

COMMITTEE: PLANNING

DATE: 29 September 2009

SUBJECT: 'Your Right to Speak' Planning Leaflet – Changes following amendments to the Scheme of Delegation.

REPORT OF: Building and Development Control Manager and Scrutiny Co-ordinator

Ward: All

Purpose: The purpose of this report is to make members aware of the amendments to the 'Your Right to Speak' Leaflet following the amendments to the Scheme of Delegation

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Recommendation: The Committee note the report and approve the amendment to the 'Your Right to Speak' leaflet.

1.0 Background

1.1 The Scheme of Delegation was amended and approved at Council on 23 July 2008.

1.2 The amendments 4.1a (iii and vi) state that

'Determining the following matters is delegated to the Planning Manager subject to the restrictions and conditions referred to;
An application for Planning Permission including reserved matters, Listed Building Consent, Conservation Area Consent or an application for consent to display an advertisement except where:-

(iii) an objector wishes to address the Planning Committee provided such a request has been made within the specified consultation period for the application; (*within **21 days** of the date of the site notice or neighbour notification letters*)

(vi) The Chairman, opposition spokesperson or any ward Councillor requests, in writing to the Planning Manager, that the application should be determined by the Committee, provided that any such request is made within **21 days** of circulation of the weekly list of applications*. (*The letter to the Planning Manager should include the Councillor's reasons for referral to the Committee)".

(A copy of the Scheme of Delegation is attached at **appendix 1**)

- 1.3 It is important to ensure that the Council's procedures are clear and consistent; the Planning department has recently reviewed their standard letters and advice following the changes to the Scheme of Delegation, ensuring all parties rights are clearly detailed and treated respectfully.
- 1.4. With this in mind, the following amendment is suggested to the 'Your Right to Speak' leaflet which provides advice for members of the public.

Registering your Interest – Planning Applications

*If you wish to address the committee regarding a planning application you need to register your interest with the Development Control Section of the Planning Division or Local Democracy within **21 days** of the date of the site notice or neighbour notification letters (detail of dates available on the Council's website at <http://www.eastbourne.gov.uk/planningapplications>). Requests made beyond this date cannot normally be accepted. This can be done by telephone, letter, fax, e-mail or by completing the local democracy or planning contact forms on the Council's website.*

Please note: Objectors will only be allowed to speak where they have already submitted objections in writing, new objections must not be introduced when speaking. It is helpful if you can provide the case officer with copies of any information, plans, photographs etc that you intend to refer to no later than 1.00pm on the day before the meeting.

Normally, only one objector is allowed to address the Committee on each application and applications to speak will be registered on a 'first come, first served basis'. Anyone who asks to speak after someone else has registered an interest will be put in touch with the first person, or local ward Councillor, to enable a spokesperson to be selected. The Committee may allow more than one objector to speak in certain circumstances.

(A copy of the leaflet is attached at **appendix 2**)

- 1.5 To accord with paragraph 4.1a, Members will need to notify the Planning Department with 21 days of the publication of the weekly lists (the lists are published on the Council's website and emailed to all Members).
- 1.6 The above wording is currently being used in letters of neighborhood notification and would seek to ensure a consistent approach across the board.

- 1.7 The amendment only affects the rights to speak on planning applications at planning committee. No amendments are suggested for the rights of address on any other items listed on the agenda.

2.0 Consultations

- 2.1 No consultation has taken place, however, the planning committee were asked to approve the amendments to the Scheme of Delegation at their meeting on 20 May 2008, which was then ratified by full Council in July 2008.

3.0 Resource implications

- 3.1 There are no resource implications.

4.0. Conclusion

- 4.1. The committee is recommended note and approved the amendments to the 'Your Right to Speak' leaflet.

Katie Armstrong
Scrutiny Co-ordinator

Background Papers:

Extract from the Constitution (Part 3, Section D) Scheme of Delegation to Officers (As Amended) attached
'Your Right to Speak' leaflet (update version June 2009) attached
Council minutes 23 July 2008