

Part 4B

Code of Practice for Councillors and Officers dealing with Planning Matters

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1. Introduction

This Code of Practice applies to all councillors and officers who become involved in the planning system. It is not, therefore, restricted to Planning Committee members and planning officers. The successful operation of the planning system relies on mutual trust between councillors and officers and an understanding of each of the others' roles. It also relies on each acting in a way that is not only fair and impartial but also clearly seen to be so.

2. The need for guidance

- 2.1 Planning is not an exact science. Rather, it relies on informed judgement within a firm policy context. It is also highly contentious because its decisions affect the daily lives of everyone and the private interests of individuals, landowners and developers. This is heightened by the openness of the system (it actively invites public opinion before taking decisions) and the legal nature of development plans and decision notices. It is important, therefore, that the process is characterised by open and transparent decision making.
- 2.2 One of the key purposes of the planning system is to control development in the public interest. In performing this role, planning necessarily affects land and property interests, particularly the financial value of landholdings, and the quality of their settings. It is important, therefore, that the council, as a local planning authority, should make planning decisions affecting these interests, openly, impartially, with sound judgement and for justifiable reasons. The process should leave no grounds for suggesting that a decision has been partial, biased or not well-founded in any way.

3. Status of the code of practice

- 3.1 This code of practice takes account of the council's Code of Conduct for Councillors (the Code of Conduct), the Royal Town Planning Institute's (RTPI) Code of Professional Conduct, the findings of the inquiries into the conduct of other Local Planning Authorities, advice issued by the Local Government Ombudsman and the National Planning Forum. In particular, it is based on the guidance issued by the Local Government Association (LGA) on a local code for dealing with planning matters issued in 2014.
- 3.2 The Code of Conduct is a general document and does not provide any detailed and specific guidance on what matters a councillor is entitled to take into account when dealing with planning matters, what is proper behaviour with an applicant, nor about being lobbied or lobbying others. This code of practice provides more specific guidance and is concerned with the integrity of the planning system. It is designed to give the public greater confidence that the council is keen to operate fairly and openly. It is advisory and complementary to the Code of Conduct.

4. The general role and conduct of councillors and officers

- 4.1 Councillors and officers have different, but complementary, roles. Both serve the public but councillors are responsible to the electorate, while officers are responsible to the council as a whole. Officers advise councillors and the Council and carry out the council's work. They are employed by the council, not by individual councillors, no matter what position these councillors hold, and it follows that instructions may only be given to officers through a Council or Committee decision. A successful relationship between councillors and officers can only be based upon mutual trust and understanding of each other's positions supported by good communication. This relationship, and the trust which underpins it, must never be abused or compromised.
- 4.2 Both councillors and officers are guided by codes of conduct. The Code of Conduct provides guidance and standards for councillors. Breaches of this code of practice may be regarded as maladministration by the Local Ombudsman. All the council's officers are bound by the council's Code of Conduct for Employees. This forms part of their terms and conditions of employment. Breaches of the code are dealt with under the council's disciplinary rules. Officers who are Chartered Town Planners are guided by the RTPI Code of Professional Conduct. Breaches of that Code may be subject to disciplinary action by the Institute.
- 4.3 The Code of Conduct covers issues central to the preservation of an ethical approach to council business, including the need to register and declare interests (see next section), but also appropriate relationships with other councillors, staff and the public, which will impact on the way in which councillors participate in the planning process. Of particular relevance to councillors serving on Planning Committee or who became involved in making a planning decision (where full Council deals with a planning application) is the requirement that a councillor: "must not in their official capacity, or any other circumstances, use their position as a councillor **improperly** to confer on or secure for themselves or any other person, an advantage or disadvantage;" (Paragraph 5(a) of Code of Conduct).

The basis of the planning system is the consideration of private proposals against wider public interests. Much is often at stake in this process, and opposing views are often strongly held by those involved. Whilst councillors should take account of these views, they should not favour any person, company, group or locality, nor put themselves in a position where they appear to do so. **Councillors who do not feel that they can act in this way should consider whether they are best suited to serve on Planning Committee.**

- 4.4 Councillors should also be very cautious about accepting gifts and hospitality. The Code of Conduct requires any councillors receiving any gift or hospitality, **in their capacity as councillors**, over the value of £50, to provide within 28 days of its receipt written notification of the details to the Monitoring Officer. Such details will go in a register of gifts and hospitality, which will be open to inspection by the public.

