

Leicester City Council
Public Speaking at Planning and Development Control Committee
(Applicants, Objectors and Members) v June 2021 draft

Audio and visual participation but if this is not possible participation will be by Audio link only

Introduction

These are the amended normal rules for public speaking during the period when remote speaking will be offered

In exceptional cases the Chair can change these.

If you want to register as a speaker please contact Democratic Support on 0116 454 5843 / 454 5591 0116 454 6369 or email committees@leicester.gov.uk no later than noon on the day before of the committee meeting.

Making Representations on Planning Applications

Public speaking is an opportunity to make your views known in person to the committee; however, letters and emails sent during the consultation period are still the best way for views to be properly considered and included in the officer's report. Objectors can only speak if they have previously made their views known in writing.

Only "material planning considerations" are relevant; more advice can be found at:

https://www.planningportal.co.uk/faqs/faq/4/what_are_material_considerations

Which reports are covered by the scheme?

The public speaking scheme only applies to planning applications which are being decided at the Planning and Development Control Committee.

Most planning applications are dealt with by officers under what are called delegated powers.

Generally, applications are only considered by the committee if they are recommended for approval and there are 6 or more objections or a councillor has asked for the application to go to committee.

We will write to objectors and applicant's agents in advance if and when an application is due to be considered by the Committee.

Other Committee reports

The Committee sometimes considers other matters eg planning enforcement action, Traffic Regulation Order consultations and confirmation of Tree Preservation Orders. Members of the public will not be invited to speak on these reports; however non-Committee councillors can speak with the permission of the Chair.

Who can speak?

The applicant or their representative, anyone who has made a written objection, or a lead petitioner, can speak at the committee by either

Attending the meeting in person at City Hall or
From a remote Location bBy using an audio/visual or by exception audio link facility provided by Democratic Services officers

Democratic Services officers will endeavor to offer both

An elected member may also speak on an application within their ward in the same way-. The Chair will only allow another non-committee member to speak in exceptional circumstances.

What are the rules for speaking?

A **total of five minutes** is allowed for each category of speaker - applicants, objectors and non-committee

Members.

If you wish to speak at the committee **you must let us** know before noon on the day before of the committee meeting. Objectors must have already submitted a written objection.

By registering to speak you are accepting the conditions set out in this information.

You must also agree to abide by any decisions or advice given by the chair of the committee or council officers.

You must only speak about planning matters. Please do not make personal or derogatory remarks about anyone. Such matters are not relevant and could lead to legal action.

What if I cannot make the meeting or the Audio or visual Link fails before or during the meeting ?

Please let Democratic Support know. Your previously made representation will still be considered;

If the speakers Link fails during the meeting and whilst they are speaking the Chair may use their discretion to call for a short adjournment to re-establish the link, which may be by Audio only. -however a decision on the application cannot be held back and at the Chair's discretion the meeting will proceed to determine the Application. -

What if more than one person wants to speak?

The Democratic Support Officer will ask speakers to agree to one person speaking on behalf of the others. Alternatively the time might be shared between those wanting to speak (for the applicant, for objectors and as non-committee members) and this needs to be agreed and confirmed with the Democratic Support Officer in advance of the meeting.-If an agreement cannot be reached, the five minutes allowed would be given to the first person to have registered their intention to speak.

Public Speaking for Applicants or Agents

A total of five minutes will be allowed for the applicant, agent -or someone else on their behalf -to speak to explain their proposal and/or to address objections. They will normally speak first; however they may, if requested

by members, through the Chair, at any time before a decision is made, answer points of clarification raised by other speakers or members of the Committee.

When and where are the meetings held?

The planning committee normally meets every three weeks at **City Hall, 115 Charles Street, Leicester LE1 1FZ** on a Wednesday at 5.30 pm.

Detailed arrangements and timings for speakers joining the meeting will be confirmed by Democratic Services Officers with Speakers who have registered to speak.

