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## Part 3 (c) – Public Participation at a Meeting of the Planning Committee

### 1. Introduction

- 1.1 Planning applications are usually determined either by Officers acting under delegated authority or by the Planning Committee.
- 1.2 The Council wants to provide the opportunity for the public and for applicants (or their agents) to speak at the meetings of the Planning Committee before Members of the Committee take their decision. Anyone who has written to the Council making representations on a planning application will be contacted by Development Management upon publication of the relevant agenda and will be advised of the relevant process relating to public speaking (see paragraphs 2.4 and 3.1-3.3 below).
- 1.3 Upon receipt of a request to speak at a meeting of the Planning Committee, Democratic Services will organise all such public speaking.

### 2. Who can speak at a meeting of the Planning Committee?

- 2.1 Only the following may address the Planning Committee:
    - (a) In the case of a planning application:
      - (i) An objector or their representative;
      - (ii) A Ward Councillor;
      - (iii) Any Member of the Committee who has a discloseable pecuniary interest, speaking after being granted a dispensation to allow him/her to speak in accordance with the Members' Code of Conduct.
      - (iv) An applicant or his/her agent or representative.
    - (b) In the case of an enforcement matter:
      - (i) An objector or their representative;
      - (ii) A Ward Councillor;
      - (iii) Any Member of the Committee who has a discloseable pecuniary interest, speaking after being granted a dispensation to allow him/her to speak in accordance with the Members' Code of Conduct;
      - (iv) The owner or occupier of premises under enforcement action or his/her agent or representative.
  - 2.2 Only one person, in addition to a Ward Councillor, will be invited to speak in support of, or in opposition to, any application or enforcement matter appearing on the Agenda for a meeting of the Planning Committee.
  - 2.3 Subject to paragraph 2.2, if a person wishes to speak in objection to an application, the applicant must be allowed to speak. An applicant may speak at a meeting even where there are no objectors or Ward Members wishing to speak.
  - 2.4 All requests to speak at a meeting of the Planning Committee, including those from Ward Councillors or those notified under paragraph 1.2, must relate to a matter to be considered at the forthcoming meeting of the Committee and be accompanied by a written statement sufficiently setting out the planning matters the speaker wishes to raise at the meeting.
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### 3. How can I speak at a meeting of the Planning Committee?

- 3.1 All requests to speak, including those from Ward Councillors or those notified under paragraph 1.2, should be received by Democratic Services no later than noon two working days prior to the meeting, excluding the day on which the meeting is to be held, (for example, as the Planning Committee usually meets on a Thursday, the deadline for registration and receipt of a written statement, sufficiently setting out the planning matters the speaker wishes to raise at the meeting, will be 12 Noon on the Tuesday before the day of the meeting) in one of the following ways:
- (a) In writing, addressed to:  
  
Clerk to the Planning Committee,  
Democratic Services,  
Thurrock Council,  
Civic Offices,  
New Road,  
Grays,  
Essex  
RM17 6SL
  - (b) Via a form on the Council's web site at:  
  
<https://www.thurrock.gov.uk/speaking-at-planning-committee/>
  - (c) By e-mail to  
  
[direct.democracy@thurrock.gov.uk](mailto:direct.democracy@thurrock.gov.uk)
  - (d) If any assistance in registering to speak at a meeting is required, please telephone (01375) 652831.
- 3.2 The Chair of the Planning Committee will not normally allow members of the public to speak if they have failed to notify the Council of their wish to do so in one of the ways described above.
- 3.3 Where there is more than one request to speak on a particular application, the requests made will be entered into a ballot. To ensure transparency, the ballot will be held at 4.00 p.m. two working days prior to the Meeting (excluding the day on which the Meeting is to be held) and applicants/owners and/or their planning agents and objectors will be invited to witness the ballot. All potential speakers will be advised of the outcome.
- 3.4 Where a request is made to speak in opposition to an Application, the applicant or agent shall have the right to reply at the Committee. A copy of the speaker's written objection will be forwarded to the applicant or their agent and, if they wish to speak at the Committee, the applicant or agent must forward their response, in writing, to Democratic Services by noon on the working day before the meeting of the Committee.
- 3.5 Although Democratic Services will make every effort to advise the applicant/agent where any such notice has been received, it is the responsibility of the applicant/agent to check two working days (excluding the day on which the Committee is to be held) before the application is to be considered as to whether or not anyone has registered to speak.
- 3.6 The Committee will be provided with copies of the written statements, as referred to at Rule 2.4, from all speakers prior to the meeting and the relevant agenda and reports will be published to the Council's web site at least five working days before the meeting, with a limited number of copies being made available to persons attending the Meeting.
- 3.7 The Chair may agree to accept representations made outside these procedures where there are exceptional circumstances, for example where someone can show that they have been prejudiced by a failure of the Council to follow procedures in this Constitution. The Chair will

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state the reasons for using his/her discretion in this respect and these will be included in the minutes of the meeting.

#### **4. What happens at the meeting of the Planning Committee?**

- 4.1 Applications will usually be taken in the order that they appear on the published Agenda. However, the Chair may exercise some discretion to allow for those applications subject to public participation to be taken first.
- 4.2 For any applications that are subject to public participation, the order in which registered speakers will be called to address the Committee will be as follows:
- (a) In the case of a planning application:
    - (i) An objector or their representative;
    - (ii) A Ward Councillor;
    - (iii) Any Member of the Committee who has a discloseable pecuniary interest , speaking after being granted a dispensation to allow him/her to speak in accordance the Members' Code of Conduct;
    - (iv) An applicant or his/her agent or representative;
  - (b) In the case of an enforcement matter:
    - (i) An objector or their representative
    - (ii) A Ward Councillor
    - (iii) Any Member of the Committee who has a discloseable pecuniary interest, speaking after being granted a dispensation to allow him/her to speak in accordance with the Members' Code of Conduct;
    - (iv) The owner or occupier of premises under enforcement action or his/her agent or representative;
- 4.3 A person who has registered to speak may address the Committee for a period not exceeding 3 minutes. If the time limit is exceeded, the Chair will immediately call for an end to the speech.
- 4.4 If a person who has registered to speak at the meeting does not attend, the application will be dealt with in their absence and will not, for that reason, be deferred.
- 4.5 No documentation may be circulated or audio or visual material presented to Members of the Planning Committee at the meeting.
- 4.6 The Planning Officer or the lawyer advising the Committee, in consultation with the Chair, may disallow any matter which may give offence, deal with confidential or exempt information or otherwise infringe the proper conduct of local government. In such cases, reasons for the disallowance will be given.
- 4.7 If the Committee decides to defer an item to a future meeting, any speakers on that item who have spoken at the time of deferring may, with the Chair's agreement, be given first priority to speak when the item is re-considered where there are exceptional circumstances, for example, where it can be shown that they would be prejudiced by a failure to allow them to speak again.
- #### **5. What can you speak about?**
- 5.1 Speakers can speak for themselves or on behalf of others. Any representations made should relate only to material planning considerations and not matters that fall outside the remit of the Committee.

5.2 Speakers are asked where possible not to repeat points made by other speakers.