- 4.5 Officers must always act impartially. In order to ensure that senior officers do so, the Local Government and Housing Act 1989 enables restrictions to be set on their outside activities, such as membership of political parties and serving on another council. The council carefully considers which of its officers are subject to such restrictions and reviews this regularly. During the course of carrying out their duties, officers may be offered hospitality from people with an interest in a planning proposal. If possible, such offers should be declined politely. If receipt of hospitality is unavoidable, officers should ensure it is of the minimum level and declare its receipt as soon as possible. This should be made in their service's hospitality book to record such offers and whether or not they have been accepted. Each book is regularly reviewed by the Monitoring Officer.

5. Declaration and registration of interests

- 5.1 The Localism Act 2011 and the Code of Conduct place requirements on councillors on the registration and declaration of their interests and the consequences for the councillor's participation in consideration of an issue, in the light of those interests. These requirements must be followed scrupulously and councillors should review their situation regularly. Guidance on the registration and declaration of interests may be sought from the Monitoring Officer. Ultimate responsibility for fulfilling the requirements rests individually with each councillor.
- 5.2 Under the terms of the Code of Conduct (Section 3 of Part 4A of this Constitution) a register of councillors' interests will be maintained by the Monitoring Officer, which will be available for public inspection. A councillor must provide the Monitoring Officer with written details of relevant interests within 28 days of adoption of the statutory local code, or within 28 days of his election, or appointment to office. Any changes to those interests must similarly be notified within 28 days of the councillor becoming aware of such changes.
- 5.3 The Code of Conduct defines and sets out a disclosable pecuniary interest in Section 3. A disclosable pecuniary interest relating to an item under discussion requires withdrawal of a councillor from the Committee, unless a dispensation can be sought from the Chief Executive and the Dispensation Sub-Committee.

If a councillor has a non-pecuniary personal interest they should disclose that interest but then may speak and vote on that particular item. This includes being a member of an outside body; mere membership of another body does not constitute an interest requiring prohibition.

It is always best to identify a potential interest early on. If a councillor thinks that they may have an interest in a particular matter to be discussed at Planning Committee they should raise this with their Monitoring Officer as soon as possible.

See Appendix 1 for a flow chart of how councillors' interests should be handled.

- 5.4 It can be seen that these provisions of the Code of Conduct are an attempt to separate out interests arising from the personal and private interests of the councillor and those arising from the councillor's wider public life. Councillors should think about how a reasonable member of the public, with full knowledge of all the relevant facts, would view the matter when considering whether the councillor's involvement would be appropriate. The emphasis is on a consideration of the perception of the public, acting reasonably and with knowledge of the facts. In the end, however, the decision will be for the councillor alone to take.

6. Predisposition, predetermination and bias

Members of the Planning Committee and the Local Plan Steering Group (or Full Council when the local plan is being considered) need to avoid any appearance of bias or of having predetermined their views before taking a decision on a planning application or on planning policies.

The courts have sought to distinguish between situations which involve predetermination or bias on the one hand and predisposition on the other. The former is indicative of a 'closed mind' approach and likely to leave the Committee's decision susceptible to challenge by Judicial Review.

Clearly expressing an intention to vote in a particular way before a meeting (predetermination) is different from where a councillor makes it clear they are willing to listen to all the considerations presented at the Committee before deciding on how to vote (predisposition). The latter is all right, the former is not and may result in a court quashing such planning decisions and puts the council at risk of being ordered to pay the costs.

Section 25 of the Act also provides that a councillor should not be regarded as having a closed mind simply because they previously did or said something that, directly or indirectly, indicated what view they might take in relation to any particular matter.

This reflects the common law position that a councillor may be predisposed on a matter before they come to Committee, provided they remain open to listening to all the arguments and changing their mind in light of all the information presented at the meeting.

