

Report of Chief Planning

Report to Joint Plans Panel

Date: 11 July 2019

Subject: Public Speaking Protocol and Guide to Pre Application Presentations at Panel

Are specific electoral wards affected? If yes, name(s) of ward(s):	☐ Yes ☒ No
Has consultation been carried out?	☐ Yes ☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes ☒ No
Will the decision be open for call-in?	☐ Yes ☒ No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	☐ Yes ☒ No

Summary

1. Main issues

1. Public speaking has been a feature at the Plans Panel meetings in Leeds for a number of years. In recent years opportunities have increased for public speaking at the pre application stage and at position statements as well as final determination.
2. From time to time the protocol is reviewed and revised to take into account best practice and the protocol has been reviewed in spring 2019 to ensure it is up to date and fit for purpose. Following some feedback at a recent Panel meeting, it was agreed that it was timely to review the protocol again.
3. A number of small changes have been made in the interests of Plain English, but more fundamental changes are recommended in relation to the order in which supporters and objectors speak and in agreeing common terminology for those in favour of applications and those against; this is in the interest of transparency.
4. A document referred to in the public speaking protocol is the Protocol for Pre Application Presentations; this too has been reviewed for currency and readability and a number of changes have also been recommended.

5. Changes to the protocol can be approved by the Chief Planning Officer as a delegated decision in consultation with Joint Plans Panel.
6. Following some customer feedback it is proposed to create a guide or note for the public on the order of business and order of public speaking in the interest of transparency.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

3. The development management service contributes to all of the Council's Best City Priorities either directly or indirectly through the delivery of high quality homes and through sustainable place making to deliver safe, strong communities. Its work in delivering planning permissions for social housing and assisted living accommodation as well as delivering permissions for new schools, supports the Council to meet its ambitions. Through working with other Council services, development management also facilitates, through the legal agreement process, employment opportunities for local people. The planning process is closely tied with the health and wellbeing agenda and through the implementation of the policies in the Core Strategy, contributes to providing healthy environments for the residents of Leeds and its visitors to have access to and to enjoy.

4. Resource Implications

- There are no specific implications arising from this report. However, measures are taken to ensure that the service is delivered within budget.

Recommendations

- a) Members are asked to note this report and note the amendments to the public speaking protocol and the guide to pre application presentations at the plans panel meetings and agree to the production of short explanatory notes for the public attending Panel meetings to help them formulate their address.

1. Purpose of this report

- 1.1. This report describes the suggested changes to the Public Speaking Protocol and Protocol for Pre Applications Presentations at the Plans Panel meetings and is part of the Chief Planning Officers consultation with the Joint Plans Panel.

2. Background information

- 2.1. Public Speaking has been a feature of the Plans Panel meetings in Leeds for several years, providing local people, community representatives and ward members the opportunity to address the Plans Panel to share their views and thoughts on development proposals.
- 2.2. In Leeds, there is public speaking on pre application presentations, position statements and at the final determination stage.
- 2.3. Some feedback at a recent South and West Plans Panel meeting highlighted the potential difficulty for members of the public to follow and understand meetings and

the process, in particular in relation to the order of speakers. Following this feedback and in discussion with Panel Chairs, it was timely to revise the Protocol.

1. Main issues

- 1.1 The Council's provisions for public speaking on planning applications at the Plans Panels are contained within the Public Speaking Protocol, part 5h of the Council's Constitution.
- 1.2 The latest revisions seek to further clarify the existing provisions in the protocol by minor Plain English wording changes in the interests of transparency. However, more significant changes are proposed in relation to the order in which speakers make their representations at Panel and the terminology used. These revisions have been made in response to recent customer feedback at a South and West Plans Panel meeting about the difficulty understanding the procedure of public speaking and recent administrative misunderstandings on the order of speakers, leading to confusion at the Panel meeting.
- 1.3 The current protocol makes speaking provision for objectors and supporters of the *officer's recommendation*; where an application is recommended for approval, the speaker against the recommendation that is the objector to the application would speak first, followed by the speaker for the recommendation (subject to the exceptions). However, where the application is recommended for refusal, the applicant would speak first, as they are the speaker against the recommendation. As mentioned above this has led to some confusion.
- 1.4 The proposed changes seek to clarify and simplify terminology and now refer to *objectors and supporters of the application* and standardise the running order of speakers; objectors to an application will always speak first, followed by supporters of the application (often the applicant), again subject to the exceptions in the protocol. This maintains the applicant's right to reply but also provides improved clarity and certainty for members of the public who are trying to follow the meeting, who may also be participating as speakers.
- 1.5 The proposed changes are attached as appendix 1.

2. Protocol for pre application presentations at plans panel

- 2.1 The public speaking protocol makes reference to the *Protocol for pre application presentations at plans panel*, which has also been reviewed. There are minor changes and mainly relate to points of clarity and the removal of the image of an out of date leaflet (the content of which has since been reviewed and updated).
- 2.2 The main change is changing the title to *Guide to pre application presentations at plans panel meetings*. This reflects its weight as a guidance note for applicants, rather than as a formal document within the constitution.

3. Guidance note

- 3.1 Again, reflecting on the feedback, it is also proposed to produce a short explanatory leaflet/ guide for people attending the Plans Panel meetings to explain proceedings, order of business and order of public speaking in the interests of clarity and transparency. This will be produced in consultation with the Joint Member Officer Working Group

3.2 It was also agreed to produce some information for speakers in advance of the Panel meeting to help speakers formulate their address to members, with a focus on what is material and what cannot be taken into consideration.

4. Corporate considerations

4.1 Consultation and engagement

4.1.1 Both documents have been reviewed by the Executive Board Member, Plans Panel Chairs, Legal Services and the Joint Officer Member Working Group.

4.2 Equality and diversity / cohesion and integration

4.2.1 There are no specific issues arising from this report, however, the new process provides greater clarity of approach for the public, aiding transparency in the planning process for all service users.

4.3 Council policies and the Best Council Plan

4.3.1 The effective and expedient determination of planning applications contributes to the overall prosperity of the City and plays a key part in the regeneration and growth agenda. Public involvement and engagement is a key part of the determination of planning applications.

Climate Emergency

4.3.2 There are no specific issues arising from this report

4.4 Resources, procurement and value for money

4.4.1 The development management service is delivered with the constraints of the budget and these changes will not place any further financial burdens on the service

4.5 Legal implications, access to information, and call-in

4.5.1 No identified issues

4.6 Risk management

4.6.1 The proposed approach reduces risk at Plans Panel meetings, by following a clearly understood order of proceedings for members of the public, thereby reducing the risk of accusations of impropriety.

5. Conclusions

5.1 Largely the changes suggested have been made in the interests of clarity and Plain English, but the change of order to the speaks are Panel provides a consistent approach at meetings and hopefully makes following the order of business easier for member of the public.

- 5.2 The change of name of the pre application presentation guidance note reflects the weight attached to the document in that it does not form part of the Constitution, but is a service guide to the process and proceedings at Panel of pre application presentations. Again, this is in the interests of clarity of approach and transparency.
- 5.3 Information leaflets or guides for members of the public will also be produced to help them formulate their address to Panel, describing what can be taken into consideration and what is not material and information will be available at the Panel meeting describing the Panel process, making it easier for the public to follow proceedings.

6. Recommendations

- 6.1 Members are asked to note this report and note the amendments to the public speaking protocol and the guide to pre application presentations at the plans panel meetings and agree to the production of short explanatory notes for the public attending Panel meetings to help them formulate their address.

7. Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.