



**PLANNING COMMITTEE: Thursday,
5 September 2024**

Report of: Assistant Director Planning & Regulatory Services

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**SUBJECT: CHANGES TO PUBLIC SPEAKING PROCEDURE AT PLANNING
COMMITTEE**

Wards affected: (All Wards);

1.0 PURPOSE OF THE REPORT

- 1.1 To outline and propose changes to the public speaking procedure at Planning Committee meetings to improve the opportunity for public participation in planning decisions.

2.0 RECOMMENDATIONS

- 2.1 That the updated public speaking procedure attached at Appendix A to this report is approved with immediate effect.

3.0 BACKGROUND

- 3.1 The Council operates a public speaking procedure to coordinate and control such comments during Planning Committee meetings. The changes proposed in this report aim to enhance public involvement in the planning application process by providing improved opportunities to speak directly to Councillors at Planning Committee meetings. This ensures that stakeholders' views are heard and considered during decision-making.

4.0 ISSUES WITH CURRENT SCHEME

- 4.1 The current public speaking procedure allows the following individuals to request to speak at Planning Committee meetings:
- Anyone who has written to object to a planning application and has been consulted under the neighbour notification process, or their representative.
 - The Clerk to a Parish Council or their representative.
 - The applicant or their representative, but only if a third party objecting to the proposal may also speak.

- 4.2 Statutory consultees and other external organisations do not have the right to speak, as their views are included in Committee reports.
- 4.3 The process currently relies on postal notifications, which are outdated, inefficient, and can lead to delays, increased costs, and complaints about short-notice invitations. This also disregards the growing preference for digital methods, which are faster and more convenient. Coordinating speakers, particularly when multiple requests are made, can also be cumbersome and inefficient.
- 4.4 The current process excludes those who have not been formally notified of the planning applications from speaking, which means that those potentially affected by the application are unable to express their views at the Planning Committee. This includes cases where the impact of the proposed development extends beyond current notification boundaries, where third parties wish to make representations based on broader policy considerations, or where development may give rise to cross-boundary planning issues.

5.0 PROPOSED CHANGES

- 5.1 It is proposed that once an application is confirmed on the Planning Committee agenda, those who have made timely representations to the planning application and signed up for website updates will receive an electronic update confirming the item on the agenda and a link to the pro-forma attached in Appendix B. However, the onus will remain on those wishing to speak to establish the date on which the planning application is presented to the Planning Committee.
- 5.2 This change will reduce reliance on the postal system, avoiding current criticisms from those who claim to receive the notification letter too close to the deadline for registering, or, on occasion, following the closure of the process. While a postal option will be maintained for those without internet access, those making representations by letter without providing their online contact details will be subject to the same constraints that arise at present.
- 5.3 The proposed changes will also enable a clearer process for managing multiple speaker requests, including prioritising and grouping similar points to avoid repetition. It will encourage groups of residents to nominate a single spokesperson to present shared views.
- 5.4 Speakers would be required to notify the Council at least three working days before the Committee meeting (by 5 PM on Monday of the meeting week), including a brief outline of their points, using the pro-forma provided. If there are multiple requests, the Chairperson will decide the speakers and notify them the day before the meeting. Groups should nominate one representative to speak. Applicants will also be able to address the Planning Committee, regardless of whether the right to speak is taken up by other parties.
- 5.5 Each speaker is limited to three minutes and must address the meeting, avoiding personal or damaging comments or any debate with Councillors. The Chairperson may end a speaker's time if these requirements are not met. Ward Members and Leaders of Political Groups are limited to five minutes and, as per the current process, cannot be questioned at the end of their presentations.

5.6 Officers have carefully considered the number of speakers permitted in each category to maintain control over the length of discussions and prevent protracted levels of speaking. Whilst it is understood that reducing the number of speakers to three in each category may appear restrictive, this is less so than the current process which requires those wishing to speak to have been notified.

5.7 This approach is based on a review of best practice elsewhere and ensures that the Committee can conduct its business in an efficient and orderly manner, with greater ease for officers in managing the process, and clearer expectations for those wishing to speak.

6.0 CONCLUSION

6.1 The proposed changes aim to modernize and streamline the public speaking procedure, making it more efficient and accessible. By embracing digital communication, we can enhance public participation and ensure a more effective planning process. The implementation of these changes will be managed by officers, with the timing to be determined to ensure a smooth transition into the new public speaking process.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

7.1 The changes will reduce paper use and postal costs, supporting sustainability goals.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

8.1 Initial costs for setting up the relevant online platforms will be offset by long-term savings in postal costs, making the process cost neutral.

9.0 RISK ASSESSMENT

9.1 Some residents may lack digital access. The proposals mitigate this by maintaining a postal option for those who still require it.

