

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 28 MAY 2009

PUBLIC SPEAKING AT PLANNING DEVELOPMENT CONTROL COMMITTEE MEETINGS

Report by: Kevin Gardner, Solicitor and Monitoring Officer

Summary:

At its meeting on 26 June 2008 the Authority considered a report on, and subsequently approved, the proposed public speaking procedure at **Annex 1** for use during a trial period of at least six meetings of the Planning Development Control Committee. It was agreed that, at the end of the trial period, the Authority would assess the practicality and appropriateness of adopting this practice on a permanent basis.

Recommendation:

Subject to any amendments agreed at the meeting, to confirm the adoption of the public speaking procedure at Annex 1 for use at meetings of the Planning Development Control Committee on a permanent basis and to replace the existing procedures in Schedule 3, Part 2 of the Authority's Standing Orders.

Paper:

NFNPA 300/09:	Cover paper
NFNPA 300/09 Annex 1:	Public speaking procedures for Planning Development Control Committee Meetings
NFNPA 300/09 Annex 2:	Speaking procedure flowchart

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1. Introduction

- 1.1 At its meeting on 26 June 2008 the Authority considered a report on, and subsequently approved, the public speaking procedure at **Annex 1** for use during a trial period of at least six meetings of the Planning Development Control Committee. This pilot was introduced following feedback from a small number of applicants who had spoken at meetings of the Planning Development Control Committee who indicated that they believed it would have been helpful to the Committee if they were given a right of reply after objectors had spoken, to enable them to respond to new issues raised or to correct errors of fact.
- 1.2 A flowchart providing guidance on the various stages in the public speaking procedure has also been compiled and is attached as **Annex 2**.

2. Member feedback

- 2.1 Following December's Committee meeting, all members of the Planning Development Control Committee were invited to comment on how they felt the trial period had been working and whether they wished the procedure to continue in its current form or felt it should be amended.
- 2.2 Nine members of the Committee submitted feedback on the pilot, with seven supporting the continuation of the current public speaking procedure.
- 2.3 In general members supporting continuation of the procedure felt that it worked well and that it reduced the potential for aggrievement when decisions did not go in favour of the speaker. They noted that very often speakers did not take up the option to speak again when it was offered, but that when speakers did, it was unlikely to change the opinion of members or affect the outcome.
- 2.4 One member felt that there was too much "back and forth" and recommended a review of seating arrangements during the public speaking phase.

- 2.5 The main point of opposition to the procedure was that it played into the hands of professionals giving them the final word and the opportunity to disparage the officers if they felt that a decision in their favour was unlikely. It potentially allowed for new material to be introduced after the members' debate, or the unnecessary repetition of information already presented, whilst giving the members no opportunity to reopen the debate.
- 2.6 An alternative solution proposed was that the Chairman use his discretion and invite speakers to address the Committee on a particular point if there was a need for clarification.

3. Public participants' feedback

- 3.1 In order to gauge the public's reaction to the procedure, a sample of planning agents, applicants and objectors was approached for feedback. In general the planning agents were in favour of the right of reply to continue. They felt that very often something had been misunderstood and it was a useful means of clarifying a particular point. They also noted that the opportunity to speak again was not always taken up.
- 3.2 One agent, commenting that if time was an issue, suggested that the initial address of three minutes could be reduced to two, whilst the one minute right of reply was continued.
- 3.3 Only one individual was against the continuation, observing that it generally did not alter the final outcome and that it only "added length to the already over long proceedings".

4. Other National Park procedures

- 4.1 A survey of the other National Parks' procedures has revealed that, of the nine parks who replied, none of them have a formal right of reply for public participants, although several allow further clarification of a specific point at the discretion of the Chairman.

Recommendation:

Subject to any amendments agreed at the meeting, to confirm the adoption of the public speaking procedure at Annex 1 for use at meetings of the Planning Development Control Committee on a permanent basis and to replace the existing procedures in Schedule 3, Part 2 of the Authority's Standing Orders.