

Extract from Draft Minutes of Planning Committee – 7 November 2023

“10. PUBLIC PARTICIPATION AT PLANNING COMMITTEE

The Borough Council’s arrangements for public participation at meetings of the Planning Committee had been reviewed with the purpose of allowing supporters and objectors equal opportunity to speak at the Committee meetings. The existing arrangements required 10 letters of objection before public speaking on an application was allowed. Under the proposals, this would change to a minimum of five representations, regardless of whether they supported or objected to an application.

The proposed amendments had been considered by the Corporate Governance Working Group and the Overview and Scrutiny Committee and were before the Planning Committee to consider the proposed changes.

The Chairman flagged up an error in the text of the report, and asked that the word ‘supporter’ be added consistently throughout. The Chairman noted this was missing from point 4.4 and 4.5, and asked Officers to thoroughly check the remainder of the document.

Following a suggestion by the Chairman to remove point 4.12, which stated the right to speak would only be exercised at the first meeting, it was agreed that point 4.13 would actually cover any need for public speaking to be allowed a second time on an application. The Committee agreed that very few applications came back in their original form and point 4.13 would allow public speaking for a second time if it was necessary.

The Committee asked that the wording in the Constitution make it clear that an objector or supporter could only speak if it was contrary to the Planning Officers recommendation. Under point 1.2 it was suggested it be re-worded to read “The number of objectors or supporters required, in contrary to the Officers recommendation, before a planning application qualifies for public speaking at the Planning Committee is five (5).”

It was clarified that details regarding the receipt of petitions had not been deleted, but had been expanded under point 2.41.

Councillor L Lyons, Planning Portfolio Holder, commented that the Planning Committee needed to be more accessible and commended all the work that had been done to update the Public Speaking at Planning Committee section of the Constitution. He cautioned making any changes that would see an increase in applications coming to the Committee for determination. There would be huge staffing changes at Woking Borough Council, and a lowering of service would need to be accepted. Councillor L Lyons also cautioned against a policy that allowed a member of the public to speak in support of an application, in addition to the applicant.

The Chairman commented that her understanding was that if the text ‘contrary to the Officers recommendation’ was added, this would mean that a supporter or the applicant could speak, not both. The current policy meant that public speaking was not allowed from the applicant/supporter if there was no one registered in objection, the new proposal would solve this. Thomas James, Development Manager, suggested that to address Councillor L Lyons concerns, he could change the wording in point 3.9 to state “Only one representor of the objectors or supporters/applicant would be allowed to make an oral presentation”. Mr James said that this would make it clear only one person could speak and he would also check whether there was reference elsewhere in the section where this would need to be added.

Amendments to Constitution – Public Speaking at Planning Committee

Following a question from the Committee, it was confirmed that if approved by Council in November, the changes would come into effect shortly afterwards.

RECOMMENDED TO THE STANDARDS AND AUDIT COMMITTEE FOR RECOMMENDATION THEREON TO COUNCIL That

- (i) the amended Public Participation at Planning Committee section of the Constitution (Appendix 2 to the report) be adopted, subject to the following changes;**
 - a) Any reference to ‘objector’ must be consistent with also reference to ‘supporter’ in the Public Speaking at Planning Committee section of the Constitution;**
 - b) Point 1.2 be re-worded to read “The number of objectors or supporters required, *in contrary to the Officers recommendation*, before a planning application qualifies for public speaking at the Planning Committee is five (5).”**
 - c) Amend point 3.9 and any other reference to read “Only one representor of the objectors or supporters/*applicant* will be allowed to make an oral representation.”**
- (ii) authority already delegated to the Monitoring Officer to make minor amendments to the Constitution, including amendments to references within the document and section numbering, be noted; and**
- (iii) the Monitoring Officer be instructed to make the agreed changes to the Constitution.”**