Nevertheless, a councillor in this position will always be judged against an objective test of whether the reasonable onlooker, with knowledge of the relevant facts, would consider that the councillor was biased. For example, a councillor who states: "Wind farms are blots on the landscape and I will oppose each and every wind farm application that comes before the Committee" will be perceived very differently from a councillor who states:

“Many people find wind farms ugly and noisy and I will need a lot of persuading that any more wind farms should be allowed in our area.”

If a councillor has predetermined their position, they should withdraw from being a member of the decision-making body for that matter. This would apply to any member of Planning Committee who wanted to speak for or against a proposal, as a campaigner (for example on a proposal within their ward). If the council rules allow substitutes to the meeting, this could be an appropriate option. It should be noted that the council’s constitution only permits councillors to sit on Planning Committee if they have attended and received the appropriate up-to-date planning policy and probity training.

Leading members of a local authority who have participated in the development of planning policies and proposals need not and should not, on that ground and in the interests of the good conduct of business, normally exclude themselves from decision-making committees.

7. Development proposals submitted by councillors and officers and development by the council

- 7.1 All proposals by serving and former councillors and officers and their close relatives and all proposals by the council itself will be determined by Planning Committee. No such proposals will be dealt with under officers’ delegated powers. A councillor or an officer who has submitted a planning application will take no part in the determination of that application or the process leading to the determination of that application.
- 7.2 All councillors or officers who submit a planning application or who have an application submitted on their behalf shall ensure that they notify the Chief Officer for Growth and Investment and the Monitoring Officer in writing of that submission.
- 7.3 All applications by a councillor or officer which are reported to Planning Committee will be designated as a councillor or an officer application on the report to the Committee.
- 7.4 Serving councillors who act as agents for people pursuing a planning matter with the council shall take no part in the processing or determination of that application.
- 7.5 A councillor would undoubtedly have a disclosable pecuniary interest in their own application and should not participate in its consideration. They do have the same rights as any applicant in seeking to explain their proposal to an officer, but the councillor as applicant should not seek to improperly influence the decision.
- 7.6 Proposals for the council’s own development should be treated with the same transparency and impartiality as those of private developers.

8. Lobbying of and by councillors

- 8.1 Lobbying is a normal and perfectly proper part of the political process. Those who may be affected by a planning decision will often seek to influence it through an approach to their elected ward councillor or to a member of Planning Committee. It is essential for the proper operation of the planning system that local concerns are adequately ventilated, and this can be done effectively through local elected representatives.
- 8.2 However, such lobbying can, unless care and common sense are exercised by all the parties concerned, lead to the impartiality and integrity of a councillor being called into question. If Planning Committee members express an opinion, they should make it clear that they will only be in a position to take a final decision after having heard all the relevant evidence and arguments. That evidence and argument will relate to planning considerations and not the personal circumstances of individuals.
- 8.3 Councillors and members of Planning Committee in particular, need to take account of the general public's (and the Ombudsman's) expectation that a planning application will be processed and determined in an open and fair manner, in which councillors taking the decision will take account of all the evidence presented before arriving at a decision, and that to commit themselves one way or another before hearing all the arguments makes them vulnerable to an accusation of partiality. It is a formal administrative process involving rules of procedure, rights of appeal and an expectation that people will act reasonably and fairly. There is an added possibility that an aggrieved party may seek judicial review on the way in which a decision has been arrived at; or to complain to the Local Government Ombudsman on grounds of maladministration; or to the Monitoring Officer that a councillor has breached the Code of Conduct.
- 8.4 In reality, of course, councillors will often form a judgement about an application early on in its passage through the system, whether or not they have been lobbied. The difficulty created by the nature of Planning Committee's proceedings as set out in the paragraph above is that members of the Committee should not openly declare which way they intend to vote in advance of the planning meeting, and before hearing evidence and arguments on both sides.
- 8.5 Political reality suggests that it is often important to distinguish between the role of a Planning Committee member who is, and one who is not, a ward councillor for the area affected by a particular planning application. A Planning Committee member who does not represent the ward affected is in an easier position to adopt an impartial stance, however strong his or her feelings about the application may be, and to wait until the Committee meeting before declaring one way or another.
- 8.6 A Planning Committee member who represents a ward affected by an application is in a difficult position if it is a controversial matter around which a lot of lobbying takes place. If the councillor responds to lobbying by deciding

to go public in support of a particular outcome – or even campaigning actively for it – it will be very difficult for that councillor to argue convincingly, when the Committee comes to take a decision on the application, that they have carefully weighed the arguments presented – perhaps in some respects for the first time – at the meeting.

