

EAST HERTS COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE – 8 MARCH 2017

REPORT BY HEAD OF PLANNING AND BUILDING CONTROL

TOWN AND PARISH COUNCIL SPEAKING AT DEVELOPMENT  
MANAGEMENT COMMITTEE

WARD(S) AFFECTED: All

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**Purpose/Summary of Report**

- To enable the committee to consider the possibility of introducing a dedicated speaking opportunity for Town and Parish Councils at its meetings and to consider an amendment to current arrangements in relation to planning applications which have an associated Listed Building consent application also under consideration.

**RECOMMENDATION FOR DECISION: That:**

<b>(A)</b>	<b>Members consider and determine whether to support the introduction of a dedicated opportunity for Town and Parish Councils to speak at its meetings in relation to planning applications.</b>
<b>(B)</b>	<b>Members support an amendment to current public speaking arrangements such that only one period of 3 minutes is allowed each for speakers in objection and in favour of planning application proposals where there is also a related Listed Building consent application under consideration.</b>
<b>(C)</b>	<b>The proposed amendments to the speaking arrangements be introduced at the commencement of 2017/18 civic year</b>

1.0 Background

- 1.1 Arrangements are in place which allows the public to attend and speak at Development Management Committee in relation to an application which the Committee is considering.

- 1.2 In order to ensure that the consideration of development proposals is equitable, the scheme allows 3 minutes per application for both those who want to speak in objection to and in favour of proposals.
- 1.3 Representatives of some of the Town and Parish Councils (TPC) in the District have raised a concern that, on occasion, this has restricted their desire to ensure their voice is heard by the Committee. This is because, at present, it would be necessary for any TPC to share the allotted speaking time with any other party who wanted to speak. The TPC may defer to a local resident who is affected directly by development. As a result, there is a concern that they are restricted in their ability to be involved in the process.
- 2.0 Report
- 2.1 Research of the procedure of a number of planning authorities indicates that a dedicated speaking slot for TPCs is allowed in a number of instances. This is in addition to the availability for members of the public and others with an interest in an application.
- 2.2 The benefit of an additional opportunity for TPCs will clearly enable them to feel that they have a greater opportunity to ensure that any points they want to make, or any views they have can be articulated directly to Committee Members.
- 2.3 In considering whether they feel that such a scheme should be supported, Members should also consider any potential implications that such a process could have. There would be an additional administrative and time impact. It would be necessary for requests to speak to be received and registered and for Officers to brief TPC representatives on the arrangements at the meeting.
- 2.4 In relation to the time impact, it would appear reasonable to allow a further period of 3 minutes to a TPC representative if they requested to speak. This would increase the overall time required for speaking on each item at the meeting to 9 minutes.
- 2.4 The other implication which Officers feel merits further consideration is whether there is any impact on the equity of the process. In almost all cases, a TPC speaker is likely to align themselves as either speaking in objection to, or in favour of an

application. This introduces a situation where there could be a perception that two speakers (or 6 mins in total) have been allowed to articulate a particular view, and only 3 minutes allotted to the counter view.

2.5 Members are asked to consider the details set out above, and any other implications they feel relevant in relation to the possible introduction of a dedicated opportunity for TPC speaking at DM committees and reach a view accordingly on how they would like to proceed.

2.6 With regard to administrative arrangements, unless Committee Members consider otherwise, it would be proposed that these would be as follows:

- To be eligible to speak, the TPC would have to have submitted a response to consultation on the application during the consultation period;
- A TPC representative would be required to register to speak in the normal way in advance of the Committee meeting;
- The TPC representative would speak after Members of the public/ agents who have spoken in objection and in support of the proposals
- The TPC representative would have a permitted speaking period of 3 minutes
- Any other matters which become apparent after the consideration of this report and which are not addressed by Members during the meeting, would be resolved by the Chairman of the Committee.

3.0 Speaking in relation to Listed Building applications

3.1 One further matter on which a view is sought from Members of the Committee at this stage relates to the arrangements which are applied when the committee is considering a planning application with which there is an associated Listed Building consent (LBC) application contained within the same agenda item.

3.2 The current arrangements allow that 3 minutes speaking time is allowed in relation to each application. This has enabled 6 minutes of speaking time for planning and associated LBC applications – because of the two applications.

3.3 However, in these circumstances, it has rarely been the practice for speakers to utilise their speaking time in a way which relates to

the application types. So, rather than spend 3 minutes addressing planning issues and then 3 minutes addressing issues relating to the relevant listed building, speakers have utilised the entirety of their time addressing planning issues.

- 3.4 In order to ensure the efficiency of the meeting and to avoid these circumstances where planning applications with an associated LBC allow a speaker to address the committee for 6 minutes on planning issues, it is proposed that the arrangements be amended to specify that a single 3 minute speaking period is allowed (both in objection and in favour) for each report item on the Development Management Committee agenda. One report will usually cover both the planning and related listed building issues.

#### 4.0 Implications/Consultation

- 4.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

None.

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