers will be considered by the Committee at the discretion of the Chairman.

## **PROCEDURE DURING THE MEETING**

### **4. Chairman's introduction**

- 4.1 The Chairman will introduce the officers and Committee Members. The meeting shall only take place if it is quorate<sup>v</sup>. Any Committee Member who arrives after the meeting has commenced must wait until the beginning of the next item before joining the Committee table.

### **5. Agenda Order**

- 5.1 Agenda items will be heard in accordance with the order advertised on the agenda, although the Chairman may request that the agenda order be altered in special circumstances. The Committee must agree to any change of order.

### **6. Apologies**

- 6.1 The Chairman will report any apologies received or substitutions made<sup>vi</sup>.

### **7. Declarations**

- 7.1 The Chairman will ask Members<sup>vii</sup> whether they have any interests to declare in accordance with the Code of Conduct. Members will state clearly the nature of any interest and whether the interest is 'personal', or 'personal and prejudicial'. Members with prejudicial interests will be required to leave the room for the duration of the relevant item, though they may make representations to the Committee before leaving the room, where a member of the public has the same right.
- 7.2 The Chairman will ask the Committee Members whether they have any declarations to make in accordance with the Planning Protocol. Committee Members will declare whether they have carried out site visits; whether they have been subject to lobbying from interested parties; or whether they have predetermined their view on any item. If a Member has predetermined his/her view then he/she will withdraw from the Committee for the duration of the item. The Member may remain in the public gallery and may make a representation to the Committee as an interested Councillor but will not be permitted to vote on the item.

### **8. Minutes**

- 8.1 The Chairman will ask the Committee whether the minutes of the previous meeting can be signed as a correct record of proceedings<sup>viii</sup>.

### **9. Officer's introduction**

- 9.1 At the beginning of each substantive item, the Development Control Officer will provide a brief introduction to the case and refer the Committee to any late amendments to the report as summarised in the Addendum.

### **10. Representations**

- 10.1 The Chairman will invite those registered to make representations to the Committee. Those speaking against an application will be heard first, followed

by those speaking in support of the application<sup>ix</sup>. Interested councillors or members of parliament will be heard last.

- 10.2 Each speaker will be allowed three minutes to make representations. Representations must relate to material planning considerations and must pertain to the item before the committee.
- 10.3 Following each representation, the Committee Members may ask questions of the speaker in order to clarify points raised.

## **11. Officer's response**

- 11.1 When the Committee has heard from all the speakers on an item, the Development Control Officer will be asked to respond to the issues raised by the speakers.
- 11.2 Committee Members and interested Councillors may put questions to the Development Control Officer in relation to the details of the case and the officer's recommendation.

## **12. Views**

- 12.1 When no further questions are to be put to the Development Control Officer, any interested Councillors will withdraw from the table and return to the public gallery. The Chairman will then ask Committee Members to discuss their views on the application.
- 12.2 If a Committee Member proposes a decision be taken which is contrary to that recommended by the Development Control Officer; proposes additional conditions or informatives be attached to a decision; or proposes deferral of an item, the Committee Member must state clearly the reason for this proposal.
- 12.3 The Development Control Officer may provide further clarification relating to the application, planning policies, procedures and legislation, where necessary.

## **13. Voting**

- 13.1 Once any conflicting views have been heard, and in the advance of the main (substantive) vote, the Chairman may propose that the Committee vote on the addition of conditions, informatives or reasons for a decision, where necessary.
- 13.2 The Chairman will then propose that a substantive vote is taken. In most cases the Chairman will first propose a motion in line with the officer's recommendation. If this motion falls, where necessary a new motion will be proposed which includes reasons.
- 13.3 All decisions are reached by a majority vote. In the event of a tie the Chairman will have a casting vote.

## **14. Chairman's Summary**

- 14.1 Once the substantive vote has taken place, the Chairman will verbally summarise the decision, which will be minuted by the Democratic Services Officer.

## 15. Closing the meeting

15.1 Once all of the agenda items have been heard, the Chairman will declare the meeting closed. The Chairman may choose to adjourn the meeting and any remaining items if the lateness of the hour makes this necessary.

## 16. Disturbance to the Committee

16.1 During the meeting, members of the public will not be permitted to make representations from the public gallery and notes must not be passed from the public gallery to the Committee table. In accordance with the Council's Rules of Procedure, members of the public or councillors may be asked to leave the room if they cause disturbance to the process of the Committee.

## 17. Application of Procedure Rules

17.1 These rules should be read in conjunction with the Council Procedure Rules as set out in Part 4 of the Council's Constitution.

17.2 The above procedure rules will be reviewed from time to time and may be varied at the discretion of the Chairman in the case of extraordinary circumstances.

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<sup>i</sup> In the case of items which have previously been deferred by the Planning Committee and where no new evidence is to be tabled, speakers will not be allowed to make further representations at Committee.

<sup>ii</sup> **Householder applications** relate to extensions, alterations or outbuildings to houses and flats including forecourt parking.

<sup>iii</sup> **Non-Householder applications** relate to commercial applications not deemed to be major cases, including telecoms applications.

<sup>iv</sup> **Major applications** are those that involve ten or more houses; new buildings or changes of use to existing buildings and where the gross floor space is 1,000m<sup>2</sup> or more.

<sup>v</sup> In order to be quorate, a minimum of three members, or one third of the number of voting Committee Members, whichever is the greater, must be present at the beginning of the meeting

<sup>vi</sup> Members of the Planning Committee who are unable to attend the meeting may send a substitute if they have notified Democratic Services prior to the meeting. Substitute Committee Members must have completed the Council's planning training programme prior to sitting on a Planning Committee.

<sup>vii</sup> Committee members and Councillors seated in the gallery will be required to declare interests.

<sup>viii</sup> In the case of factual errors, any proposed amendments to the minutes must be seconded and carried by a majority vote to become effective. The minutes are summary of the proceedings of the meeting and not a verbatim transcript.

<sup>ix</sup> In enforcement cases the alleged contravenor or their representative speaks after other interested parties.