If any councillor whether or not a Committee member speaks on behalf of a lobby group at the decision-making Committee they shall withdraw once any public or ward councillor speaking opportunities have been completed in order to counter any suggestion that members of the Committee have been influenced by their continuing presence.

- 8.7 It should be evident from the previous paragraphs that it is very difficult to find a form of words which conveys every nuance of these situations and which gets the balance right between the duty to be an active local representative and the requirement when taking decisions on planning matters to take account of all arguments in an open-minded way. It cannot be stressed too strongly, however, that the striking of this balance is ultimately the responsibility of the individual councillor.

The following points are, however, offered as guidance:

- Given that the point at which a decision on a planning application is made cannot occur before Planning Committee meeting, when all available information is to hand, and has been duly considered, any political group meeting prior to the Committee meeting should not be used to decide how councillors should vote. The view of the ombudsman in relation to the former national code was that the use of political whips to seek to influence the outcome of a planning application could amount to maladministration. There is nothing in the Code of Conduct which would serve to change this advice.
- With the exception in some circumstances of ward councillors, whose position has already been covered in the preceding paragraphs, councillors should in general avoid organising support for or against a planning application, and to avoid lobbying other councillors. Such actions can easily be misunderstood by parties to the application and to the general public.
- Councillors should not put improper pressure on officers for a particular recommendation, and, as required by the Code of Conduct, should not do anything which compromises, or is likely to compromise, their impartiality.
- Applications that would normally be determined under officers' delegated authority can be called in by councillors for determination by Planning Committee. Councillors should make such requests in writing or by email to the case officer by the deadline of the original consultation period for the particular application (usually 21 days). Councillors should state the reasons for the call-in request in writing which should refer solely to material planning considerations.

- 8.8 Councillors who are unsure as to whether an interest should be declared should seek the advice of the Monitoring Officer, although, as indicated above, the decision rests with the councillor.
- 8.9 Councillors who are not members of Planning Committee will have greater freedom than Committee members. They are still however bound by the Code of Conduct as explained in paragraphs 4.2 to 4.4 of this Code of Practice. Should they act as substitutes for Committee members or be called upon to determine an application at Full Council then the guidance set out in this section will apply in relation to any applications which they are called upon to determine.

9. Pre-application discussions

- 9.1 Discussions between a potential applicant or their agent and the council prior to the submission of an application can be of considerable benefit to both parties. However, it would be easy for such discussions to become, or be seen (especially by objectors) to become, part of a lobbying process.

Through the Localism Act, and previously the Local Government Association (LGA) and the Planning Advisory Service (PAS), recognise that councillors have an important role to play in pre-application discussions, bringing their local knowledge and expertise, along with an understanding of community views. Involving councillors can help identify issues early on helps councillors lead on community issues and helps to make sure that issues don't come to light for the first time at Committee. PAS recommends a 'no shocks' approach.

The Localism Act, particularly Section 25, by endorsing this approach, has given councillors much more freedom to engage in pre-application discussions. Nevertheless, in order to avoid perceptions that councillors might have fettered their discretion, such discussions should take place within clear, published guidelines.

- 9.2 In order to avoid such problems, pre-application discussions should take place within the following guidelines. Although the term "pre-application" has been used, the same considerations should apply to any discussions which take place before a decision is taken or where, following a decision, there are discussions about amendments or changes to a proposal:
- It will be made clear at the outset that the discussion will not bind the council to making a particular decision and that any views expressed are personal and provisional. By the very nature of such meetings not all relevant information will be to hand, neither will formal consultations with interested parties have taken place.
 - Advice will be consistent and based upon the development plan and material considerations. There will be no significant difference of interpretation of planning policies between planning officers. In addition, all officers taking part in such discussions will make their decision making role clear.

