

Planning Committee

Constitutional Amendments - Public Speaking and Scheme of Delegation

10 December 2009

Joint Report of the Head of Development Control and Major Developments and the Head of Legal and Democratic Services

PURPOSE OF REPORT

To consider the progress and operation of public speaking at Planning Committee, proposed constitutional amendments to the planning committee procedure rules and the scheme of delegation and amendment to the Planning Committee Cycle (4 weekly).

This report is public

Recommendations

The meeting is recommended:

- (1) To recommend the amendments to the public speaking procedure rules to Council with an implementation date of May 2010
- (2) To recommend the amendments to the scheme of delegation to Council to take affect after the next Council meeting on 18 January 2010
- (3) To recommend to Council that Planning Committee is held on a four weekly cycle with an implementation date of May 2010

Executive Summary

Introduction

- 1.1 Public speaking at Planning Committee was introduced in May 2009. The scheme has proved largely successful and several applicants, objectors, supporters and parish councils have taken advantage of their right to address the committee. Despite this success the procedure

rules for public speaking have been viewed as confusing and complex. Paragraph 1.3 sets out amendments to the scheme which will make it much easier to follow.

- 1.2 The scheme of delegation as set out in the Councils constitution for the Head of Development Control & Major Developments is unduly complex, the amendments seek to clarify and simplify the procedures without extending the scope of delegation. In addition it is recommended that the scheme of delegation be updated to take into account changes at a national level with regard to discharge of conditions and amendments to approved schemes.
- 1.3 In reviewing the business of the Planning Committee and the improved performance with regard to determination of planning applications, it is recommended that the committee sits on a four weekly cycle from May 2010.

Proposals

Public Speaking

- 2.1 The suggested amendments to the public speaking procedure are attached at Appendix 1. The amendments take away the complex 3 minute rule where each person who has registered is allowed to speak for up to 3 minutes with a time limit of 9 minutes on each of the groups, objectors and supporters.
- 2.2 It is suggested that this is amended so that those wishing to speak are grouped as objectors or supporters and that each group will have a time limit of 5 minutes. The speakers on each side will be left to organise how they split the time amongst themselves. The proposal also reduces the time allowed to speakers on each item from 18 minutes to 10 minutes.

Scheme of Delegation

- 2.3 Proposed amendments to the scheme of delegation are attached at Appendix 2. The suggested amendments provide greater clarity and consistency with the Town and Country Planning Act as amended. There has been no increase in the scope of the delegation. With regard to the discharge of conditions and amendments to approved schemes, these changes have been introduced nationally since April 2008. Previously matters were dealt with by letter rather than as a formal application, the introduction of 1APP has regularised these procedures.

Planning Committee Cycle

- 2.4 The Planning Committee currently sits every three weeks (approximately 17 meetings per annum); by moving to a four weekly cycle the number of meeting in the year will be reduced to 13. This will

result in a saving in administration, print costs, and member catering/travel. Officers have carefully considered impact on the timely determination of planning application and it is considered that moving to a four week Planning Committee cycle will not impact on overall performance. If workloads were to significantly increase due to an improvement in the economy then the cycle could be reviewed.

Conclusion

- 3.1 The suggested amendments to public speaking are much simpler and easier for the public to understand. They also remove an administrative element to the process as Democratic Services will no longer be required to inform members of the public as to how long they will be given opportunity to speak for.
- 3.2 Although the public speaking appears to run smoothly at committee meetings Democratic Services regularly deal with queries from the public about the process and members of the public have often commented that the system seems complicated. The amendments proposed simplify the system, making the process more accessible.
- 3.3 The clarification of the scheme of delegation will ensure that the procedures are much simpler and easier for the public to understand.
- 3.4 The four week Planning Committee cycle will result in a saving for the Council without impacting on service delivery.

Key Issues for Consideration/Reasons for Decision and Options

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One To agree the proposals

Option Two To amend the proposals

Consultations

Members Democratic Services Member Survey, some comments were received as part of the survey which expressed concerns relating to the operation of public speaking at planning committee. Mainly that the system was complicated and that 18 minutes for speakers on each item was too long.

Implications

- Financial:** The reduction in the number of Planning Committee meetings will result in a small saving through reduced administration costs.
Comments checked by Eric Meadows, Service Accountant, PH&E 01295 221552
- Legal:** It is important the public speaking procedure rules and scheme of delegation included in the Council's constitution are clear and easy to understand.
Comments checked by James Doble, Democratic, Scrutiny Services and Elections Manager 01295 221587
- Risk Management:** Making the procedure rules and scheme of delegation clear enhances the democratic process and reduces the risk of challenge of decisions.
Comments checked by Rosemary Watts, Risk Management and Insurance Manager 01295 221566

Wards Affected

All

Document Information

Appendix No	Title
Appendix 1	Public Speaking Procedure Rules Amendments
Appendix 2	Scheme of Delegation Amendments
Background Papers	
None	
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