

PLANNING BUILDING CONTROL AND LICENSING SERVICES

PROTOCOL FOR PUBLIC SPEAKING AT PLANNING COMMITTEES AND SUB-COMMITTEES

Kirklees Council has two Planning Sub Committees, each meeting on a 4 weekly cycle. The Planning Sub Committee (Heavy Woollen Area) usually meets in Dewsbury Town Hall, and the Planning Sub Committee (Huddersfield Area) usually meets in Huddersfield Town Hall. These are both sub-committees of the Planning & Highways Committee. The meetings commence at 1.00pm. Both venues have public seating areas, where members of the public are able to observe how the decisions on planning applications are made.

Less than 10% of all planning applications are decided at Committee/Sub-Committee. Most are determined by Officers within a delegation scheme as agreed by the Council. However, the applications that are decided by Councillors are usually the most contentious, often relating to large development sites, or proposals that have attracted a lot of public interest. Members of the public are able to address the Planning Committee/Sub-Committee on any application which they are to consider in order to present their own views on the application. Applicants for planning permission and/or their representatives are also allowed to present their views to the Committee/Sub Committee.

If you wish to speak at a Committee/Sub Committee meeting, please aim to arrive by 12.45pm in order to register before the meeting begins. The Town Hall Reception staff will be able to direct you to where the meeting is being held.

The Governance Officer present at the meeting will ask to know your name, the application on which you wish to speak and the capacity in which you will be speaking. Please note that it is not possible to register by telephone prior to the meeting.

You should not normally circulate documents to the Committee/Sub-Committee in support of your presentation that you have not previously made available to the planning case officer responsible for the relevant planning application at least 48 hours before the start of the Committee/Sub-Committee meeting (eg. for meetings commencing at 1pm on Thursdays, the deadline for receipt of additional documents/information etc will be 1pm on the previous Tuesday). This is because all parties may not have time adequately to respond to and address the issues raised in those submissions. In particular, members of the committee are unlikely to be able to give proper consideration to the matters raised and officers are unlikely to be able to provide considered advice on any material considerations. The planning case officer will ensure that the additional information/documents are circulated to all members of the Committee/Sub-

Committee in advance of the meeting.

Procedure for the Meeting

- The Chair will begin the meeting at 1.00pm. There will be a number of constitutional items on the agenda that will be dealt with first. The Committee/Sub Committee will then progress to consider the schedule of Planning Applications.
- At the beginning of each application the Chair will indicate which application is to be dealt with. The Planning Officer will make a short presentation and propose their recommendation. Chair will then invite members of the public who have registered to speak to address the Committee/Sub-Committee. The Chair will have a list of speakers who have indicated that they want to comment on the application, and he/she will call your name at the appropriate time. Local residents and objectors will be called to speak first, followed by any other interested parties, for example, applicants or their agents.
- Your case should be concisely made, concentrating on the 'planning' issues that the Members of the Planning Committee/Sub-Committee can take into account, such as,
 - *The planning history of the site*
 - *The visual impact of the development*
 - *Effect on public amenity*
 - *Access, traffic and highway considerations*
 - *The impact on listed buildings, conservation areas, or protected trees.*
- Matters that cannot be taken into account include,
 - *Effect on property values*
 - *The character or identity of the applicant*
 - *Boundary or property disputes*
 - *How the application affects a view (as opposed to the wider affect on public amenity)*
 - *Issues of commercial competition*
- Your presentation to the Committee/Sub-Committee should reinforce and amplify the representations on the application that you have already made to the Council in writing.

Once all representations have been made, the Committee/Sub-Committee will

then consider the application. Officers may be asked for more information, or to respond to specific questions, but further comments from members of the public, applicants or agents will not normally be taken, unless the Chair invites further comment. Voting on an application will normally be by a show of hands. However, in some instances, the Chair with the support of two other members of the Committee/Sub-Committee, may request that a recorded vote is taken.

Please note;

- You will have a maximum of three minutes to present your case to the Sub Committee and a visible timing system will be in operation to assist you. (unless you are an elected member to whom CPR 36 is applicable). The Chair may have to ask you to conclude your presentation if the allotted time has been exceeded.

(Councillors who attend committee as observer under Rule 36 of the Council Procedure Rules or members of the committee who choose to make representations as ward councillor rather than participate in the determination of an application will be bound by the relevant time limits set out in CPR 36).

- You will not normally be permitted to make power point presentations.
- The number of people who will be allowed to speak is at the Chair's discretion, and his/her decision is final. If there are a large number of attendees who wish to comment on the same application, the Chair may ask the group involved to organise a representative so that the case for/against may be put collectively.
- Any representations should be directed to the Councillor who is 'Chairing' the meeting. By convention, this person is addressed as 'Chair'. If you refer to a Member of the Council, then the correct way to do this is to refer to them as 'Councillor (surname)'. Dialogue between members of the public and Members of the Committee or Officers is not permitted once the meeting has started.
- Direct questioning of individual committee members or officers will not be permitted. Any comments must be made to the Chair of the Committee.
- You should not pass messages to members of the Planning Committee before, during or after your presentation.

Agenda for the Meeting

The agenda for the meeting is available one week in advance of the meeting and can be viewed on the Kirklees Website. If you require any assistance in accessing the information, or would like to receive a hard copy of a report, please contact

the Governance Officers whose details are provided.

An update is also usually circulated prior to the beginning of the meeting. This will provide details of any amendments made to the applications, further consultation responses and representations received since the formal agenda was published, and may include legal advice from officers to councillors on any issues that have been raised in those representations. However, the update should be brief and not raise wholly new issues.

Additional Information

Decisions on planning applications can be challenged by the applicant making an appeal to the Secretary of State. In the English planning system, third parties e.g. objectors to the application, have no rights of appeal against the decision but may in appropriate circumstances seek to have the decision judicially reviewed in the High Court.

However, the Local Government Ombudsman can investigate any claims that the Council did not follow its own procedures, or allegations of impropriety. Ask a Council Officer for more information if you are considering approaching the Ombudsman.

Contacts:

Governance Team

Heavy Woollen Area Sub-Committee (Andrea Woodside)	01484 221715
Huddersfield Area Sub-Committee (David Gordon)	01484 221714

Planning Services

Development Control	01484 414746
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Legal Services

Heavy Woollen Area Sub-Committee (Jo Kingham Slater)	01484 221504
Huddersfield Area Sub-Committee (Deborah Wilkes)	01484 221503