If you have registered to speak from City Hall you will need to be at City Hall at 5.15 pm. Once you have registered to speak at City Hall it will not usually be possible to change and instead speak from a remote location unless you have notified the Democratic Support Officer by no later than noon the day before the meeting, and the arrangements have been agreed and confirmed by the Democratic Services officer if you are registered to speak.

Who is on the Committee and who else will be there?

The planning committee is made up of elected councillors. Council staff attend to advise and to formally record the meeting. Any member of the public may attend to listen to the debate.

Publicity

The press can attend and the proceedings are usually broadcast through a "web cast" which can be viewed by anyone using the internet - live or later.

Anyone who chooses to take part in the committee meeting should understand that they will may be seen and will be recorded and also heard by the public.

What is the order of business at the Meeting?

The general order of business at the meeting is as indicated on the committee agenda; however individual applications, reports and other items of business are frequently taken out of order. This will be explained by the chair at the start of the meeting.

Can I see the officer's report?

The agenda and reports will be available at the City Council offices a week before the meeting and on the internet at <http://www.cabinet.leicester.gov.uk:8071/ieListMeetings.aspx?CId=399&Year=0>

An additional paper (the addendum report) containing information received after the reports have been written, will be available at the meeting and online.

Can I speak to a Councillor before the meeting?

You may contact your local councillor about any planning matter:

<http://www.leicester.gov.uk/your-council/councillors-and-wards/>

Please note that if you wish to contact any members of the planning committee you must copy correspondence

to the planning service: planning@leicester.gov.uk

You must not approach members of the committee at the meeting itself.

How do I present my comments?

The Planning Committee may only consider relevant planning issues. Please limit your comments to matters such as:

- Appearance of the proposal.
- Traffic generation, highway safety and parking
- Overshadowing, overlooking and privacy
- Noise, disturbance or other loss of amenities
- Layout and density of buildings

Please avoid matters that cannot be considered by the committee such as:

- Boundary disputes, covenants or other property rights
- Personal remarks (such as the applicant's motives)
- Reduction in property values
- Loss of private view over the land

Can I display photographs?

We may be able to show your own photos while you speak providing there are no more than four of these and they are within a Powerpoint format. They will have to be received by Democratic Support no later than two days before the Committee.

Can I ask any questions?

You can include reasonable questions relating to facts relevant to the planning consideration of the application within the time allocated for you to speak.

When making your speech please make it clear that you are asking for an answer to a specific question on a point of information.

What happens when an application is considered?

- The chair will announce the application
- A planning officer will give a short introduction
- applicants, objectors and non-committee councillors, may speak (if previously registered)
- the committee will then discuss the application.
- The chair may ask officers to respond to questions raised or to clarify certain points at any time.
- No one else can speak during the debate except the applicant (or agent) if specifically asked a question by the chair.

The Decision

The committee will make a decision on the application.

This decision may be different from that recommended by officers in the main report or addendum report.

What happens if an application is deferred?

All recorded objectors will again be invited to speak at a subsequent meeting when the application will be discussed.

Can anyone speak at a committee site visit?

If the Committee are making a site visit this will normally have been arranged before the scheduled committee. The committee site visit is for the members of the committee and advising officers only and its purpose is to observe the characteristics of a site and its relationship to the surroundings. Applicants, agents, objectors and other councilors should not take part.

What happens after the decision is made?

The decision notice is sent to the applicant or their agent. This will normally be the day after the Committee but sometimes there are additional procedures which can delay the final decision. For example the decision may be subject to a legal agreement or to additional decisions which may have delegated to officers to conclude on.

The decision will be available for anyone to view on our website within a few days of the notice being issued.

When an application has been refused, the applicant may appeal to the Planning Inspectorate. Any representations made on the application will be forwarded to the Inspectorate.

Where an application has been granted, there is no opportunity for objectors to appeal.

The details of the Committee's decision making are given in the published minutes of the meeting available a week or two after the meeting.