10.0 HEALTH AND WELLBEING IMPLICATIONS

10.1 Improving accessibility to the planning process will positively impact community engagement and well-being.

Background Documents

Appendix A – Current Public Speaking System
Appendix B – Revised Public Speaking System

Equality Impact Assessment

This report does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

APPENDIX A – CURRENT PUBLIC SPEAKING PROCESS

Constitution 3.3: Public Participation Scheme Issue Date:16.05.24

PART B - PROCEDURE FOR THE PUBLIC AND APPLICANTS WHO WISH TO SPEAK AT THE PLANNING COMMITTEE ON PLANNING APPLICATIONS THAT MIGHT AFFECT THEM

The Council wants to improve the opportunity given to people in West Lancashire to have their say about planning applications that affect them.

The Council have decided that people should have the opportunity to reinforce their views by talking to the Councillors who make the decision at Planning Committee.

The people who can request to speak at meetings are:

- anyone who has written objecting to the planning application and who has been consulted under the neighbour notification process by the Council, or his/her representative;

Note: Consultees/Organisations that have been formally consulted on the application will not be invited to speak, as their views will be set out clearly in the Committee reports.

- the Clerk to a Parish Council, or his/her representative where the Clerk is unavailable, to express the view of the Parish Council;
- the applicant or his/her representative but only where it has been agreed that a third party objecting to the proposal may speak.

Note: The minimum age for people to address the Committee under this procedure is 16 years.

Any person who wishes to speak must give at least 3 working days' notice prior to the day of the Committee meeting that they want to address the Committee (i.e. by 5pm on the Monday of the week of the Committee meeting). The request must also include a brief outline of the points the speaker wishes to make. A pro-forma is available.

If there is more than one speaker in any category then the Chairman of the Committee will decide how many can speak. This will be done the day before the meeting and the Member Services Officer will notify the person who has made the request to speak of the Chairman's decision. Groups (e.g. of residents) are asked to nominate one person to speak on their behalf.

Each person who is authorised by the Chairman to speak will be limited to three minutes.

Speakers must not circulate any supporting documentation at the Committee meeting.

What any speaker says must be relevant to the planning application only – nothing damaging or personal. There should be no duplicating points made by other speakers. All speakers should address the meeting and must not enter into a debate with Councillors.

The Chairman may intervene and end a speaker's time if they do not comply with these requirements.

A speaker may ask someone else to speak for them if they are unable to do so or bring an interpreter if they need one.

A request to speak should be sent to Member Services, West Lancashire Borough Council, Council Offices, 52 Derby Street, Ormskirk, Lancashire, L39 2DF. Telephone: 01695 585017 E Mail: memberservices@westlancs.gov.uk

APPENDIX B – PROPOSED REVISED PUBLIC SPEAKING PROCESS

Public Speaking at Planning Committee

A thorough, transparent, and accountable planning committee process is essential to ensure the Council's Planning Committee (the Committee) makes sound and reasoned decisions. Public speaking at Planning Committee is a key part of this decision making process and this procedure sets out the Council's requirements accordingly. Members of the public are welcome to attend Planning Committee meetings.

Who can speak?

The Chair of the Committee will only allow comments to be made by those detailed below – and all speakers would fall into one of the categories below.

Objectors or supporters of a planning the application

Those who have commented on the application either as objectors, or supporters will be permitted to speak at the meeting, **provided their comments were received on or prior to the date on which the final period of neighbour notification has expired (whether neighbour letter, site notice or press notice).**

Applicants or agents

Applicants and/or their agents will also be permitted to speak at the meeting. They must have registered to speak before addressing the Committee as and completed the pro forma below. However, as applicants/agents, it is not necessary for them to have made representations to the application prior to the date on which the final period of neighbour notification has expired.

Parish / Town Councils

Parish and/or Town Clerks and/or their representatives will also be permitted to speak at the meeting. They must have registered to speak before addressing the Committee as and completed the pro forma below. However, they do not need to have made representations to the application prior to the date on which the final period of neighbour notification has expired.

Leaders of the Political Groups and Ward Councillors

The leaders of the political groups on the Council and Ward Councillors may also speak at meetings even though they are not part of the Committee. They can represent the views of their constituents, and do not need to have made representations as either objectors or supporters within the timeframes above, nor are they required to complete the pro forma, but they must notify Committee Services in writing no later than the 4pm on the Monday prior to the Committee meeting of their intention to speak.

The onus is on all parties wishing to speak to identify the date of the Committee at which the relevant application will be heard, and the process is only applicable to applications which require Committee determination.

Can I register in more than one category?

In all cases, a person registering to speak may only do so in one single category, e.g. an applicant / agent cannot also register to speak as a supporter of the application, and Parish / Town Council representatives cannot also register as objectors – they must do so in their specified capacity.

How do I register to speak, and what are the deadlines for registering?

Speakers must register to speak at least two working days before the meeting, using the pro forma which is attached and is also available for downloading from the website. For example, if Planning Committee is on Thursday evening, **requests to speak must be made by 1700 on the preceding Monday.** Requests received after this time will not be allowed.

Whilst Ward Councillors and Leaders of Political Groups are not required to complete the pro forma, they must inform Committee Services in writing of their intention to speak prior to the deadline above.

