

The “opportunity to speak” scheme – a guide to procedures

Under this scheme, members of the public can make their views known directly to the committee¹ during the consideration of any application for consent or Tree Preservation Order (TPO), which is identified on the agenda, under Town & Country Planning legislation.

Please note: the advice in this leaflet applies equally to ward councillors², parish councils, objectors and applicants (including supporters), and should answer some of the questions you may have about the procedure and what to expect at the meeting. It has been devised to make the system as fair and easy to operate as possible.

¹ Speaking is limited to the arrangements described in this leaflet: members of the public may not ask questions or join in the debate.

² Only councillors not sitting as a committee member.

Frequently asked questions

Does the scheme affect the publicity procedures for planning applications?

No. Publicity is always by a site notice (sometimes by a notice in the local press as well) and by the applicant’s use of the voluntary neighbour notification procedure. If you wish to object to an application, you can submit your comments using the [Public Access](#) service. If the application goes to committee for a decision, a summary of any representations is included in the written report.

Please note: the executive officer development management and building control has the power to determine certain applications and the opportunity to speak scheme does not apply to these.

If I have written to support or object to an application or TPO, do I have to speak at the committee meeting?

No. Your representation is reported to the committee anyway and it is up to you whether you attend or speak. You may decide, if you agree with the officer’s recommendation that there is little point in adding to it.

Please note: the officer’s recommendations are not always accepted by committee.

If I am the applicant/agent/landowner do I have to speak at the meeting?

No. If the officer’s recommendation to committee is to approve the proposal, you may decide that there is little to add and you are urged not to take up committee time in repeating the officer’s comments. If the officer’s recommendation is to refuse the proposal you may wish to present your case for approval.

Please note: the officer’s recommendations are not always accepted by committee.

Can I hand out new information at the meeting?

No. The submission of documentation and material on the day of a meeting by applicants, agents and persons making representations to the committee is not permitted and cannot be circulated during the meeting.

How important is it that the parish council speaks at the meeting?

Provided the officers have received the parish council's views they are always reported, either in writing or verbally. The committee is always very interested in your views, particularly if the matter is controversial. If you disagree with the officer's report you may express your views direct to the committee at the time the decision is being made. The committee will expect the parish council representative to express the single, corporate view of that council.

If I want to speak, how do I arrange it?

During the week before the committee meeting we will write to every person who has written to object to or support applications being considered at that meeting. We will also notify all applicants (or their agents) whose applications are to be considered, those served with and who have commented on a TPO to be considered and the parish council. If you do not make a representation, or send them in later, you will still be able to speak but we will not write to you about the date and place of the meeting in advance. If you want to speak you should register in advance, at least 24 hours before the start of the meeting, by contacting our democratic services team by email to democraticservices@harrogate.gov.uk. Alternatively you may telephone us on 01423 500600 and ask to be put through to democratic services. The chairman will provide the opportunity for you to speak at the meeting at the appropriate time. The time allocated to ALL objectors or supporters is three minutes - not three minutes each.

Please note: If you are objecting to a planning application as part of an organised campaign or petition, all correspondence will be with the organiser only.

What is the order of speaking on each item at committee?

The chairman will introduce the item and will ask members of the public to speak in this order:

- ward councillor(s) not sitting as a committee member
- parish council representative(s)
- objector(s)
- applicant or agent or any supporter(s)

The planning officer will, beforehand, have updated the report and emphasised the planning issues. Members of the committee may ask questions of each speaker before they debate the application or TPO and a decision will then be made.

If an item is on the agenda, will it definitely be considered?

Most items on the agenda will be dealt with but you should be aware of the possibility that the applicant may withdraw the application or that the committee may defer consideration, for example to obtain further information. In a few instances,

where a decision the committee wish to make is contrary to policy or could lead to costs being awarded against the council, the application will be deferred by the solicitor present at the meeting and brought to another meeting of the committee for further consideration.

What will be the order of items at the committee meeting?

The agenda order is normally followed but may be rearranged on the day of the meeting, taking those items first for which most members of the public are present. The time taken by each item is difficult to predict and accurate estimates of when each item is to be heard cannot be given.

How long will I be able to speak for?

There is a time limit of three minutes for each group of speakers for instance, ward members, parish council, objectors and applicants/supporters. Objectors are advised to get together to make a joint case, appointing a single representative if possible. It is not possible for a person to represent more than one group of speakers. The chairman of the committee may intervene, or vary the order of speakers, in the interests of efficiency. Exceptionally, the chairman may increase the time available, for example if an application straddles a parish boundary or if a large number of people wish to speak. In such cases the time will be increased equally for each of the three groups. Normally, no notice will be given.

May I be professionally represented?

You may, but this should not be necessary in most cases. Where the applicant has employed a professional agent to submit an application it is more likely that the agent will speak.

Can I ask questions of other speakers?

You may include questions in the time allocated to you, but the committee has no powers to make other speakers answer your questions. Generally, it is better to ask questions before the meeting and to state your objections on the basis of the information given to you. You must not interrupt other speakers, nor interrupt the committee debate.

What are the relevant issues in considering applications?

- the Local Plan/Local Development Framework
- other planning policies
- The National Planning Policy Framework and other Government advice
- highway safety
- landscape impact
- local amenity, noise and privacy
- conservation of buildings, trees etc
- case law and previous decisions

Which issues are irrelevant?

- reduction in property values
- ownership disputes
- business competition
- moral considerations
- restrictive covenants
- personal circumstances or private rights
- matters controlled by other legislation, for example, licensing

An application submitted after work has been carried out has to be determined on its planning merits like any other.

What if I have any other queries?

Please email [customer services](#) or call 01423 500600. Office hours are:
Monday to Thursday 8.30am until 5pm and Friday until 4.30pm.

You can view copies of agendas and reports [online](#) or call democratic services on 01423 500600 to purchase a paper copy. If you wish to view the applications and plans you can use the [Public Access Service](#).