

# PART 4 - PROCEDURAL RULES

## SECTION E

### PUBLIC SPEAKING PROCEDURE RULES

#### 1. INTRODUCTION

- 1.1 The Council ~~allows~~encourages members of the public to present petitions, speak at meetings and make presentations at meetings of the Council and to speak at Planning Applications Committee. Public speaking at meetings will only be permitted in accordance with these Procedure Rules.

#### 2. PRESENTATION OF PETITIONS AT COUNCIL MEETINGS

- 2.1 Except at the Annual Meeting, public speaking in relation to petitions will be conducted at meetings of the Council in accordance with the Petitions Scheme set out at Part 4, Section L of this Constitution.

#### 3. ~~QUESTIONS BY THE PUBLIC AT COUNCIL~~ PUBLIC QUESTIONS AT PUBLIC MEETINGS OF THE COUNCIL, EXECUTIVE AND COMMITTEES

- 3.1 Except at the Annual Meeting of the Council, a maximum of thirty minutes will be allocated to allow members of the public, or formally constituted public groups or bodies previously registered with the Head of Legal & Democratic Services, to ask questions at a meeting of the Council. Questions may be asked of an Executive Portfolio Holder or Chair~~man~~ of any Committee~~s~~, provided

- (a) it is relevant to some matter over which the Council has powers or duties or which specifically affects the Borough or part of it, or its residents; and
- (b) it does not relate to planning or licensing applications or personal, exempt or confidential matters.

- 3.2 At public meetings of the Executive or a Standing Committee of the Council, with the exception of Planning Applications Committee and the Employment Committee, a maximum of thirty minutes will be allocated to allow members of the public, or formally constituted public groups or bodies previously registered with the Head of Legal & Democratic Services, to ask questions of the Executive or a Standing Committee of the Council, through the Chair, provided

- (a) it is relevant to a matter included on the agenda; and
- (b) it does not relate to personal, exempt or confidential matters.

3.3 Public Speaking at Planning Applications Committee and Licensing Sub Committees is provided for elsewhere in the Procedure Rules.

3.4 In exceptional circumstances, with the agreement of the Chair, an urgent question may be asked relating to a matter included on an agenda. Any urgent questions must be received before the meeting commences. Such questions will be permitted where the member of the public provides a suitable explanation, as determined by the Chair and Lead Officer for the Committee, about why the deadline for questions could not be met on that occasion.

3.5 Questions will be heard in the order received. Where an individual submits more than one question for a meeting, one question of their choice will be prioritised and included in the order received, with any further questions heard after any questions received from other members of the public. Any questions that have not been heard once the thirty minutes have passed will receive a written response from the relevant Member.

3.63 Questions must be limited to 125 words. Any words exceeding this limit will not be published or considered as part of the question.

3.47 Questions that contain criticism directed at a named officer will be rejected by the Head of Legal & Democratic Services. In such cases, the questioner will be given an opportunity to submit a revised question.

3.85 Questions and written responses will be published by 2pm on the day of the meeting.

3.96 The questioner will be permitted to ask a short supplementary question provided it is relevant to the original question and does not introduce a new subject matter. The Member to whom the question is directed may choose whether to answer the question orally at that time or defer for a written response within seven days.

3.107 Questions and responses will not be matters for debate.

3.118 Any person or body wishing to ask a question must submit the question in writing to the Head of Legal & Democratic Services at least three clear working days before the ~~Council~~-meeting (i.e. if the meeting is on a Wednesday, the question must be received by 5 pm on the preceding Thursday).

3.129 If the Head of Legal & Democratic Services decides that the proposed question does not meet the criteria in 3.1(a) and (b) above he/she will reject it and advise the questioner accordingly.

3.1340 The Head of Legal & Democratic Services, in consultation with the Monitoring Officer, has discretion to reject or defer a question received for a ~~Council~~-meeting in the pre-election period.

3.14 There is no provision for questions by the public at any Sub Committee meetings.

**4. PRESENTATIONS AT COUNCIL MEETINGS**

- 4.1 The Chief Executive, after consultation with the Mayor and Leader of the Council, may invite recognised public bodies or groups, or individuals, to make a presentation at a Council meeting, in relation to matters of major policy or where there is substantial interest by the public.
- 4.2 Matters to be the subject of the presentation must not relate to planning or licensing applications, personal, exempt or confidential matters.
- 4.3 The Chief Executive will issue the invitation to make a presentation to a body, group or individual not less than 14 days before the date of the Council meeting concerned.
- 4.4 The body, group or individual must notify the Chief Executive, in writing, at least 5 clear working days before the Council meeting of its/his/her intention to accept the invitation (i.e. if the meeting is on a Wednesday notice must be received by 5 pm on the preceding Tuesday). A copy of any material which it/he/she intends to produce at the meeting must also be received by the Chief Executive by the same deadline.
- 4.5 Presenters will be allowed a maximum of 15 minutes.
- 4.6 Following the presentation Members will be permitted to ask questions of the presenter.