- Officers should be present with councillors in pre-application meetings. Councillors should avoid giving separate advice on the development plan or material considerations as they may not be aware of all the issues at an early stage. Neither should they become drawn into any negotiations, which should be done by officers (keeping interested councillors up to date) to ensure that the authority's position is co-ordinated.
- An officer will make a written note of all meetings. A note should also be taken of any telephone discussions. Notes should record issues raised and advice given. The note should be placed on the file as a public record. If there is a legitimate reason for confidentiality regarding a proposal, a note of the non-confidential issues raised or advice given can still normally be placed on the file to reassure others not party to the discussion.
- Care must be taken to ensure that advice is impartial.

9.3 The council has other mechanisms to involve councillors in pre-application discussions including:

- Committee information reports by officers of discussions to enable councillors to raise issues, identify items of interest and seek further information;
- developer presentations to Committees which have the advantage of transparency if held in public as a Committee would normally be (with notes taken); and
- ward councillor briefings by officers on pre-application discussions

Similar arrangements can also be used when authorities are looking at new policy documents – particularly when making new site allocations in emerging development plans – and wish to engage with different parties, including councillors, at an early stage in the process.

The Statement of Community Involvement will set out the council's approach to involving communities and other consultees in pre-application discussions. Some authorities have public planning forums to explore major pre-application proposals with the developer outlining their ideas and with invited speakers to represent differing interests and consultees.

As well as being transparent, these forums allow councillors and consultees to seek information and identify important issues for the proposal to address, although still bearing in mind the need to avoid predetermination.

10. Officers' reports to committees

It is important for the council to be able to demonstrate in its decision making that there has been adequate consideration of all the relevant issues, consistency and clear reasoning leading to the decision. Officers' reports to Committee will, therefore:

- be in writing
- be accurate and cover the substance of objections and other responses of those who have been consulted
- contain clear references to the relevant development plan policies, relevant parts of the National Planning Policy Framework (NPPF), site and related history and any other material planning considerations
- have clear recommendation for approval with conditions or a refusal with reasons
- set out the material planning considerations and technical appraisals which justify the recommendation

If the report's recommendation is for a departure from the development plan the material considerations which justify the departure must be clearly stated. This is not only good practice, but also failure to do so may constitute maladministration or give rise to a judicial review challenge on the grounds that the decision was not taken in accordance with the provisions of the development plan and the council's statutory duty under Section 38A of the Planning and Compensation Act 2004 and Section 70 of the Town and Country Planning Act 1990.

11. Public speaking at Planning Committee

The council has a Protocol on Public Speaking at Planning Committee and councillors attending Planning Committee, whether as a public speaker or as a member of Planning Committee should abide by the procedures set out in the Protocol – see Appendix 2.

New documents should not be circulated to the Committee; councillors may not be able to give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material considerations arising. This is made clear to those who intend to speak as it is contained in the protocol.

Messages should never be passed to individual Committee members, either from other councillors or from the public. This could be seen as seeking to influence that councillor improperly and will create a perception of bias that will be difficult to overcome.

If any councillor or ward councillor, whether or not a Committee member, speaks at the decision-making Committee, they shall withdraw once any public or ward councillor speaking opportunities have been completed in order to counter any suggestion that members of the Committee may have been influenced by their continuing presence.

12. Decisions contrary to officers' recommendation

- 12.1 The law requires that decisions should be taken in accordance with the development plan, unless material considerations (which specifically include the NPPF) indicate otherwise (Section 38A Planning and Compensation Act 2004 and Section 70 of the Town and Country Planning Act 1990). This applies to all planning decisions. Any reasons for refusal must be justified against the development plan and other material considerations. The courts have expressed the view that the Committee's reasons should be clear and convincing. The personal circumstances of an applicant or any other material or non-material planning considerations which might cause local controversy will rarely satisfy the relevant tests.

Planning Committees can, and often do, make a decision which is different from the officer recommendation. Sometimes this will relate to conditions or terms of a Section 106 obligation. Sometimes it will change the outcome, from an approval to a refusal or vice versa. This will usually reflect a difference in the assessment of how a policy has been complied with, or different weight ascribed to material considerations.

