



WORTHING BOROUGH
C O U N C I L

Worthing Planning Committee
22 February 2020
Agenda Item no. 7

Ward: N/A

**Public Speaking Protocol - For Consideration of the Teville Gate Application
Reference AWDM/0325/19**

Report by the Director for the Economy

1.0 Summary

- 1.1 The public speaking procedures used at Planning Committee form part of the Council's Constitution. From 1st January 2020 the Protocol has been amended to provide members of the public, speaking for or against an application, with the opportunity to make representations for a maximum of 3 minutes each, rather than 2 minutes which was the previous provision. The Protocol therefore now accords with the Guidance Note on the Planning pages of the Council's website, and with the well established practice of the Planning Committee to allow 3 minutes per speaker.
- 1.2 The Council has also, on occasions, in exceptional circumstances, agreed different procedures for larger more controversial applications, allowing up to 5 minutes per person. This report recommends this approach for consideration of the forthcoming Teville Gate planning application.

2.0 Background

- 2.1 The current practice of allowing 3 minutes per person works well for most planning applications but the Planning Committee has, in the past, extended these time periods for the larger more controversial developments and extended the time period for 5 minutes. This has been with the agreement of the Committee and/or Committee Chairman. This report seeks agreement on the use of this revised protocol for the consideration of the Teville Gate planning application due to be considered on the 4th March 2020.
- 2.2 The Guidance Note allows for Chairman's discretion to amend the Public Speaking Procedures, but this is not currently reflected in the Protocol. The

Chairman's discretion has been useful on a number of occasions when, for instance, an additional speaker wishes to address the Committee or when there has been a desire to extend the time period in connection with large controversial applications. The Constitution also does not allow other Councillors other than Ward Councillors to speak and again, in practice, the Chairman has agreed variations to this in particular to allow the Executive Member for Regeneration to speak in connection with larger controversial applications.

- 2.3 The Protocol has not been reviewed since 2015 and is now due for a review. A separate report will be taken to the Joint Governance Committee for their consideration of a revised Protocol to be adopted as part of the Council's Constitution in due course. Members of the Planning Committee will have the opportunity of considering and commenting upon the proposed amendments to the Protocol before it is considered by the Joint Governance Committee.

3.0 Proposals

- 3.1 It is proposed that the Protocol be varied for the Teville Gate Planning application, which is a larger more controversial planning application, which allows for 5 minutes per speaker and also allows residents' groups, societies and other organisations to speak either in favour or against a particular development proposal.
- 3.2 Normally the Council deals with public speaking on a first come first served basis but in connection with recent larger developments, with a considerable amount of public interest, a ballot system has been used which gives all those wishing to speak a fair chance of being nominated to speak at the meeting. The revised procedure would give each person a unique number and prior to the meeting the names of the registered speakers and some reserves will be selected by a random number generation process.
- 3.3 The procedure proposed for the Teville Gate planning application is appended to this report.

4.0 Legal

- 4.1 The constitution and the public speaking protocol set out procedure to be adopted at planning committees. Where the council intends to amend its procedure for a particular committee meeting, it should adopt a procedure that is fair and gives both sides the opportunity to make their representations to the committee. The alternative procedure to be used must be publicised to those

who may wish to speak at the committee meeting so that they are aware of the process and how speakers are to be selected.

5.0 Financial implications

5.1 There are no financial implications with the proposed change to public speaking procedures.

6.0 Recommendation

6.1 That the Committee agree to:

- i) vary the Council's Protocol on Public Speaking at Planning Committee when considering the planning application relating to the Teville Gate site, to allow 5 minutes for each public speaker as set out in Appendix I and,
- ii) delegate authority to the Chairman of the Committee in consultation with the Head of Planning to make any other appropriate variations to the public speaking arrangements in connection with the determination of the Teville Gate planning application.

Local Government Act 1972

Background Papers:

Probity in Planning - Advice for Councillors and Officers making Planning Decisions
Guidance | December 2019.

Public Speaking Protocol Worthing Constitution

Contact Officer:

James Appleton
Head of Planning and Development
Portland House
01903 221333
james.appleton@adur-worthing.gov.uk

Schedule of Other Matters

1.0 Council Priority

- 1.1 To deliver efficient customer services and allow effective consultation and engagement with the public.

2.0 Specific Action Plans

- 2.1 The Council's public speaking procedures seek to ensure fair and transparent opportunities for the public to make representations at the Planning Committee meeting.

3.0 Sustainability Issues

- 3.1 Matter considered and no issues identified.

4.0 Equality Issues

- 4.1 Extending public speaking for larger developments ensures greater public involvement in the planning process.

5.0 Community Safety Issues (Section 17)

- 5.1 Matter considered and no issues identified.

6.0 Human Rights Issues

- 6.1 Extending public speaking for larger developments, as proposed, ensures greater public involvement in the planning process and therefore assists ensuring that the public's human rights are considered as part of the planning process.

7.0 Reputation

- 7.1 The proposed revisions to the public speaking procedures are considered to enhance the Council's reputation.

8.0 Consultations

- 8.1 Internal consultation with Legal and Democratic Services and Planning Committee Chairman.

9.0 Risk Assessment

- 9.1 By note extending the speaking time for the public in connection with the larger more controversial cases there is a risk of reputational damage. Where times have not been extended this has caused difficulties at the meeting and requests for additional speakers and/or more time for the public to get their points across to the Committee.

10.0 Health & Safety Issues

- 10.1 Matter considered and no issues identified.

11.0 Procurement Strategy

- 11.1 Matter considered and no issues identified.

12.0 Partnership Working

- 12.1 Matter considered and no issues identified.

WORTHING PLANNING COMMITTEE MEETING - WEDNESDAY 4 MARCH 2020

TEVILLE GATE REDEVELOPMENT - GORDON ROOM - 6.30PM

Draft Public Speaking Protocol to be discussed at the Worthing Planning Committee meeting held on Wednesday 22 January 2020.

**5 speakers for and 5 speakers against, with speaking limited to
5 minutes per speaker**

For speakers against the application:

Societies/organisations/resident groups initially limited to **2** speakers

Members of the public - **3** speakers

(If not taken up by the public, any other society/organisation or residents group not registered to speak will be allowed to speak to the limit of **5 minutes**)

For speakers in support of the application:

Applicant/agent initially limited to **2** speakers

Members of the public (including societies/organisations/residents groups) - **3** speakers

(If not taken up by the public or groups the applicant/agent can nominate another speaker and will be allowed to speak to the limit of **5 minutes**)

Ward Councillors and/or other Councillors (total of 3):

(3 Central - Cllrs J Deen, S Smith and P Westover)

5 minutes each

Deciding who speaks - Monday 2 March 2020

Those registered to speak will be chosen via a ballot system. Each person will be given a unique number and on **Friday 28 February 2020** the names of the registered speakers and some reserves will be selected by a random number generation process.

Anyone wishing to speak needs to register by **12 noon** on **Friday 28 February 2020** via email democratic.services@adur-worthing.gov.uk or 01903-221006.