



**Planning Committee  
Right To Speak Policy  
January 2025**

## RIGHT TO SPEAK POLICY – GUIDANCE NOTES

This document sets out when members of the public and planning agents/applicants, Parish Councils and other Council Members can address Cumberland Council's Planning Committee. It sets out the "Right to Speak" policy for reports to the committee in relation to planning applications, Public Rights of Way, Common Land and Village Greens and proposals for new Tree Preservation Orders.

### Right To Speak

For any application which is presented to the committee you must first have made representations on the specific application/matter prior to an officer report being published. Just because an objection may have been made to a planning application does not mean it will be reported to the Planning Committee. Applications will only be presented to the committee when the criteria under the Council's scheme of delegation as set out in the Council's Constitution have been met

(<https://www.cumberland.gov.uk/your-council/councillors-and-committees/council-constitution>).

When commenting on an application you may have requested a right to speak to the committee however you cannot register in advance. You will be advised that at the time of you making representations it is not clear whether the application is going to committee and we will not register your right to speak. If you wish to know whether an application will be reported to the Planning Committee you will have to contact the case officer after the consultation period has ended or look at the website for committee dates and the agenda of applications. If it is going to committee, once the committee schedule of applications has been published (8 days prior to the meeting usually the Friday) you will be able to register along with others who have made representations.

### Right To Speak On Tree Preservation Orders

Proposals for the making of Tree Preservation Orders (TPOs) often attract local interest in the particular area where the Order is being considered.

The Council's Constitution delegates the making of TPOs to The Assistant Director Inclusive Growth and Placemaking and the Chief Legal Officer, only in exceptional circumstances will it be referred to the Planning Committee for confirmation.

Where this arises, the council allows members of the public, who wish to speak in opposition to a TPO being made and also anyone in favour of the order, to be given the opportunity to speak at the Committee.

You will need to register your interest if you wish to speak on a proposed TPO.

Information about dates of and papers for the meetings of the Planning Committee are available.

### When Can You Register Your Right to Speak?

When the Committee agenda has been published you will be able to register to speak by contacting: (former Allerdale Area) email: [planning1@cumberland.gov.uk](mailto:planning1@cumberland.gov.uk); (former Carlisle Area) email: [DCRTS@cumberland.gov.uk](mailto:DCRTS@cumberland.gov.uk), (former Copeland Area) email: [development.control3@cumberland.gov.uk](mailto:development.control3@cumberland.gov.uk).

The agenda includes a schedule of applications which will be presented to the committee and you will find a copy of the officer's report within the papers. Reports on Tree Preservation Orders are listed separately on the main agenda.

You have until 12:00 on the Monday prior to the Committee meeting to register. Once a right to speak has been registered we will inform the agent/applicant hence we have to close the ability to register in sufficient time prior to the meeting. For Parish Councils and Ward Members please note that whilst a site visit may be undertaken on the Monday prior to the meeting you should still register your right to speak separately.

Please note that for delegated reports there is no right to speak and the consideration of all matters relies on written correspondence submitted as part of the application process.

Applicants/agents also have a right to speak to committee.

## How Long Is The Right To Speak For? (See Schedule Appendix A)

For any member of the public wishing to speak you must first have made representation on the application prior to the officer report being published. You will then be able to address the committee for 3 minutes on planning related matters.

Three minutes is ample time to present a cogent argument at a reasonable pace of speech, speaking faster to get more information in can result in part of your speech being missed and lessen the impact of what you are saying.

There is a limit of 5 objectors and 5 supporters for members of the public on each application. If more people wish to speak the policy operates on a “first come, first served” basis and you may not be able to speak if you are the 6th person to register.

Someone may speak on your behalf and your 3 minutes will be allotted to them. You must arrange this yourself and inform the Council if you choose for someone to speak on your behalf no later than the day prior to the committee meeting. There is therefore a maximum of 15 minutes for residents. Any residents group will be allotted time from within the 15 minutes for residents and no additional time will be given.

Please note that if you wish to ask a Ward Councillor to speak on your behalf their time is a maximum of 10 minutes. If they are already registered to speak their time will not be extended beyond 10 minutes and you should therefore check with the Councillor and consider asking another person to speak on your behalf.

Planning Officers will not read out rights to speak unless there are exceptional circumstances arising at the meeting.

