PUBLIC SPEAKING PROTOCOL

MALDON DISTRICT COUNCIL

PUBLIC QUESTION TIME AND PARTICIPATION AT COUNCIL AND COMMITTEE MEETINGS

PUBLIC QUESTIONS AT COUNCIL MEETINGS

A period of 10 minutes will be set aside at an early point on the agenda for meetings of the Council to receive public questions. Questions can be asked generally of the Leader of the Council or through the Leader to the Chairperson of a Committee. Prior notice is required, in writing and must be received by the Director of Legal and Governance no later than 12 noon two clear working days before the day of the Council meeting. The online Public Access form should be used for submitting questions and for requesting permission to speak at other Committee meetings as set out below. In addition, questions at Council meetings 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 that are rejected, together with the reasons for rejection will also be recorded.

Questions received in accordance with these requirements 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 for 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, without further discussion.

SPEAKING AT PLANNING COMMITTEE MEETINGS

Members of the public have the opportunity to put their views on a planning application directly to meetings of the Planning Committee. 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.

This will apply only to those applications that are to be determined by the Planning Committee, which includes all applications for planning permission under Part III of the Town and Country Planning Act 1990 (as amended) and related legislation, and applications 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, appointed representatives of Parish / Town Councils and District Councillors who are not members of the Planning Committee. Where consideration of an application is deferred (except where the Committee is minded to overturn an Officer's recommendation) public speaking will be allowed again when the Committee resumes its consideration before making a decision.

The Development Management service will communicate with applicants / agents, Parish and Town Councils, District Councillors not on the Planning Committee, and all persons who have submitted written representations to advise them of the relevant arrangements.

All requests to speak must be received by the Director of Legal and Governance by no later than 12 noon on the working day before the day of the meeting by completing the online Public Access Form.

Any District Councillor wishing to speak in person should notify the Chairperson and Committee Services (committee.clerk@maldon.gov.uk) by no later than 30 minutes before the start of the meeting.

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

a) The Planning Officer will present the application to the Planning Committee and update as necessary.

b) The Chairperson 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;
- District Councillors who are not members of the Planning Committee;
- Applicant / Agent.

d) Where there are several participants wishing to express substantially the same views, 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 they represent. In the absence of agreement and in the interests of the proper and efficient conduct of the meeting, the Chairperson may decide to allow no participation at all.

e) Each participant will be allowed no more than five 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. However, the Chairperson may occasionally need 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 Chairperson whose ruling on any point of procedure will be final. The Chairperson 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.

Advice for participants (at the Planning Committee)
Please think about what you propose to say and try to keep your statement brief and to the point. The Chairperson will not allow comments they consider 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 may express views on matters of business due to be considered for no more than two minutes each.

All requests to speak must be received by the Director of Legal and Governance by no later than Noon on the working day before the day of the meeting by completing the online Public Access Form.

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

REMOTE ATTENDANCE

All Council and Committee meetings will continue to be live streamed on the Council's YouTube channel for those wishing to observe remotely.

As well as physical attendance, public participants wishing to speak remotely at a meeting can do so via Microsoft Teams (by request to Committee Services) following submission of an online Public Access Form. This does not apply to District Councillors.

FURTHER INFORMATION

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

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

The **Public Access Form** can be found here - Public Access – Fill in form.