Arriving at the meeting

All attendees should arrive 15 minutes before the meeting starts and make themselves known to the Committee Clerk who will explain the Committee procedure and indicate where to sit.

How long is allowed for speakers?

Those speaking as objectors to / supporters of an application will be allowed three minutes each. Up to three speakers in each category of objector or supporter will be permitted. Ward Councillors will be allowed five minutes each.

Where more than three people wish to speak for or against an application in the category of objector or supporter, the speakers will need to decide whether to appoint a spokesperson or split the time between them. Those requesting to speak must confirm on the pro forma that they are happy for their personal details to be shared with others requesting to speak so that agreement can be reached between all speakers.

If speakers do not indicate accordingly, or fail to provide their contact details, they will not be permitted to speak. If there's no agreement, only the first three people who registered will be allowed to speak.

All requests to speak will be at the discretion of the Chairperson.

Order of Priority for Speakers

Speakers will be invited to address Committee in the following order of priority:

- Objectors and/or their representatives
- Supporters and/or their representatives
- Parish Council Clerks and/or their representatives
- Applicant / Agent
- Leaders of Political Groups / Ward Councillors

The Committee Clerk will indicate via placard when there are 30 seconds remaining to allow time to round up.

Speakers cannot question Councillors, Officers or other speakers and must limit their comments to planning related issues. However, all speakers, except for Ward Councillors and Leaders of Political Groups, can be questioned by members of the Committee after they have spoken.

Speakers Conduct

All speakers are encouraged to write down the points they want to make so that they can complete their presentation within the allotted time.

You can only speak to the Committee if your comments meet these criteria::

- The representations are relevant to planning considerations affecting the application.
- The representations are directly relevant to the particular application.
- The representations are a statement of fact (even though they may be based on subjective evidence).
- The representations are a statement of personal/professional opinion. If it is the personal opinion of the speaker or someone else this must be stated. If it is the speaker's or someone else's professional opinion, again this must be stated.

The Chairperson will have the discretion to interject if the speaker departs from the four criteria. Any representation considered by the Chairperson deemed to be defamatory, offensive or to relate to an individual Officer or Member will not be permitted and the speaker will be informed accordingly.

During presentations, all parties attending the meeting must conduct themselves in an orderly manner or they will be required to leave the meeting. The Chairperson's decision is final and may stop any speaker if their comments are inappropriate or irrelevant.

What materials can be presented to Committee?

To enable speakers to best use the time allocated to them in presenting the key issues they want the Committee to consider, no new materials, letters or presentations can be presented to the Committee on the evening. This rule ensures fairness to everyone.

What if the application is deferred prior to consideration at the meeting?

If an application is deferred in advance of the meeting, those who have registered to speak will be informed in advance if time allows to avoid the need for them to attend. Sometimes, applications are delayed with little notice. If this happens, you can speak when the application is reconsidered. Those who have registered but are unable to speak will be permitted to do so at such time that the application returns to Committee, without the need to re-register.

What if the application is deferred following debate at the meeting?

The Committee may wish to defer consideration of a planning application to either seek further clarification/information from the applicant or to visit the site. When the matter is reported back to Committee, the order of business will remain as set out in above, but speakers will be required to re-register and no requests from new speakers will be allowed unless they are confirmed to be representing another speaker who cannot attend.

For the avoidance of doubt, those speakers who re-register in line with the stated deadlines will be allowed to speak again but are encouraged to limit their comments to matters relating to any new material that has not been previously presented to Committee. If the speaker is unavailable on the deferred date, they may nominate a substitute to speak on their behalf.

What happens if a person cannot attend the Planning Committee meeting but still wish to make their views known?

Written representations can be made on all planning applications. Please visit the [Comment on or object to a planning application - West Lancashire Borough Council \(westlancs.gov.uk\)](http://westlancs.gov.uk) page for more details.

Any comments made will be taken into account in the Committee's consideration of the application. If an application is due to be considered at a particular meeting but any person is not able to attend, they may wish to consider appointing a representative to speak on their behalf.

Applications will not be deferred from meetings for this reason.

Request to speak at meetings of the Planning Committee.

To be received no later than 1700 on the Monday prior to the Committee Meeting.
Please send to: member.services@westlancs.gov.uk .

Insert Name:

Insert Address:

Insert Email address:

Insert Contact Telephone Number(s):

I confirm that I wish to speak in the following category:

Parish Council Clerk/Representative

Applicant / Agent

Objector

Supporter

Date of Meeting:

Agenda Item and Number:

Summary of issues to be raised (Max 150 words):

The following are applicable only to those who wish to speak in the category of objector or supporter:

I confirm by that completing this form, I have previously made representations to the application in the above categories in line with the requirement to have done so prior to the expiry of the neighbour notification deadline.

I confirm that I consent for my details as supplied on this form to be shared with fellow requesters in the category of objector / supporter in the event that there is a need to confirm a spokesperson.

I understand that in the event of the above being found to be inaccurate, and/or provide relevant contact details, I will be unable to speak at Committee.

Signed and dated (electronic signature acceptable)