- 12.2 Planning Committee is under no obligation to follow the advice of officers. There must always, however, be clear and convincing planning reasons for the Committee's decision. Therefore, if Planning Committee makes a decision contrary to the officers' recommendation (whether for approval or refusal) a detailed minute of the Committee's planning reasons should be made and a copy placed on the application file. The officer should also be given the opportunity to explain the implications of the contrary decision before it is taken.

13. Committee site visits

The purpose of a visit to an application site is to clarify and gather information on planning issues relating to the site. It is not to provide a forum for debate and discussion on the merits of the application.

The following points may be helpful:

- Visits should only be used where the benefit is clear and substantial; officers will have visited the site and assessed the scheme against policies and material considerations already.
- The purpose, format and conduct should be clear at the outset and adhered to throughout the visit.
- Where a site visit can be 'triggered' by a request from the ward councillor, the 'substantial benefit' test should still apply and material planning reasons must be given when making the request.
- Keep a record of the reasons why a site visit is called.

A site visit is only likely to be necessary if:

- the impact of the proposed development is difficult to visualise from the plans and any supporting material, including photographs taken by officers;
- the comments of the applicant and objectors cannot be expressed adequately in writing; or
- the proposal is particularly contentious.

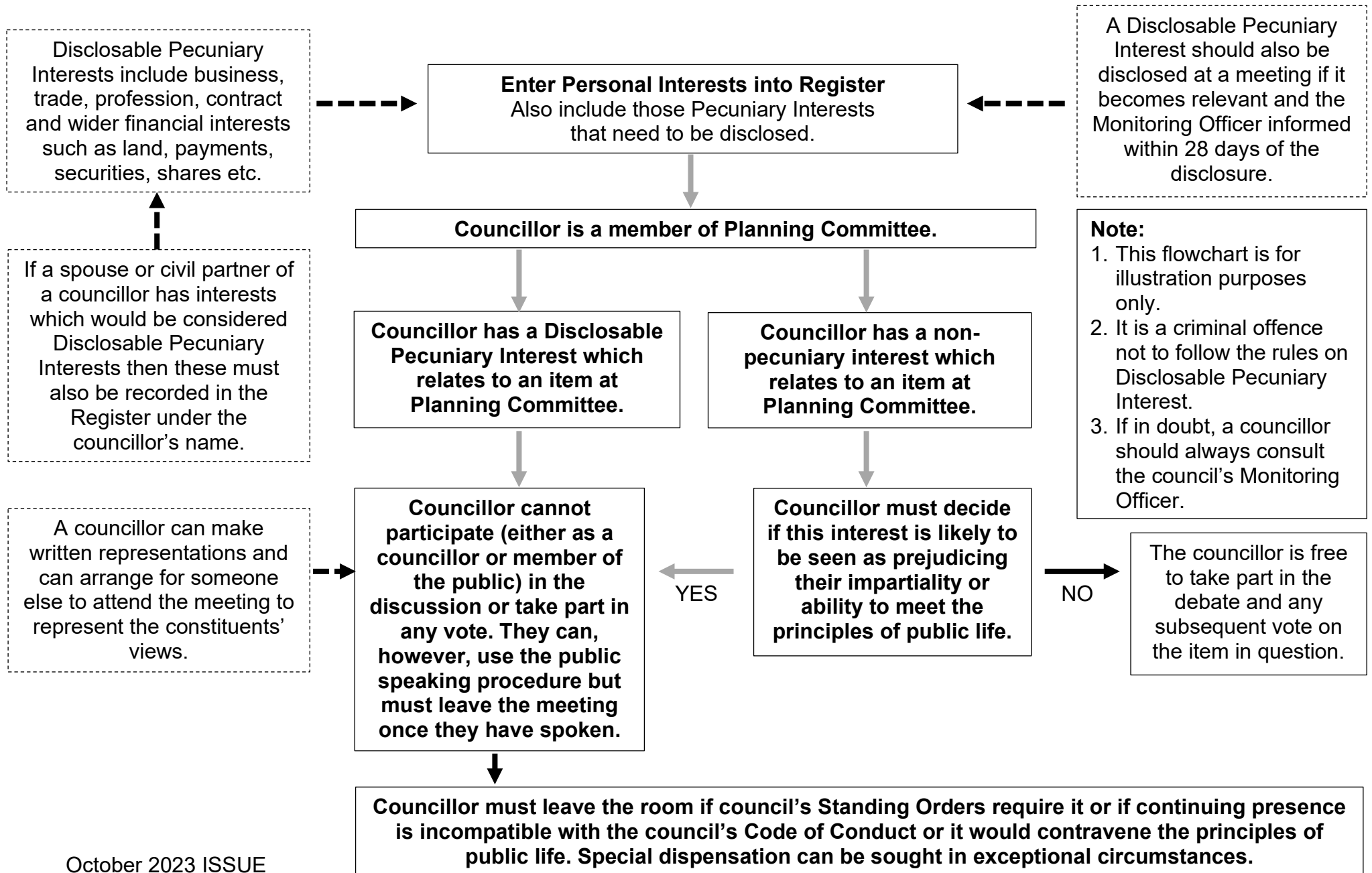
Therefore, Committee site visits will be conducted subject to the following criteria:

