

Public Attendance and Speaking at Committee Meetings Policy

1.0 CONTEXT

- 1.1 The Authority's Committee meetings must be open to the public and press ([The Public Bodies \(Admission to Meetings\) Act 1960](#) and the [Local Government Act 1972](#)). The Authority also makes provision for members of the public to make representations and ask questions of the Membership subject to the provisions of sections 3 and 4 below. This provision is in addition to the provisions made under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 to request information.
- 1.2 In April 2021, the Welsh Government published new provisions for Local Authority meetings made under the Local Government and Elections (Wales) Act 2021. In August 2021, Welsh Government published Interim Statutory Guidance on Multi Location Meetings which can be found at: [Interim statutory guidance on multi-location meetings \(gov.wales\)](#). The National Park Authority adopted a Multi-location Meeting Policy on 30th September 2022. All National Park Authority meetings are currently held virtually rather than in person. The Authority considers broadcasting of meetings to be in the interests of transparency democracy and good governance and therefore the livestreaming of the meeting shall be accessible via the Authority's website and archived thereafter.

2.0 PUBLIC ATTENDANCE

- 2.1 Members of the public may wish to listen to the meeting but not participate in it. To facilitate this, the Authority livestreams meetings of the Authority's Committees and retains a recording of the meeting for a period of 12 months, which is available on the Authority's [YouTube channel](#) (Details of how to access the Livestream are published with the Committee agenda).
- 2.2 Members of the public or press **must** be excluded from a meeting if an item of business includes confidential information (section [100A\(2\)](#), LGA 1972). A resolution is not required. It is sufficient for a Committee Chair to request that the public withdraw so that the item of business containing confidential information can be dealt with in private. If the Authority is planning to exclude the public or press from part of a meeting, any relevant documents will be marked as confidential before the meeting.
- 2.3 Members of the public or press **can** be excluded from a meeting by resolution during an item of business in the following circumstances:
- If an item of business includes exempt information as set out in section [100A\(4\)](#) of the Local Government Act 1972.
 - To suppress or prevent disorderly conduct or other misbehaviour at a meeting (section [100A\(8\)](#), LGA 1972).
- 2.4 A resolution must:
- Identify the proceedings (or part) to which it applies.

- Describe the exempt information that gives rise to the decision to exclude the public from the meeting ([Section 100A \(5\)](#) and [Schedule 12A](#), LGA 1972). If the Members of a Committee are satisfied that the above criteria have been met, they will pass the resolution allowing it to lawfully exclude the public during consideration of the relevant item of the agenda. As with confidential information, if we are planning to exclude the public or press from a part of the meeting, any relevant documents will be marked as exempt by the proper officer before the meeting.

PUBLIC SPEAKING AT MEETINGS

3.0 ‘PUBLIC SPEAKING’

- 3.1 This part of this Policy applies to all public meetings of the Brecon Beacons National Park Authority.
- 3.2 Under our Standing Orders, members of the public have an opportunity to ask questions, make statements, or make formal requests of the Authority at our meetings. Applicants, agents, supporters and/or objectors can speak on planning applications, planning enforcement matters, Tree Preservation Orders and modification or public path orders at Planning Committee meetings. This is detailed in Sections 4 of this policy.
- 3.3 The following rules apply to ‘Public Speaking’.

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| 1 | Each meeting open to the public will include ‘ Public Speaking ’. |
| 2 | You may ask any questions or make a statement about any matter that is within the remit of the committee or sub-committee that you wish to address. They do not just have to relate to items on the agenda of that particular meeting. |
| 3 | You must notify the Authority via publicspeaking@beacons-npa.gov.uk of any question, request and/or statement you wish to make by completing the Application to Speak Under the Public Speaking Scheme form which is available on the Authority’s website Application to speak under the Public Speaking Scheme Brecon Beacons National Park Authority (beacons-npa.gov.uk) . Give details of the meeting, identify the subject, and detail the question or provide details of the wording of the request or statement. You must give your contact details and return the form by 10:00am three working days prior to the committee meeting. |
| 4 | At the start of the meeting you will be invited to ask the question and/or make the statement or request. You may address the meeting for up to three minutes, or longer as the Chair in his/her absolute discretion may permit. |
| 5 | There will be no debate on a question, statement or request. The Chair may seek clarification from you on any issues raised and may deliver a prepared answer on our behalf or refer it for inclusion on the agenda for our next appropriate meeting and request an officer prepare a report addressing the issues raised. |

