

Report to the Constitution Working Group



**Epping Forest
District Council**

Date of meeting: 12 March 2020

Subject: District Development Management Committee – to allow a District Member to register to speak

**Responsible Officer &
Democratic Services Officer: V Messenger (01992 564265)**

Recommendations/Decisions Required:

That the Working Group review current arrangements for public speaking at District Development Management Committee to allow District members to register to speak and address a meeting.

1. At the District Development Management Committee meeting of 22 January 2020, a planning application for land to the north of Dowding Way in Waltham Abbey was to be determined but was deferred to a future meeting of the Committee.
2. The application generated much local opposition and numerous representations were made by the public to the District Council. A District Councillor had also wished to be allowed to register to speak on the application and be allowed three minutes to address the Committee.
3. Currently the relevant provisions of the Constitution in this regard are:
 - Article 10, District Development Management Committee and Area Plans Sub-Committees, Appendix 1 (1) that allows for the following speakers to register:
 - (a) one objector;
 - (b) one representative of any relevant Parish or Town Council for the purpose of explaining the views of that Council on the matter in question;
 - (c) one representative of any other authority consulted on the application or as a statutory consultee where they have so requested;
 - (d) the applicant (or one nominated agent or representative); and
 - Council Procedure Rules (Rule P2) (Planning Applications)

| No. | Rule | Procedure | Application | | | |
|-----|-----------------------|--|-------------|---|---|----|
| | | | C | E | O | NE |
| P2 | Planning Applications | <p>(1) Any planning application submitted to a meeting of the Council shall be subject to the procedure for public participation by applicants, objectors and town/parish councils in the same way as those applied to the District Development Management Committee and/or an Area Plans Sub-Committee.</p> <p>(2) That, pursuant to the scheme of delegation on planning applications set out in Part 3 of this constitution, where a local council have indicated, during the course of planning consultations, of their intention to attend and speak at the Area Plans Sub-Committee meeting where the proposal will be considered and then subsequently fail to register and attend, the application be referred (without any consideration of the merits of the development proposal) to the Service Director (Planning Services) for determination</p> | X | | | X |

4. Currently the only provision for additional speakers is covered by Article 10, Appendix 1 (4) where “the Chairman of the Area Plans Sub-Committee or the District Development Management Committee or the Council may allow additional speakers in exceptional circumstances”.
5. A complete copy of the Constitution, Article 10, is attached for information as Appendix 1 to this report.
6. The Working Group is therefore requested to review this authority’s current arrangements for public speaking with regard to the consideration to allow a District Member to register to speak at the District Development Management Committee.

Resource Implications:

The recommendations of this report seek to ensure that the Council’s Constitution remains fit for purpose.

Legal and Governance Implications:

The Council’s Constitution sets out procedures and rules for the operation of its functions and responsibilities.

Safer, Cleaner, Greener Implications:

There are no implications arising from the recommendations of this report in respect of the Council’s commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

Consultation Undertaken:

None

Background Papers:

None

Risk Management:

The Council’s Constitution sets out procedures and rules for the operation of its functions and responsibilities.

Equality:

There are no equality implications arising from the recommendations of this report.