

## Part 4.2 Planning Committee Procedure Rules

### 1. Introduction

- 1.1 Unless otherwise specified, the council procedure rules apply to all meetings of the Planning Committee in addition to the specific procedures set out below.

### 2. Procedure at the meeting

- 2.1 The order of planning applications on the agenda will be arranged to ensure that applications with public speakers are heard first.

- 2.2 The Chair will announce each application in turn.

- 2.3 If a member of the Planning Committee has ~~disclosed~~ a Disclosable Pecuniary Interest ~~or other non-pecuniary but prejudicial interest in relation to which directly relates to~~ a planning application, they must declare ~~disclose~~ their interest; unless they have a dispensation, they must not take part in the debate nor vote on the application; and will be asked to ~~they must~~ leave the meeting room until that application has been determined.

- 2.4 If a member of the Planning Committee has an Other Registrable Interest in relation which directly relates to a planning application, they must declare ~~disclose~~ their interest, and they must not take part in the debate nor vote and must leave the meeting room, unless they have a dispensation. If the planning application is available for public speaking, the committee member may speak for up to four minutes before leaving the meeting room.

- 2.5 If a member of the Planning Committee identifies that a matter has arisen in relation to a planning application that directly relates to their own financial interest or well-being, or that of a relative or close associate, they must disclose it. They may not take part in the debate nor vote and must leave the meeting room, unless they have a dispensation. If the planning application is available for public speaking, the committee member may speak for up to four minutes before leaving the meeting room.

If a member of the Planning Committee identifies that a matter has arisen in relation to a planning application that affects their own financial interest or well-being, or that of a relative or close associate, they must disclose it. If the matter affects them, or their relative or close associate, no more than the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would not affect their view of the wider public interest, they may remain in the meeting room and participate in the debate and vote. If the matter affects them, or their relative or close associate, more than the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect their view of the wider public interest, the member may not take part in the debate nor vote and must leave the meeting room, but if the planning application is available for public speaking, the committee member may speak for up to four minutes before leaving the meeting room.

- 2.36 The planning officer will make a presentation of the application to the Planning Committee, setting out the material planning considerations and policy framework under-pinning the officer recommendation, and reporting any late updates.
- 2.47 Where an application has triggered the public speaking scheme, registered speakers will have the opportunity to address the meeting for a maximum of four minutes: the eObjector will go first, then the sSupporter (usually the applicant or their agent), followed by the town/parish council representative, ~~and finally the Ward Councillor.~~
- 2.58 Each speaker will have up to ~~four~~4 minutes to make a statement unless they have chosen to share their time with another speaker in the same category in which case the clock will run continuously for both speakers.
- 2.69 At the conclusion of public speaking, any councillors who are not members of the Planning Committee but who have given notice to the Democratic Services Officer by noon on the day of the meeting that they wish to make a statement, will be invited to speak for up to 4 ~~four~~ minutes each.
- 2.10 ~~Where a the ward councillor~~ for a planning application who is not a member of the Planning Committee addresses the committee in this way, they shall also have the right speak again towards the end of the eCommittee's debate to clarify any matters raised.
- 2.11 Where a ward councillor for a planning application is a member of the Planning Committee, they are excluded from taking part in the debate and vote on that planning application. They must step away from the Planning Committee to the public speaking area, and may address the Committee for up to four minutes and they shall also have the right speak again towards the end of the Committee's debate to clarify any matters raised.
- 2.712 To begin the Planning Committee's consideration of a planning application, the Chair will ask Planning Committee members if they have any questions for the planning officer(s) and/or legal representative. ~~The committee members will then consider the planning application and ask any questions of the officers.~~
- 2.13 At the conclusion of members' questions, the Chair will ask the Committee for a motion (to approve, refuse, defer) without a requirement to follow the officer's recommendation. The mover of the motion should be allowed to speak to their motion as they present it, but they could also leave that until later if they prefer. A seconder is required for the debate to proceed.
- 2.14 A motion that is contrary to the officers' recommendation must include clear and valid reasons on planning grounds. The officer will provide advice to the committee on the reasons for refusal.
- 2.15 The Chair should move a motion (ideally in line with the officers' recommendation) if no other motion comes forward.
- 2.16 Members should focus their contributions on their agreement (short contributions) or disagreement (longer, but still to the point) with the motion in front of them.
- 2.17 Once all contributions from the Planning Committee have been made, the Chair should invite Ward councillors to make any concluding remarks of clarification.
- 2.18 The Chair will call the vote. If the motion falls, the process starts again.
- ~~2.8 — The planning officer and/or solicitor will be allowed to make any concluding points.~~

~~2.9 — The committee will vote on any proposition or amendment which has been moved and seconded, for example to amend, add or remove conditions, or to defer consideration.~~

~~2.10 — The Chair will move the officer's recommendation as set out in the report as amended by the committee (if applicable), and the committee will vote on that recommendation.~~

~~2.11 — If a motion to approve the officer's recommendation fails, the Chair will invite the committee to propose an alternative recommendation, with planning reasons. The Planning Officer and/or solicitor will be given the opportunity to explain the possible implications of a contrary decision prior to a vote being taken.~~

### **3. Public speaking at Planning Committee**

3.1 The arrangements for public speaking at Planning Committees are set out in the Council's Public Speaking Procedure Rules at Part 4.7 of this Constitution.