- (a) A site visit is for the purpose of viewing the site and ascertaining facts. In advance of each meeting of Planning Committee, a planning officer will prepare a list of applications where a councillor has requested a site visit. The Committee will consider this list and decide which site visits will be held. The site visits for those applications will then take place on the same day as the meeting at which the application appears for determination. This will not prevent the Committee from determining that any other application which comes before it should be subject to a site visit.
- (b) Authorised attendance at a site visit shall be limited to members of Planning Committee, a representative of the Chief Officer for Growth and Investment and the applicant and his or her representative.
- (c) There shall be no discussion of the merits of any application during the site visit. Such discussion will only take place at a meeting of the Committee.
- (d) Applicants or their representative shall not be permitted to make representations to members of the Committee during a site visit. They may, however, give any purely factual information which is requested by councillors through the representative of the Chief Officer for Growth and Investment and which cannot be ascertained by viewing alone.
- (e) At the start of the site visit the chair of Planning Committee or the representative of the Chief Officer for Growth and Investment will explain and make clear to all those attending the Code's requirements for the conduct of site visits.

14. Breaches of this code of practice

- 14.1 Unless it is appropriate to refer them direct to the Police any alleged breaches of the Code of Conduct will be referred to the Monitoring Officer. The Monitoring Officer will consider whether the breach is sustained and will issue advice and guidance and, if appropriate, recommend action to be taken to the Council or party groups.

Appendix 1 – Flowchart of Councillors’ Interests



Protocol on public speaking at Planning Committee

1. These procedures shall only relate to planning applications and consents that are to be determined by Planning Committee and are not applicable to other matters that are reported to Planning Committee such as appeals, enforcement matters and performance reports or those matters that are exempt to the public.
2. In the interest of fairness and to enable proper and effective debate, the chair will have the discretion to waive or vary the rules of procedure and debate however this discretion should only be used in exceptional circumstances.
3. The right to speak at Planning Committee will be highlighted on site and press notices and in the notes attached to neighbour consultation letters that are sent to all residents that are adjudged to be affected by a particular development as well as the letter of acknowledgement that is sent to the applicant or their agent when an application is made valid. The letters and notices will highlight that should the proposal be decided by Planning Committee they may have the opportunity to speak to the Committee in accordance with the council's procedures before the Committee comes to a decision on the matter. Members of the public who respond to planning consultations or applicants/agents will not be directly invited to speak at Committee. It will be incumbent on third parties and the applicant to monitor the progress of a particular application and whether the application will be going before Planning Committee for a decision (usually through contact with the case officer) and registering to speak at the relevant Committee.
4. Members of the public who wish to speak at Planning Committee can either be objectors or supporters. One speaker from each category will be allowed to speak for a total of three minutes. This will be based on a first come first served basis. If there is more than one person wishing to speak, a group can be formed. It is up to the first speaker to arrange this, however, if permitted by all parties, the council will assist in providing the first speaker with the telephone numbers of the other applicants. Those wishing to speak must have made written representations on the material planning matters they wish to speak on before the meeting. Ward councillors can also speak at Planning Committee for three minutes. Ward councillors will also need to register in accordance with sections 6 and 7 below and provide a copy of their written representations to Democratic Services.
5. A total of one objecting speaker/group and one supporting speaker/group can speak at a Planning Committee meeting. If a parish council wishes to speak they will have to register in the same way that members of the public have to either as a supporter or objector. If a ward has more than one ward councillor and each ward councillor has registered to speak on an application in their ward, unless they have agreed to nominate one of them as a spokesperson, all two or three (as the case may be) may speak, at the discretion of the chair.