- 6 Any question, statement or request which our Monitoring Officer considers to be defamatory or which relates to a specific member of staff or member will not be considered at the meeting and our Monitoring Officer will advise you in writing why the matter cannot be considered at the meeting. Our Monitoring Officer will advise you of the appropriate processes for raising complaints against staff and members.
- 7 No questions, requests or statements can be accepted where:
- 7.1 they relate to matters which would normally be dealt with in 'private' session because they relate to exempt or confidential information, for example, legal actions; financial and business affairs of the Authority or other organisations, individual members of staff or Trade Union negotiations.
- 7.2 there is a statutory procedure in place for public consultations, for example, Development Management matters and Rights of Way matters

4.0 SPEAKING AT PLANNING COMMITTEE

CONTEXT

- 4.1 Most Planning and Rights of Way decisions are taken under delegated powers and a small number of more significant and/or contentious applications are decided by our Planning Committee. The invitation to speak and the conduct of the meeting is at the discretion of the Chair of the Planning Committee. In such cases people will be allowed to speak in accordance with this guidance.
- 4.2 There is no statutory right to speak at our Planning Committee meetings but we want to ensure that everyone has a chance to make their views known before a decision is taken. Everyone has the right to submit comments in writing before the meeting, but you can ask to present your views verbally to Members. It is important to stress that there will be no disadvantage to those who prefer not to, or who are unable to present their views in person. All representations are reported in Officers' reports to the Planning Committee who will be advised of any representations received after the report is written.
- 4.3 We are committed to ensuring that public speaking is fair and unbiased. Public speaking needs to be conducted in a business-like manner and must focus on the planning merits of the case. If you would like advice on what constitutes the planning merits of a particular case please contact the Planning Officer dealing with the case.

PRINCIPLES OF THE SCHEME

- 4.4 The opportunity for public speaking is in respect of any application for planning permission, planning enforcement matters, modification or public path orders or confirmation of Tree Preservation Orders to be determined by Planning Committee on the agenda for the meeting.
- 4.5 Members of the public (and Members who have declared a personal and prejudicial interest in a particular matter) wishing to speak at the meeting will have the opportunity to do so strictly in accordance with this guidance.
- 4.6 If a Member of the Planning Committee has declared a personal and prejudicial

interest in an item for decision then under the Members Code of Conduct they are permitted to speak as if they were a member of the public, in accordance with the provisions of the Public Speaking Scheme. However, they will be the first speaker and then withdraw from the Committee meeting for the remainder of the item.

BEFORE THE MEETING

- 4.7 The details of the Planning Committee agenda are made available on our website. Applicants, agents, and objectors are advised to follow the application via the Authority's website and stay in contact with the case officer regarding progress on the application. It is the responsibility of those wishing to speak to check whether the application is to be considered by Planning Committee by contacting the Planning or Rights of Way Officer dealing with the case, who will be able to provide details of the likely date on which the application will be heard.
- 4.8 Five clear days before the meeting the agenda will be published electronically and can be viewed via the Authority's public website at www.beacons-mpa.gov.uk. The agenda will include all officer reports and recommendations to committee. You won't be notified in writing of when applications are to be considered by committee. If you have an interest in an application, you should track progress via our website ([Applications on-line](#)).
- 4.9 Three minutes are available for people to speak against a matter (objectors): this includes individuals and representatives of organisations who have concerns or object either to the whole or part of the application. Three minutes are available for people to speak in favour of a matter (supporters): this includes the applicant, their agent, adviser or representative, and individuals and representatives of organisations who are in favour of the application.
- 4.10 Anyone wishing to speak at the meeting must comply with the relevant process which can be found on our website. Applications to speak under the Public Speaking Scheme should be made by submitting the form available on our website at:- <https://www.beacons-mpa.gov.uk/the-authority/public-speaking-scheme/> requests should be received by no later than 10am on the Thursday preceding the meeting (where a committee meeting is held on a Tuesday).
- 4.11 For those registering to speak we also request you submit a written transcript of your public speaking statement of approximately 500 words. This is a word count equivalent to approximately 3 minutes. This will only be used as a backup should your connection to speak at the meeting fail. If you are unable to speak at the meeting due to unforeseen circumstances, you may contact the Authority and request that an officer reads out your transcript on your behalf.
- 4.12 Further details of the procedural rules in relation to public speaking can be found at Standing Order 30 of the Authority's [Standing Orders](#).
- 4.13 All requests to speak should identify clearly the application in question and specify the name of the person who wishes to speak. A summary of the points to be raised should also be included. This should be based on matters raised in

original representations and be relevant planning issues. These include but are not limited to:

