

## MALDON DISTRICT COUNCIL

### PUBLIC QUESTION TIME AND PARTICIPATION AT COUNCIL AND COMMITTEE MEETINGS

#### The Scheme and How it Operates

##### At Council meetings

A period of 10 minutes will be set aside at an early point on the agenda for meetings of the Council only for public questions. Questions can be asked generally of the Leader of the Council or through the Leader to Chairmen of Committees. Prior notice is required of questions – in writing and to be received by the Programmes, Performance and Governance Manager (email: [committee.clerk@maldon.gov.uk](mailto:committee.clerk@maldon.gov.uk)) no later than Noon two clear working days before the day of the Council meeting. In addition questions must -

- relate to a matter within the local authority's responsibility or which affects the District;
- not be defamatory, frivolous, vexatious or offensive;
- not be the same or substantially the same as another question to the same meeting or anything so put in the last six months;
- not involve the disclosure of confidential or exempt information.

A formal and public record of requests to ask questions will be kept. Requests rejected, and the reasons for rejection will also be recorded. Questions to be received will be published and circulated at the meeting.

A period of two minutes will be allowed for the reading of each question (by the questioner if present, but not in the case of remote attendance) and the response.

There will be no discussion on questions put unless it is formally moved and agreed that the subject matter should be referred to a Committee, again without discussion.

##### At Planning Committee meetings

Members of the public have the opportunity to put their views on a planning application direct to meetings of the District Planning Committee and the three Area Planning Committees.

This will apply only to those applications that are to be determined by those includes all applications for planning permission under Part III of the Town and Country Planning Act 1990 (as amended) and related legislation, and for Listed Building and Conservation Area Consent under the Planning (Listed Buildings and Conservation Areas) Act 1990.

The opportunity will be open to applicants and their agents, supporters, objectors, and also appointed representatives of Parish / Town Councils. Where consideration of an application is deferred for any reason public speaking will be allowed again when the Committee resumes its consideration prior to a decision.

This is intended to supplement rather than replace representations in writing. All representations on planning applications must first be made in writing and will continue to be taken into account with equal weight in the decision-making process.

Planning Services will communicate with applicants / agents, Parish and Town Councils, and all persons who have submitted written representations to advise them of the relevant arrangements.

All requests to speak must be notified to a Committee Clerk or Planning Officer between 7.00pm and 7.20pm prior to the start of the meeting.

The opportunity to speak will occur as part of the consideration of each planning application, and the normal way of proceeding will be as follows:

- a) The Planning Officer to present the application to the Committee and update as necessary.
- b) The Chairman to announce details of those who wish to speak.
- c) Participants will be called in the following order:
  - Objector;
  - Supporter;
  - Representative of Parish / Town Council;
  - Applicant / Agent (or supporter in their absence).
- d) Where there are several people wishing to express substantially the same, they will be invited to appoint a single spokesperson who may be able to cover all the points and will be asked to announce who it is he or she represents. In the absence of agreement over this, and in the interests of the proper and efficient conduct of the meeting, the Chairman may decide to allow no participation at all.
- e) Each participant will be allowed no more than two minutes to make a statement.
- f) Participants may not ask questions directly of individual Members or Officers.
- g) There will be no discussion between participants and the Committee Members. The Chairman may however find it necessary on occasions to seek clarification from participants in relation to what they have said.
- h) Participants will not be allowed to distribute or display papers, plans, photographs or other material to accompany their submissions.
- i) Where an application for planning permission is followed on the agenda by a related application for listed building consent or conservation area consent, an opportunity to speak will be allowed provided participants confine their comments to the particular issues raised by that related application. The opportunity to speak will occur only once in relation to duplicate (often referred to as “twin track”) applications.
- j) All contributions will be conducted strictly through the Chairman whose ruling on any point of procedure will be final. The Chairman will indicate when the opportunity for public speaking on an application has finished, following which the Committee will continue with its deliberations without further public involvement.
- k) Where planning applications are referred to the District Planning Committee by an Area Planning Committee, the opportunity for public speaking will occur at both Committees.

### Advice for participants

*Please think about what you propose to say and try to keep your statement brief and to the point. The Chairman will not allow comments he/she considers to be abusive, defamatory, discriminatory or otherwise inappropriate.*

*It will help the Committee to receive views that are relevant to planning issues such as –*

- *Impact on the character of the area;*
- *External design, appearance and layout;*
- *Impact on neighbouring properties;*
- *Highway safety;*
- *Planning policy and Government guidance.*

*It will be unhelpful to the Committee to receive views on such issues as –*

- *Business competition;*
- *Boundary disputes or private rights;*
- *Speculation/developers' motives;*
- *Moral arguments;*
- *Matters dealt with under separate legislation.*

### **Public participation at other Committee meetings**

A period of ten minutes will be set aside at an early point on the agenda for meetings of the Strategy and Resources, Performance, Governance and Audit, Licensing and Overview and Scrutiny (including meetings of the Crime and Disorder Committee) Committees during which members of the public, for no more than two minutes each, may express views on matters of business due to be considered.

All requests to speak will be taken on a 'first come, first served' basis and notified to the Committee Clerk between 7.00pm and 7.20pm prior to the start of the meeting.

It should be noted that participants will not be allowed to distribute or display papers, plans, photographs or other material.

The ultimate management of all public participation facilities, including time limits, will be entirely at the discretion of the Council or Committee Chairman.

For further information please contact Committee Services via email [committee.clerk@maldon.gov.uk](mailto:committee.clerk@maldon.gov.uk).

### **Remote Attendance**

In relation to meetings of the Strategy and Resources, Performance, Governance and Audit, Licensing, Overview and Scrutiny, District Planning and Area Planning Committees that are held with remote attendees the references to expressing a view can be done only in writing providing it is received by the Programmes and Performance and Governance Manager by noon on the working day preceding the meeting. No participation shall take longer than 2

minutes to be read nor is there any obligation on the Chairman to allow the reading of any or all of them.