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## PROTOCOL FOR PUBLIC SPEAKING AT PLANNING COMMITTEE

### ADUR DISTRICT COUNCIL

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### 1.0 INTRODUCTION

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Public speaking to object to or support planning applications at Adur District Council's Planning Committee is an established part of the Council's procedure.

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The following procedure shall be followed at the Planning Committee meetings for the purpose of enabling members of the public to make representations on planning applications. This Protocol supplements the Council Procedure Rules and the two should be read together

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### 2.0 AGENDA ITEM

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A Planning Officer will introduce the planning application and display any plans as well as bringing any new matters that have arisen since the agenda was prepared. Members may ask questions of the Planning Officer.

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### 3.0 PUBLIC SPEAKING

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Public speaking at meetings of the Adur District Council Planning Committee shall be allowed in respect of planning applications, including Conservation Area, Listed Building, Tree Preservation Order confirmation and Advertisement Consent Applications.

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Questions, statements and comments made by the public to the Planning Committee must be relevant to planning issues, including external design, appearance and layout of the development, impact on trees and nature conservation or overshadowing and privacy, Highway safety, Planning Policy and Government Guidance. Non relevant planning issues may include boundary disputes or other property rights, loss of property value or loss of a view, matters covered by other legislation, the applicants' motives, character or reputation.

4.0—Relevant representations will be accepted from Objector(s), Parish Councillor(s), Ward Councillor(s) or the Applicant or their representative and Supporters. The right to speak on planning applications is available to objectors, applicants and/or their agents and supporters, Parish Councils and Ward Councillors.

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The applicant (or their representative) has an opportunity to make representations in support of the application, but only if:

- the Officer's recommendation is to refuse; or
- there are Ward Councillors speaking against the application; or

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- ~~there are objectors speaking against the application; or~~
- ~~the Committee are minded to go against the Officer's recommendation for approval.~~

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~~If following consideration of the report and/or any objectors who were allowed to make comments without notice, the Committee is minded to overturn the Planning Officer's recommendation to approve, the application must stand adjourned to the next meeting to provide the opportunity for oral representations to be made.~~

~~Applicants will be notified of any such notice received. Speakers in support of an application may speak only in cases where one or the other parties is being heard at the meeting or where the recommendation is to refuse.~~

~~**2.0**—The rights to speak will apply to all planning applications including Conservation Area, Listed Building, Tree Preservation Order confirmation and Advertisement Consent Applications.~~

~~**3.0**—Advance notice of the intention to make representations must be provided to Democratic Services Officers, by email at [democratic.services@adur-worthing.gov.uk](mailto:democratic.services@adur-worthing.gov.uk), by noon on the working day prior to the date of the meeting. If a decision on the application is deferred to a future meeting, the individual having given appropriate notice, will be able to speak when the application is considered by the Committee again, without the need to give further notice of their intention to speak. The Director for Economy or Head of Planning shall write with details of the arrangements for public speaking to the applicant/agent, objectors and supporters, and the Parish Council who have made written representations, advising them of the date of the meeting when the application is due to be considered. However, where letters of representation are received just before the meeting there may be insufficient time to write. If necessary, in accordance with the principles in paragraph 1.0, the matter may stand adjourned.~~

~~If more than the maximum number of speakers give notice of their intention to make representations, those permitted will be taken in order in which their notice was received.~~

~~The order, and time allowed, for speaking at Adur District Council Planning Committee meetings will be as follows:-~~

~~**4.0**—A Planning Officer will introduce the planning application and display any plans as well as bringing any new matters that have arisen since the agenda was prepared. Members may ask questions of the Planning Officer.~~

~~5.0 Interested parties then have an opportunity to address Members. Objectors are to agree between themselves who addresses the meeting. At the Chairperson's discretion, more than one objector may be allowed to speak within the total permitted time for objectors, but only where new material issues are to be raised. Members of the Committee, through the Chairperson, may ask questions of the objectors only for the purpose of clarifying matters of fact already raised during the objector's presentation.~~

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~~6.0 Where both objectors and the applicant are to speak, the applicant shall follow the objectors. Members of the Committee, through the Chairperson, may ask questions of the applicant only for the purpose of clarifying matters of fact already raised during the applicant's presentation.~~

