



PUBLIC SPEAKING PROTOCOL

May 2020

Introduction

1. The principle of whether or not public speaking should be allowed at Planning Committee meetings is a matter for each Local Authority to decide. Northumberland County Council has operated a system of public speaking since 2009, recognising that there should be opportunities for applicants, objectors and other interested parties to make presentations at Planning Committees. The purpose of public speaking at Committee is to provide third parties with the opportunity to reinforce or elaborate on the points made in written submissions on planning applications.
2. Speaking by the public at Planning Committee meetings shall be conducted in accordance with the following procedures.
3. This Protocol applies to public speaking at the following Committees:
 - Strategic Planning Committee
 - Planning Committee
4. The term 'Local Councillor' means a County Council Member or Members in whose electoral division the proposal is sited.

Who is allowed to speak?

5. Any third party, including Town and Parish Councils and other statutory and non-statutory consultees who have submitted written comments on an application may speak at Committee meetings. Those entitled to speak can nominate another person, with their consent, to speak on their behalf. Applicants/agents may also speak at Committee in support of their proposal.
6. A Local Councillor may also speak for or against a proposal being considered at Committee. If a Local Councillor is also a member of the Planning Committee but chooses to speak as Local Councillor, then they can take no part in the determination of that application. A Local Councillor who has a Members' Code of Conduct interest in relation to the application which would otherwise mean that they would have to withdraw from the meeting during consideration of the application cannot speak as a Local Councillor and must withdraw unless they have the benefit of a dispensation granted in relation to that interest.
7. In the event that a Local Councillor has to withdraw from the meeting in such circumstances another Member nominated by the Local Councillor so affected may speak in place of that Local Councillor. If a local Member is absent for the meeting, an officer (but not another Member) can read out a statement from the

local Member on their behalf during the public speaking slot. If however the statement is received in time for the late representations deadline, it will instead be circulated to the Committee as a late representation.

How much time will be allocated for speaking?

8. Five minutes for each of the following three speaking slots:

- Objectors
- Local Councillor and/or Town or Parish Council
- Applicant/supporters

These time limits will be strictly adhered to. Where the application has an impact on a neighbouring ward the five minutes allocated in the Local Councillor slot may be shared between the ward Councillor and the neighbouring ward Councillor with the agreement of the Chair and only in exceptional circumstances.

How many people can speak?

9. There may be cases where more than one person wishes to speak in each slot. If this arises the Council encourages the parties to nominate a spokesperson. If there is more than one person wishing to speak in any of the three time slots and a spokesperson cannot be nominated, the five minute time allocation will be divided between the speakers. The Council encourages speakers in each slot to liaise about the division of the time. If no agreement can be reached the time will be apportioned equally.
10. In cases where there is an exceptional degree of public interest in a particular application, the time allocated for public speaking may be extended at the discretion of the Committee Chair. In such circumstances all three slots will be extended by the same amount of time so that objectors, supporters and the Local Councillor/Town or Parish Council will be afforded equal periods of time to address the Committee.

How to register to speak at Committee

12. All third parties, Town/Parish Council's and consultees that have submitted written comments will be sent notification of their right to speak at Committee at least five working days prior to the Committee at which the application is to be considered. The applicant/agent will also be sent notification at least five working days prior to the relevant Committee.
13. Local Councillors will be sent the schedule of applications in their ward to be considered at Committee at least five working days prior to the Committee and

advised of their right to request to speak at the Committee.

14. Third parties, Town/Parish Council's, consultees and Local Councillors who wish to speak must notify Democratic Services before 12 noon the (working) day before Committee. Only those registering their request in accordance with this requirement will be allowed to speak at a Committee meeting.
15. This request must be made in person, by telephone or by e-mail, to Democratic Services. Democratic Services will then issue a registration number. This must be used in all subsequent correspondence about public speaking. If a decision on an application is deferred then third parties, Town/Parish Council's, consultees and Local Councillors who wish to speak when the application is next presented to Committee will have to re-register with Democratic Services.
16. If more than one objector or supporter requests to speak they will be able to request details of others wishing to speak in order to arrange a spokesperson or to divide the allocated time. Democratic Services should be informed of any such arrangements made.
17. Democratic Services will notify the applicant/agent of the list of public speakers by 3pm on the day before the Committee meeting. The applicant/agent must confirm with Democratic Services by 10am on the day of the Committee meeting whether they intend to take up the opportunity to speak at committee.
18. In cases where there is justifiable delay in registering to speak at a Committee meeting, the set time allocated to register may be extended at the discretion of the relevant Committee Chair.
19. Requests to speak at a Committee meeting can be withdrawn at any time.

Procedures at the Committee meeting

20. Those who wish to speak should arrive 15 minutes before the beginning of the meeting and will be met by the Democratic Services officer who will ask for confirmation of the registration number.
21. Any speaker not present when the application they are concerned with falls to be considered will lose their opportunity to speak.

Public speaking offers the opportunity to reinforce or elaborate on points already made in the comments submitted on the planning application. Speakers should not introduce new issues and should refrain from making statements that are not factual and cannot be corroborated as that could lead to deferral or a legally challengeable decision.

22. Speakers will also not be allowed to question officers or Members or enter into subsequent debate on the application. However Members will have the opportunity to seek clarification from Officers where necessary on points raised during public speaking once all the public speaking on an application has been heard.
23. Public speakers are not permitted to circulate additional material to the Committee, for example written material, photographs etc. They must restrict their contributions to oral address only.

Order of speaking

24. The planning officer will make a verbal presentation to the Committee and will provide any updates on the application.
 - The objector(s) will be asked to speak.
 - The Town/Parish Council representative and/or Local Councillor will then be asked to speak.
 - The applicant/supporter(s) will be asked to speak.
25. No questioning of a speaker is permitted. Having spoken, speakers may observe proceedings but may take no further part in the consideration of the application.

Determination of the application

26. The Committee Members may ask questions of the officers prior to a proposal being duly made and seconded. The application will then be debated by Members of the Committee with professional support from the officers present, and a decision made by the Committee. The Chair has a casting vote.

Remote or Virtual Meetings

27. Where a meeting is to be conducted, in whole or in part, on a remote or virtual means the ability for any third party to speak at Committee as outlined above under this Protocol will be suspended and an alternative written representation process will be used save that a Local Councillor shall still be able to speak as above.
28. Under this written representation process a person who would otherwise be entitled to speak at Committee will instead be entitled to submit the verbal representations (up to a maximum of 750 words) they would otherwise have wished to make at a physical meeting in writing, preferably by email to Democratic Services, by the deadline of 12 noon the (working) day before

Committee.

29. However, prior to the submission of any written representations in this way the person must first have registered their wish to do so in the same manner that they would register their wish to speak as outlined above (including an indication if they are for or against the application) but, in this instance, by the deadline of 12 noon THREE working days before the Committee.
30. The same time limits, as apply to verbal representations, will apply to written representations and, therefore, in the event that more than one person registers their wish to submit written representations (or a local member indicates that they wish to speak) the permitted maximum word count of 750 (and time as applicable where a local member wishes to speak) will be divided on an equal basis amongst those persons unless an alternative arrangement can be agreed between those persons and notified to Democratic Services in advance of the deadline for submission of written representations.
31. The register of those wishing to submit written representations will be available from Democratic Services for the purpose referred to in paragraph 30 above. Otherwise notification of the word count permitted to be used by each person on an equal and individual basis will be given as soon as possible following expiry of the deadline for registration.

For the purposes of this document, working days are classed as Monday to Friday, not including Bank Holidays.