Parish Councils will be allowed 5 minutes to address the committee and should inform the Council which Parish Councillor will be speaking on their behalf with written confirmation (e-mail will suffice) from the Clerk/Chairman of the Parish Council.

Ward Councillors will be allowed 5 minutes to address the Committee. Sometimes Councillors may have a personal interest and be acting as a local resident in which case they will be limited to 3 minutes.

If the Ward Councillor is speaking on behalf of residents that cannot attend, the maximum time allowed is 10 minutes. If you are intending to speak for the whole 10

minutes this will not be extended to represent others who may wish you to speak on their behalf and alternative arrangements will have to be made.

The Planning Agent for the application will be notified when a right to speak has been registered and will be informed on the day prior to the meeting how many people have registered in relation to the application. They have a maximum of 10 minutes starting at 3 minutes comparable to the accumulation of other speakers' times. If there is no agent, we will inform the applicant. Please note this is a maximum time available and it is not a requirement to fill this time.

If anyone chooses to have more than one person speak (e.g. a specialist on certain issues) this will form part of the total time allotted based on the above maximum limits and no additional time will be allowed for more speakers.

For applicants and agents, as your time is based on other speakers, if one or more speakers do not turn up on the day we will honour the time slot that you have previously been advised.

The Chair of the meeting will advise you when your time to speak is nearing its end and will request that you come to a prompt close. They also have the ability to override the microphone should you ignore their requests.

### Presentations

You can choose to present information on screen if you consider that graphs/tables/images or photographs will assist. The presentations should be sent to the Council's planning technician by close of play on Monday prior to the meeting.

For applications in the former areas, use the following contacts:

Former Allerdale Area email: [planning1@cumberland.gov.uk](mailto:planning1@cumberland.gov.uk)

Former Carlisle Area email: [DCRTS@cumberland.gov.uk](mailto:DCRTS@cumberland.gov.uk)

Former Copeland Area email: [development.control3@cumberland.gov.uk](mailto:development.control3@cumberland.gov.uk)

This is to ensure the information is incorporated within the presentations to committee and ensure any material requiring redaction is dealt with prior to the meeting (e.g. we redact vehicle registration numbers, or we may obscure faces of people who have not consented to images being used).

We cannot currently include videos within presentations. Late presentations will not be accepted.

If you wish to make late changes to your presentation, please do so by 12:00 on the day before the meeting (Tuesday) and confirm with the planning technician that the correct presentation has been uploaded.

No documents can be handed out to the councillors on the day of the committee. Please also note that whilst we will accommodate requests as much as possible within the policy guidelines, presentations are being shown in public meetings and will need to be checked prior to transmission. Therefore we cannot accept them on the day of the meeting.

#### Rights To Speak At The Site Visit

Members of the public will not be allowed to address the site visit as it is not a public meeting. The site visit is just to allow the Committee Members to see the site and its surroundings.

The agent/applicants may be present (sometimes to allow access to land) but they will not be allowed to address the committee.

Parish Councils will be invited to attend the site visit to observe however if they wish to address the visit it shall be through the local Ward Member (or vice-chair of the committee if the local Ward Member is not present). Your opportunity to address the Committee will be at Planning Committee.

Ward Councillors will be invited to the site visit and may address the committee at the site visit. If you wish to speak at the formal committee meeting please ensure you have registered your right to speak in accordance with this policy.

#### What Happens At The Committee?

On the day of the meeting please make the technical officers aware that you have arrived (they will be present at the entrance to the meeting venue). They will then be able to inform the Chair that you are in attendance. They will also direct you to a seat

in the meeting venue so that you will be able to make your right to speak when called. Two rows of seats in the venue are reserved for the rights to speak. Please do not occupy these seats until your item is to be heard as there will be speakers on several other items .

If you have not spoken at a committee meeting before, the meetings are held in public and you are welcome to come and see how the meeting works on another day. You may be nervous by the formality of the meeting, but we do try to put you at your ease.

The meeting venues have large screens which will show your image and if this causes you concern please let us know; however it is to assist the committee so they do not have to turn around and others can show presentation material.

Each planning item runs in the following order:

- The officer presents the application;
- Rights to speak are then heard in the following order:
- Members of the public (Objectors or Supporters)
- Parish/Town Council
- Ward Councillor
- Applicant/agent
- The Members will then consider any points made by the speakers and if they wish for clarification of matters, may ask supplemental questions.
- The Committee will debate the application and may ask further questions of the case officer or those speaking, please remain in your seat to listen to the debate.

