

committee DEVELOPMENT & REGULATION

date 22 November 2013

PUBLIC SPEAKING AT COMMITTEE

Report by Director of Operations, Environment and Economy and Director of Essex Legal Services

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1. BACKGROUND

The Development and Regulation committee has welcomed public speakers to its meetings for a number of years.

This initiative came into operation at the Development and Regulation Committee meeting held in September 2002 for the specific consideration of planning applications. It does not apply to any other issues to be considered by the Committee.

A framework for speaking has been put in place and is contained in the Committee Protocol and a separate document entitled 'Public Speaking at the Development and Regulation Committee'. The relevant extract of the Protocol, approved at the meeting on 31st May 2013, is in Appendix 1 to this report. A copy of 'Public Speaking at the Development and Regulation Committee' is at Appendix 2 to this report.

The arrangements in place are as follows:

- Advance notice of 2 working days to the committee administrator is required.
- Requests to speak will be dealt with on a 'first come, first served' basis.
- Speakers are expected to submit a brief written summary of the main points of their presentation at least 2 working days before the meeting.
- Speakers are discouraged from handing to Committee Members any material, including photographs, on the day of the meeting.
- It is expected that public speakers will only be permitted when a planning application is considered for the first time.
- Presentations are limited to 3 minutes each.
- One speaker will be permitted from each of the following categories:- District/Borough Council to speak on behalf of the relevant parish Council unless that Parish Council's view is different, in which case the Parish Council may also speak; objector; applicant; supporter.
- Speakers are not able to ask questions nor be questioned by the Committee except through the Chairman.

- Except with the approval of the Chairman no cameras, tape recorders or any other type of recording equipment shall be permitted to be used/operated while business is being transacted.

Discretion is given to the chairman to extend the time limits and the number of speakers particularly for major strategic applications.

In practice, the Chairman of the committee has exercised this discretion on several occasions since the arrangements were put in place. The committee administrator confirms that since May 2013 two instances have occurred where individuals requested to speak and would not have been permitted due to speaking slots already having been reserved by others. This was on an application which ultimately did not come to committee for decision. The committee administrator also recollects that several individuals have pointed out the restricted time for speeches and the fact that only one can speak.

The public speaking arrangements have also been subject to wider public comment in relation to the Statement of Community Involvement (SCI) for Minerals & Waste Planning and its proposed revision. A report to Cabinet on 7 December 2012 recorded observations made in consultation. Those comments were set out in Appendix 2 to that report and were commented on by officers. In relation to the provisions for public speaking, 26 consultation responses were made that 'Table 2, page 7 and paragraph 5.27 all refer to the D&R Committee and to the members of the public being able to make comments but there is no mention of the very limited number permitted to speak.'

The officer response was recorded as follows: 'The issue of Public Speaking at Development & Regulation (D&R) Committee was raised at the original public consultation on the Adopted SCI, and led to a review of the process in 2008 supported by benchmarking of other local authority procedures, and a further review in late 2010. However, when the matter was considered by members of the D&R committee, it was felt that the system in place was working well, and only minor changes to procedures were implemented. A further review will take place when needed.'

The Cabinet report and its Appendix 2 referred to and the relevant Minute of Cabinet and of full Council is in Appendix 3 to this report.

2. ISSUES TO BE CONSIDERED

Members asked to have the opportunity to consider whether any changes to the arrangements should be incorporated for future meetings when the matter was previously considered in May 2013.

3. RECOMMENDED

No changes to the existing arrangements are identified to be made.

BACKGROUND PAPERS

Committee Protocol, updated 31st May 2013

'Public Speaking at the Development and Regulation Committee' edition dated September 2010.