

Extract from Minutes of Overview and Scrutiny Committee – 16 October 2023

“Elements of the Council’s consultation were currently being reviewed and the Committee had before it details of changes drawn up around the public participation element of the Planning Committee. The objectives of the changes were to simplify the process and ensure that residents’ representations were treated equally, regardless of whether they supported or objected to a particular planning application. The proposals also recommended that the current threshold for public speaking – a minimum of ten objections to an application – should be reduced to a total of five representations.

The proposals had already been considered at a meeting of the Corporate Governance Working Group, at which the Members had suggested removing the threshold altogether. Officers had agreed to consider the proposal, noting that it could have a significant impact on the length of the Planning Committee meetings if there was the option to speak on every application. The Officers had undertaken to review whether greater Officer delegation could offset the impact on the Committee.

It was noted that the draft extract for the Constitution indicated that any representations received would be responded to by letter, albeit first class. It suggested that the options for communications should be widened to include responses by email to allow for the most appropriate form of written communication. The Committee welcomed the suggestion.

The Committee discussed the possibility of removing the threshold for representations though expressed some concerns over the impact this would have on the workloads of the Planning Committee and Officers. The possibility of restricting representations to residents only was discussed though it was noted that this could be to the detriment of applicants or agents who could be based outside of the Borough.

Reference was made to paragraph 1.2 of the draft constitution section which referred to the threshold figure of five. It was felt that the paragraph was unclear and the Committee agreed that the wording should be clarified to ensure that its meaning was no longer ambiguous. Above all, the Committee was keen to avoid the current arrangements for public speaking at the Planning Committee from becoming more complex.

It was noted that, under both the existing scheme and the proposed scheme, those making representations could, should they so choose, register to speak with the intention of preventing those wishing to support or object to the application from speaking. Officers advised that, although this was a risk, to-date such attempts had not occurred.

The Members welcomed the ambition to review the public participation at Planning Committee arrangements, and it was noted that the proposals, together with the comments from the Corporate Governance Working Group and the Overview and Scrutiny Committee, would be considered by the Planning Committee itself before a report was presented to the Standards and Audit Committee for recommendation to Council. In the meantime, the Members of the Committee could raise any questions outside of the Committee meeting.

RESOLVED

That the Committee support the amended Public Participation at Planning Committee section of the Constitution and that the Committee’s proposals be taken forward with the proposed scheme:

Amendments to Constitution – Public Speaking at Planning Committee

- (a) Paragraphs 1.2 and 2.2 of the draft wording be amended for clarity as follows (changes highlighted in bold):
- “1.2 The number of **representations** required before a planning application qualifies for public speaking at the Planning Committee is five (5).”
- “2.2 Public may speak on any application which attracts five (5) or more **representations**.”
- (b) Any reference to communications by letter to be revised throughout the Public Speaking at Planning Committee section of the Constitution to allow for the most appropriate form of written communication, namely by letter or by email.”