#### What Happens If The Item Is Deferred From Discussion At The Meeting?

Deferring an application means that no decision on the application will be made at that meeting and further discussion will take place. Members may wish the application to be deferred for further information before any discussion has taken place and sometimes before the officer has presented the application. In this case your right to speak will be deferred until the next meeting of the committee.

Once the debate has started and you have had your right to speak, the committee may defer the application for more information or to suggest that the applicant may wish to make modifications to their application. In this case, a further right to speak may be granted at the next meeting.

If the item is deferred before you have opportunity to speak you will be asked if you wish to speak or wait until the next meeting. We would normally advise that you wait, however if you cannot attend the next meeting you can use your right. Please note that when items are deferred for more information or alterations it may be a couple of meetings before the application is reported back to the committee.

### Ten Practical Tips

1. There is no need to stand up to address the committee.
2. There is a static microphone which is operated by a push button and it will be able to pick up your voice, but this will be less clear if you stand up.
3. The planning technician will operate slides for you in a presentation if you so wish or you can use a remote slide changer, so please put in your notes when you wish to change the slides if the technician is to change them for you.
4. You will not be able to ask questions of the case officer, the Members or the applicant but the Committee may ask questions of you.
5. Focus on planning matters as these are the only matters that the Members can consider (for example: design and appearance, traffic and impact on road network, landscaping). The Chair or officers may remind you during your right to speak if they consider your issues may not be relevant to the committee; they are only trying to help with the time you have available.
6. If you have prepared a 3D model (usually for other purposes) it may be put on display in the meeting venue and we will advise the Members to view it on their way to the meeting.
7. Banners will not be allowed in the venue.



8. Notes are not to be passed to Members and there should be no interaction with them once the meeting has started.
9. Heckling of officers/Members will not be tolerated and you may be removed from the venue.
10. When your item has been discussed please return to the public area and if leaving the venue do so quietly as the meeting will continue and others will wish to participate and listen to subsequent items.

### Special Access Arrangements

If you require assistance, please mention this when registering your right to speak so that we can make the necessary arrangements.

### Scheduling The Timing Of The Meeting

Please note that the Planning Committee commences at 10:30 and, as each item is debated in order, we cannot estimate the timing of when applications will be heard by the Committee. Only under exceptional circumstances will items be moved on the agenda.

### What Happens After The Committee?

If an application is refused by the Committee, the applicant has the right to appeal to the Planning Inspectorate. This process is then undertaken by the Planning Inspectorate and not the Council. The Planning Inspectorate's website advises on procedures for the different types of appeal.

### Data Protection

When you register your right to speak we will ask you for contact details including your phone number/email address and we will ask for your postal address to confirm that you have made representations prior to the reports being published.

Your information will only be for the committee purposes in relation to that planning application to be heard in case we need to contact you about any changes to the meeting. We will not pass this information on to any third parties. This is why, if someone is to speak on your behalf, you must contact us again and inform us of this change.

Your name will be read out at the meeting when you are called to give your right to speak and you will be named in the committee minutes. This is to ensure that the impacts of the development are understood and considered by the Committee and recorded as such.

Please be aware that we are not able to control what speakers at the committee may say and they may identify individuals during their right to speak.

**PUBLIC SPEAKING PROCEDURE AT PLANNING COMMITTEE**

**Please Note: In exceptional circumstances any change from these timings will be at the discretion of the Chair of Planning Committee**

<b>CRITERIA</b>	<b>Cumberland Council</b>
<b>Speakers Allowed</b>	Objectors Supporters Town Council/Parish Council Ward Member
<b>Limit to number of speakers</b>	5 objectors 5 supporters
<b>Time allowed – objector/supporter</b>	3 minutes per speaker 5 mins Parish Council 5 mins Ward Member (maximum 10 minutes if transferred rights to speak from other speakers)
<b>Time allowed – applicant/agent</b>	Comparable to accumulation of other speakers up to a maximum 10 minutes
<b>Questions allowed from Members</b>	At discretion of Chair
<b>Deadline to register to speak</b>	12:00 noon Monday before committee
<b>Display material allowed from objectors/supporters/applicant</b>	This must be submitted at least 2 days prior to meeting
<b>Limit to amount of display material allowed</b>	Within time period for right to speak