**5. DETERMINATION OF PLANNING APPLICATIONS BY FULL COUNCIL**

- 5.1 The Council has reserved to itself the power, in exceptional circumstances, to determine large-scale planning applications relating to land owned by the Council, or elsewhere if the proposed development is likely to have a very significant impact on the community, as determined by the Head of Planning, after consultation with the Leader of the Council and Chairman of the Planning Applications Committee.
- 5.2 When determining these large-scale planning applications, with the exception detailed in 5.3 below, the rules for public participation at meetings of the Council will be those which apply at meetings of the Planning Applications Committee as set out below.
- 5.3 The number of speakers both in objection to and in support of the application will be determined by the Head of Legal & Democratic Services after consultation with the Leader of the Council.

**6. PUBLIC SPEAKING AT PLANNING APPLICATIONS COMMITTEE**

## Criteria to Trigger the Public Speaking Procedure

- 6.1 Public speaking at Planning Applications Committee meetings will be permitted in respect of a planning application and any other related consent applications to be determined by the Committee, where
- (a) there have been 10 or more written representations from separate households, or a petition signed by more than 50 signatories with addresses, in respect of an application for development within an urban area or village settlement, as defined by the Development Plan or
  - (b) there have been 5 or more written representations from separate households, or a petition signed by more than 25 signatories with addresses, in respect of an application for development outside an urban area or village settlement, as defined by the Development Plan.
- 6.2 In order to be counted in relation to the public speaking procedure, the representations or petitions must have been received no later than 10 working days before the date of the Committee meeting.
- 6.3 Where an application triggers the public speaking procedure, all those who have submitted written representations in compliance with paragraphs 6.2 above, will be notified and invited to register to speak at the Committee meeting.

## Allocation of speaking

- 6.4 A maximum of four persons will be permitted to speak on each application as follows:
- (a) 2 persons speaking in objection to the application;
  - (b) 2 persons speaking in support of the application.
- 6.5 The applicant or their agent will be offered one slot to speak in support of the application.
- 6.6 A Residents' Association, Business Association or Amenity Society, previously registered under this scheme, which has submitted a representation in respect of the application and registered to speak at the committee, will be entitled to one of the speaking slots. Should there be more than one organisation registering to speak, the slot will be allocated on a first come, first served basis.
- 6.7 An individual can only speak once on any application.
- 6.8 Only those persons from addresses within the vicinity of the site will be eligible to speak at the meeting. The vicinity will vary according to the nature of the proposed development and its potential impact on the community. The Head of Planning will determine the circumstances in which this will apply.

- 6.9 Subject to the above, the spaces will be allocated on a first come, first served basis. All applications to speak must have been registered no later than 3 and a half clear working days prior to the meeting (i.e. noon on Tuesday preceding the meeting if the meeting is on a Monday.)
- 6.10 An individual or organisation wishing to speak can only register for a speaking slot which corresponds with the nature of the representation they have submitted, namely in objection or support.
- 6.11 The registered speaker may appoint another person to speak on their behalf or elect to share their time with other speakers.
- 6.12 In the event that the application of the above Procedure Rules do not apply or would result in unfairness, the Head of Legal & Democratic Services, after consultation with the Chairman of the Planning Applications Committee, be authorised to exercise discretion in agreeing the allocation of the public speaking slots in relation to any particular planning application

### Speaking at the Meeting

- 6.13 A maximum of four minutes will be allocated to each speaker.
- 6.14 If a speaker has elected to share their allocated time with another speaker the time allocation will run continuously.
- 6.15 Public speaking will precede the Committee's debate on the application. Members of the public speaking in opposition to an application will speak before those speaking in support of an application.
- 6.16 The speakers will be required to confine their presentations to relevant material planning issues.
- 6.17 No material, including plans, photos, letters, or statements can be handed to the Committee members at, or just before, the committee meeting. Any such material may be submitted directly to Committee members and copied to the relevant planning officer.
- 6.18 Members may only ask the speakers questions for the purposes of clarification. The speakers will not be allowed to ask questions of Members or officers.

## **7. PUBLIC SPEAKING AT LICENSING SUB COMMITTEES**

- 7.1 Public speaking is limited by statute to those persons or organisations who have submitted representations in accordance with the Licensing Act 2003.**