

Constitution and Governance Committee

Tuesday 14 February 2023

10.00 am Luttrell Room - County Hall,
Taunton



SUPPLEMENT TO THE AGENDA

To: The Members of the Constitution and Governance Committee

We are now able to enclose the following information which was unavailable when the agenda was published:

Item 4	Public Question Time (Pages 3 - 6) The Chair will allow members of the public to ask a question or make a statement about any matter on the agenda for this meeting. These questions may be taken during the meeting, when the relevant agenda item is considered, at the Chair's discretion.
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Democratic Service Team, County Hall, Taunton, TA1 4DY

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Final Draft

Speech to SC Constitution and Governance Committee on 14 Feb 2023

Good morning – my name is Nick Hall. I live in Pilton. In May I was elected as a Parish Councillor. Today I am speaking in a personal capacity.

It is conceivable that a major planning application in our Parish will be determined very shortly after vesting day. Hence there is an immediate interest in the Planning rules drafted under Agenda Item 5 - in particular the arrangements for public speaking and the referral rights.

Before I address those two specific issues, I would like to say thank you for addressing some of the concerns that I and others raised on 30 Jan 2023.

Speaking times

In **7.21** it appears that you are retaining a shared 3-min time limit for members of the public. This is compounded by the statement in 7.18 that “requests will normally be dealt with on a first come first served basis”. Hence genuine supporters or objectors could be blocked from expressing their views. And why under 7.23 does the Chair’s discretion have the caveat of “consultation with the legal advisor?”

I’d like to remind you of the County vision which “focuses on putting the people of Somerset at the heart of everything we do”. Moreover the Human Rights Act states that people must have an opportunity to be heard.

I urge you to remove the sharing of time slots for objectors, supporters and everyone in between.

Referral Rights

Under **8.8**, why don’t Town and Parish Councils retain a right for referral after revisions, substantial changes and re-notifications as per 8.6 and 8.7?

For **8.6, 8.7 and 8.8**. There should be a transitional arrangement. For example, if there are substantial changes to an application on say 20 March 2023 and the existing District Council doesn’t refer an application, does the 21 or 14 day period for the Divisional Member start on 20 Mar or 1 April?

I very much hope that these issues can be addressed in your final procedures.

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The Lib Dems are known for principled policies around localism and community engagement. You are at the moment implementing Local Community Networks to support those policies.

This is at odds with the controversial proposal today that objectors to a planning application only get one 3-minute slot for all speakers.

This actively disengages communities and limits their voices in an undemocratic way.

Are you seriously proposing that if my neighbour has a single-storey extension, I get 3 minutes to object, while many objectors to a huge urban extension for thousands of homes by national developers, also gets just 3 minutes? If so, then this is absurd.

Why would a Lib Dem administration want to export these draconian speaking limitations from Conservative-controlled Sedgemoor all across Somerset?

You can, of course, ignore the “small p politics” of this and carry on. However, over the coming 4 years, controversial planning application by controversial planning application, every impacted community will come to realise how limiting and unfair these undemocratic proposals are.

Can I respectfully remind you that these will be the same people you will want to cast a vote for you in 4 years’ time locally and in 2 years’ time nationally.

I have been involved in two planning applications that affected me directly. In both cases, the planning officer’s recommendations for approval were overturned by the planning committee after public representations - one was legally unfounded and the other clearly over development when rebuilding from 1 storey to 4 storey.

With this undemocratic 3-minute objectors’ limit, I doubt that valid community voices and legitimate views would have rightly prevailed in these cases now.

While planning is a rule-based system, there are still human judgements to be made and that is why we have planning committees with elected councillors to make those wise judgements.

In my limited experience, the time that the councillors on the planning committee take to weigh up applications often exceeds the public objectors’ speaking time.

There is a need to avoid repetition and clearly the Chair needs to manage the meetings assertively to keep things moving along. Is there a case for better training and support for the Chairs?

I would suggest to you that a sensible baseline for objectors is a maximum of 5 speakers with 3 minutes each. If statements are pre-submitted, the clerk can check for repetition and length.

For very large urban extensions and/or highly controversial applications, where there are often more than 5 significant issues to address, then the Chair may need to exercise discretion to allow more objecting speakers.

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