- Relevant national and local planning policies
- Appearance and character of the development, layout and density
- Traffic generation, highway safety and parking/servicing;
- Overshadowing, overlooking, noise disturbance, odours or other loss of amenity.

Speakers should avoid referring to matters outside the remit of the Planning Committee, such as;

- Boundary disputes, covenants and other property rights
- Personal remarks (e.g. motives, actions to date, conduct of the Authority)
- Rights to views or devaluation of property.

- 4.14 Registered speakers will be sent a link to join the meeting to be conducted remotely, normally the day before the meeting. Where a virtual meeting is taking place, the ability to participate in the meeting (as opposed to view it online) will depend upon access to a computer with camera and speakers and software capable of engaging with the Authority's systems. The Authority cannot be responsible for the provision of such equipment and software, and it will be for participants to satisfy themselves that their equipment meets the appropriate requirements (We recommend using either Google Chrome, or Microsoft Edge browsers). You should ensure that the camera and microphone on your device are activated.
- 4.15 Please remember there are laws against defamation. If you say something in public about a person that isn't true, you risk legal action being taken against you. When addressing the committee your comments should stick to the facts and any opinion you may have concerning them. Should the Chair or Committee Clerk (at the request of the Chair) at the meeting consider it is necessary in the interests of better conduct of the meeting to remove a speaker from the meeting this will be actioned immediately.
- 4.16 Where an interested party has opted to submit late correspondence and to forgo the opportunity to speak at a meeting, in accordance with protocol, copies of such representations submitted by the deadline of 5pm on the Thursday preceding the meeting will be circulated to committee members prior to the meeting. The correspondence will be read out at committee by the Monitoring Officer or Planning Case Officer.

AT THE MEETING

- 4.17 The Chair of the Planning Committee is responsible for ensuring the orderly conduct of the meeting and for overseeing the way in which this Public Speaking Protocol is implemented. Meetings will be conducted in accordance with our Standing Orders and this guidance.
- 4.18 Cases where someone has registered to speak will be moved near to the start of the agenda. However, we cannot tell you exactly what time any application will be heard. We will not delay the hearing of an application because you are not ready to speak when the matter is announced by the Chair.

- 4.19 The procedure for public speaking at the Planning Committee meeting will be as follows (subject to the Chair's discretion):
- Chair announces the application
 - Planning officer describes the application, the matters to be considered and provides a recommendation with visuals of site, plans etc as appropriate and updates Members on any information (including late representations) which have come to light since the report was prepared. Planning Committee Members will have an opportunity to ask the Planning Officer any questions.
 - Representations will usually be heard in the following order:
 - Local County Council Member
 - Community/Town Council Representative
 - Statutory consultees
 - Supporter
 - Objector
 - Applicant or Agent
 - Members through the Chair may seek clarification on any points raised after each representation, as deemed necessary.
 - Planning Officer makes final comments and recommendation
 - Debate through the Chair and decision made by the Committee (officers will respond to points as necessary)
- 4.20 You are entitled to speak once only on the consideration of the planning application. If Members decide to defer the application at this stage (usually for a Site Visit or to obtain further information) you will be given the choice of either presenting on this occasion or returning at a later committee. Please note the right to speak does not apply to Planning Committee Site Visits.
- 4.21 Objectors and those speaking in favour of the application who have followed this procedure will be invited to speak to the Committee for a total of three minutes. For the avoidance of doubt the three minutes is the total time period to address the committee and shall be shared by joint speakers.

5.0 Contacting the Authority

Contact details are regularly updated and available from the Authority's website under the [Application to speak under the public speaking scheme](#).