



<b>Report for:</b>	<b>Development Management Committee</b>
<b>Date of meeting:</b>	<b>18 January 2017</b>
<b>Part:</b>	<b>1</b>
If Part II, reason:	

<b>Title of report:</b>	<b>Proposed changes to Development Management Committee</b>
Contact:	Andrew Horner, Group Manager for Development Management  Katie Mogan, Member Support Officer
Purpose of report:	To consider amendments to the Constitution and the general running of the committee to change the rules of the Committee to ensure they are more time efficient and all business can be determined prior to the 10.30pm cut off time.
Recommendations	To agree the amendments proposed and recommend to Council for approval.
Corporate objectives:	Delivering an efficient and modern council -  The changes will make the committee more efficient and bring into line with other surrounding Council's planning committees.
Implications:  'Value For Money Implications'	There are no financial implications arising directly from the recommendations in this report.  By making the suggested changes proposed, all business on the agenda can be dealt with at the meeting reducing the need for extra meetings which takes up more of officers' and member's time.
Risk Implications	Currently, there is a risk of challenges from members of the public regarding unequal treatment of speakers.
Consultees:	Jim Doyle, Democratic Services Group Manager  Mark Brookes, Solicitor to the Council  Christopher Gaunt, Legal Governance Team Leader  Councillor Andrew Williams, Leader of the Council

	Councillor Graham Sutton, Portfolio Holder for Planning and Regeneration  Councillor Fiona Guest, Chair of DMC  Councillor C Wyatt-Lowe, Vice-Chair of DMC
Background papers:	None
Glossary of acronyms and any other abbreviations used in this report:	DMC – Development Management Committee

## 1. Background

- 1.1 This report contains proposed changes to the running of the DMC to ensure it is more time efficient and fairer for members of the public.
- 1.2 Council approved the last round of changes on 22<sup>nd</sup> February 2017. The number of meetings was reduced from 17 to 12 a year and a 10.30pm cut off time was implemented.
- 1.3 Since the cut off time was introduced and the reduced number of meetings begun in May 2017, five out of seven meetings have gone beyond 10.30pm by up to 30 minutes.
- 1.4 Research has been undertaken into surrounding councils to find out the rules of their planning committees.
- 1.5 Some of these changes will require a change to the Constitution whereas others are changes to the running of the committee.
- 1.6 In order to make sure all business on the agenda is determined before the cut off, the following changes are being proposed:

## 2 Change 1: To change the time limit of speakers from five minutes to three minutes and allow only one speaker per category.

- 2.1. Currently, the Constitution states that:  
*For each planning application, which is subject of consideration at the meeting, a maximum period of five minutes will be allocated for each of the following to address the meeting, on a 'first come first served' basis:*

*Town/Parish Council and Neighbourhood Associations  
Objectors to an application  
Supporters of the application*

- 2.2. This change would mean reducing the speaker time to three minutes and only allowing one speaker per each of the categories above.

- 2.3. At the moment, if all speaker slots were taken both for and against an application, the total time given to speakers would be 23 minutes. By reducing the time to three minutes and only allowing one speaker per category, this would reduce the maximum speaker time to 14 minutes.
- 2.4. It is not uncommon to have three people speaking and sharing five minutes meaning the same arguments are often repeated. The time is not used efficiently and this could be improved by asking speakers if they are happy to leave their contact details with Member Support. If other speakers wish to register, Member Support could ask them to contact the first registered speaker to produce a more coherent and effective statement for their case.
- 2.5. See Appendix A for a comparison with surrounding councils.

**3 Change 2: If an application is recommended for approval, only objectors can invoke public speaking and then supporters can present their case. Applicants can only invoke speaking rights where the application recommended for refusal.**

- 3.1. If an application is recommended for approval, public speaking can only happen if an objector registers to speak and then a supporter has the right to reply.
- 3.2. This would be the same if an application is recommended for refusal; only a supporter can invoke public speaking.
- 3.3. The following table shows how many applications had just speakers in support when the application was recommended for approval since May 2017:

<b>Date of meeting</b>	<b>Number of applications</b>
25 May	3
15 June	5
13 July	5
17 August	1
14 September	3
12 October	2
16 November	4

3.4 It is considered that in order to ensure equal treatment applicants should only speak where an application has been recommended for refusal; this would then trigger an opportunity for objectors to speak. It is very rare for an application recommended for refusal with such cases normally being delegated to officers: there have been no applications recommended for refusal reported to DMC in the last 6 months.

**4 Change 3: Reduce Ward Councillors time limit from 10 minutes to five minutes.**

- 4.1. Council approved allocating 10 minutes for Ward Councillors to speak in February 2017.
- 4.2. No ward councillor has used the full 10 minutes to speak.

- 4.3. Councillors are only allocated five minutes to speak at Full Council so it is proposed to bring the DMC time limits in line.
- 4.4. Furthermore, this would reduce the maximum time for speakers on one application (as stated in 2.3) to 14 minutes.

**5 Change 4: Stop the questioning of speakers after their allocated time.**

- 5.1. This seems to have become common practice at DMC but it is not set out in the Constitution.
- 5.2. Speakers are given their permitted time slot to speak and by members questioning them, they are getting more time to present their case which is not fair to the opposing speakers. The public participation element of a meeting should not be a debate with the public and at the committee in October, the first application went on for over an hour due to the sheer number of questions that members asked.
- 5.3. Questions should be directed to the case officer. If members would like clarification on an issue that the case officer cannot answer, it will be at the Chair's discretion to ask the speaker.
- 5.4. Of the 14 councils that responded to the email enquiring about their planning committee, 12 councils do not allow any questioning of the speakers (see Appendix B)

**6 Change 5: Change the deadline to register to speak from 12 noon on the day of the meeting to 5pm the day before the meeting.**

- 6.1. This is to allow for a completed list of speakers to be considered at the Chair's briefing on the morning of the meeting.
- 6.2. This will also allow planning officers to reorder the agenda to allow for those applications with speakers to be heard first.

**7 Change 6: Stop members of the public distributing material at the meeting.**

- 7.1. Although this does not significantly increase the length of the meeting, it does mean more tidying up for the Member Support Officer at the end of the meeting and extends the time they are working.
- 7.2. Furthermore, it does not seem fair that members must take on extra information and listen to the speaker at the same time. This has happened at previous meetings and members have decided to defer the application as they have not received all the information. Also, opposing speakers do not get sight of this new information.
- 7.3. It is proposed that if speakers wish to distribute material to members then this must be done before 5pm on the Wednesday before the meeting, in line with the speaker deadline, so this material can be distributed alongside the addendum and can be accessed by all on the website.
- 7.4. See Appendix B.

**8 Change 7: Planning officers must keep their presentations to 5 minutes for major applications and 3 minutes for all other applications.**

- 8.1. This is another measure to ensure all applications on the agenda can be heard and determined before the 10.30pm cut off.