6. Those eligible to speak at Planning Committee, including the ward councillor, the applicant and the agent, must register to speak with Democratic Services at the Town Hall by any of the following methods:
 - Email: planningspeaking@rugby.gov.uk
 - Telephone: 01788 533591
 - Post: Democratic Services, Rugby Borough Council, Town Hall, Evreux Way, Rugby CV21 2RR
 - In person at the main reception at the Town Hall

A form will be made available to register the request to speak. The form will be available to download from the internet or to collect from the council's reception. Guidance will also be available regarding speaking at Planning Committee on the internet or from the council's reception. Those wishing to speak can register to speak at any time following the validation of the planning application.

7. The deadline to apply to speak at Planning Committee meeting is by 12 noon on the Monday before the meeting when the Committee is at its conventional time on a Wednesday evening. In any other case it would be by 12 noon two working days before a Planning Committee meeting. Requests to speak made after this deadline will not be accepted. It will be incumbent on the applicant/agent and third parties to monitor the progress of an application to establish whether it is being decided by the council's Planning Committee or under the council's delegation arrangements.
8. Those wishing to speak must provide the following information:
 - Details of the application they wish to comment on (reference number and address)
 - Category: Objector/supporter
 - Full name and address
 - Email address
 - Contact telephone number
 - Preferred method of contact
 - Agreement to share information if more than one speaker
 - Agreement to comply with the regulations for public speaking at Planning Committee
9. A total of three minutes will be allocated to each speaker/group. Speakers will be advised to direct their presentation to reinforcing or amplifying the representations they have already made in writing and to restrict their comments to material planning considerations only. No additional information can be raised at Planning Committee meeting if it has not been formally submitted in writing to the case officer by no later than three working days prior to the meeting (by the Friday evening when Committee is on a Wednesday).
10. Speakers will not be given the option to use any visual aids. This includes photographs, slideshow presentations and handouts. No new documents shall be circulated at the Committee meeting.

11. A list of those people who are eligible to speak to the Committee will be drawn up by Democratic Services and provided to the chair prior to the commencement of the meeting.
12. The order of speakers at Committee will be as follows:
 - The planning officer will introduce the application
 - The objector will speak
 - The supporter/applicant/agent will speak
 - The ward councillor will speak
 - The officer can address any material issues arising from the speakers comments and accept any questions from councillors
13. Where the officer's recommendation is for approval, the option to speak in support of the application at Planning Committee meeting will only be available if a submission to speak in opposition of the application has been made.
14. Where the officer's recommendation is for refusal, the option to speak in opposition of the application at Planning Committee meeting will only be available if a submission to speak in support of the application has been made.
15. Where the officer's recommendation is for refusal, the option to speak in support of the application at Planning Committee meeting will be available even if no submission to speak in opposition of the application has been made.
16. Where the officer's recommendation is for approval, the option to speak in opposition of the application at Planning Committee meeting will be available even if no submission to speak in support of the application has been made.
17. Agents/spokespersons acting on behalf of third parties or the applicant may make a statement on their behalf.
18. Democratic Services will time the speakers using a stopwatch. A warning will be given 30 seconds before the end of the three minutes. If the speaker goes beyond the three minute deadline it would be expected that the chair would bring the speech to an immediate but polite end.
19. At the end of presentations the Planning Officer shall address any material planning considerations before the Committee debate the application and come to a decision.
20. Any person who addresses the meeting as part of the public speaking process will not be able to take part in the debate, nor ask questions of the Committee or officers. If any councillor or ward councillor, whether or not a Committee member, speaks at the decision making Committee they shall withdraw once any public or ward councillor speaking opportunities have been completed in order to counter any suggestion that members of the Committee may have been influenced by their continuing presence.