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~~7.0 Speakers will not have the right to expect other speakers, Officers or Councillors to respond directly to questions at the time they are asked (i.e. no cross-examination of other speakers).~~

~~8.0 Up to two Ward Councillors or, in exceptional circumstances with the agreement of the Chairperson, another Councillor, may address the meeting after any objectors and any Parish Council representative but before the Applicant. One Councillor may speak against the proposal and one in support of it. The Ward Councillors will be allowed a maximum time of 3 minutes each to speak.~~

~~9.0 Members of the Committee may receive legal and other professional advice as necessary during the proceedings.~~

~~10.0 In the interest of efficient despatch of business, the following rules regarding timing will apply:~~

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~~• A total time of 3 minutes shall be allowed for all objectors. Where the Chairperson permits more than one objector to speak, the time will be divided equally between the objectors (unless they come to some other arrangement between themselves).~~

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~~• A total time of 3 minutes shall be allowed for the applicant.~~

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~~• A total time of 3 minutes shall be allowed for the Parish representative.~~

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~~• A total time of 3 minutes shall be allowed for each Ward Councillor.~~

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~~• The total time allowed for public speaking shall be limited to a maximum of 6 minutes per application. In exceptional cases, these timings, and the time allowed for Parish Council and Ward Councillor representations, may be extended at the Chairperson's discretion. However, any extension for the Ward Councillor must be matched with an equal extension for the applicant. An exception may involve an abnormal weight of objections or support or particular complexity.~~

~~11.0 A person wishing to speak at a meeting of the Planning Committee must give advance notice of their intention to do so to the Head of Planning and to Democratic Services Officers. (Applicants may be given the right to speak notwithstanding that they have failed to give the required notice).~~

~~12.0 The Chairperson in consultation with the Committee may waive any of the requirements of this Protocol if satisfied on legal and professional advice that it is appropriate to do so in the circumstances, or in any event to change the order of speakers.~~

~~13.0 The order of speaking at the meetings will be:-~~

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		Total time allowed
<del>Planning Officer: To introduce the application and update the objections, letters of support received.</del>	<del>Not limited</del>	
<del>Objector(s)</del>	<del>Limited to a maximum of three speakers</del>	<del>Limited to 3 minutes per speaker</del>
<del>Parish Councillors Representative</del>	<del>A maximum of one Parish Councillor from the relevant Parish Council</del>	<del>Limited to 3 minutes</del>
<del>Up to 2 Ward Councillors (or 1 Ward Councillor and 1 adjacent Ward Councillor) or a Councillor/Ward Councillor</del>	<del>Subject to a maximum of one Councillor speaking in support of the application and a maximum of one Councillor speaking against the application, limited to:  Up to two Ward Councillors, or One Ward Councillor and an adjacent Ward Councillor, or with the agreement of the Chairperson, and subject to the Ward Councillors not wishing to speak, a maximum of two other Adur District Councillors.</del>	<del>3 minutes each</del>
<del>Applicant or agent representative and Supporters</del>	<del>Limited to a maximum of three speakers</del>	<del>Limited to 3 minutes per speaker</del>

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<del>Planning Officer to deal with any errors of fact which have arisen.</del>		Not limited
<del>The Committee will discuss the planning application, involving the Officers as necessary. There will be no further right for others to speak.</del>		Not limited

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There is no right for anyone to speak at a Planning Committee meeting, otherwise than in accordance with the above table. An individual may not speak a second time at a Planning Committee meeting, on the same application.

Speakers may address the Planning Committee Chairperson, but are not permitted to ask questions of other speakers, Officers or Members. Members and Officers can question speakers for clarification purposes only.

#### **4.0 DETERMINATION OF APPLICATION**

4.1 Following public speaking, Members of the Planning Committee will debate the planning application, involving professional Officers as necessary and appropriate. The debate should be governed by the Rules of Debate within the Council's Procedure Rules.

4.2 Members of the Planning Committee may receive legal and other professional advice as required during the Committee meeting.

#### **5.0 MISCELLANEOUS**

5.1 The Chairperson has the discretion to waive any of the requirements of this Protocol if satisfied on legal and professional advice that it is fair, reasonable and appropriate to do so in the circumstances.

5.2 This Protocol is formally adopted by Worthing Borough Council as part of its Constitution. It is to be reviewed at least once every 3 years.

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