PLANNING COMMITTEE PROCEDURE RULES

1. Terms of Reference of Planning Committee

1.1 The Council will appoint a Planning Committee.

1.2 The Terms of Reference of the Planning Committee are as set out in Part 4 of the Constitution.

2. Time and Place of Meetings

2.1 The Planning Committee shall normally meet on a monthly cycle on dates to be set by the Chief Executive, in consultation with the Committee Chair.

3. Composition of the Planning Committee

3.1 The Planning Committee will comprise such number of Councillors as may be determined annually at the Council's Annual Meeting provided that the total number does not exceed 13. [1]

Article 8.4 of the Articles at Part 2 of this Constitution applies to the Planning Committee.

3.2 Members of the Planning Committee who cannot attend a particular meeting may arrange for an appropriately trained substitute to attend in his or her place in accordance with Article 8.4 of the Articles at Part 2 of this Constitution.

4. Chair

4.1 The Planning Committee Chair and Vice-Chair will conventionally be appointed at the Council's Annual Meeting. Failing this, the Committee will appoint one of its members as Chair at its first meeting following the Annual Council Meeting.

4.2 Neither the Chair nor the Vice-Chair, if a member of the Controlling Party Group, will be a member of the Executive Committee.

5. Quorum

The quorum for a meeting of the Planning Committee is 3 Members.

6. Application of Council Procedure Rules

[1] Regulation 7 of the Town and Country Planning (Discharge of Local Planning Authority Functions)(England) Regulations 2026

The Council Procedure Rules (as specified in Council Procedure Rule 24) will apply to all meetings of the Planning Committee, except as modified by these Rules.

7. Procedure for Determining Applications for Planning Permission

7.1 A Planning Officer will present the Officers' report.

7.2 Members of the public who have registered to speak may then address the meeting in accordance with the agreed procedure for public speaking.

7.3 Ward Members who have registered to speak may address the meeting in accordance with the agreed procedure for public speaking.

7.4 The Applicant's / Supporters' side shall always speak last.

7.5 Committee Members will be invited to ask each Speaker questions of clarification, only to ascertain that they have understood their representations.

7.6 Officers shall respond to the representations, advising the Committee on their material relevance, or otherwise.

7.7 Committee Members will then be invited to ask Planning Officers questions of clarification.

7.8 The Chair will then open the debate. With the consent of the Chair, members of the Committee will be entitled to address the meeting more than once.

7.9 Before taking the vote the Chair will ascertain whether the motion before the Committee is clearly understood.

7.10 If no alternative recommendation is put forward the Chair will proceed to the vote.

7.11 If one or more alternative recommendations are put forward the Chair will deal with these one by one in accordance with the approved constitutional rules of debate (Council Procedural Rule 13);

7.12 At each stage, the Chair shall :

a) invite Planning Officers to advise the Committee on the extent to which the alternative recommendation and the reasons given for it fall within or outside planning policy; and/or

b) consider whether an adjournment is required to enable the Member proposing the alternative recommendation to take advice from Officers;

and only then proceed to the vote.

8. Public Speaking

8.1 Members of the public, and other interested parties, shall be entitled to participate in Planning Committee meetings and may address the Planning Committee in support of or against any application for planning permission

8.2 Public Speaking / participation shall be permitted in accordance with the approved Procedure (the current version is attached at Appendix 1 to these Procedure Rules).

9. Members of the Planning Committee with Dislosable Pecuniary Interests (DPI) or Other Disclosable Interests and Public Speaking

Any Member who considers that they have a DPI or Other Disclosable Interest in any planning matter, whether or not as a Planning Committee Member, should seek advice from the Monitoring Officer, Deputy Monitoring Officer or a member of the Democratic Services Team at an early stage.

10. Ward Members

10.1 Ward Members shall be entitled to participate in Planning Committee meetings to the extent set out under paragraph 8 of these Procedure Rules (Public Speaking) and may address the Planning Committee in support of or against any application.

10.2 A Ward Member wishing to address the Planning Committee must give notice to the Committee Services Team of his or her intention to do so by the same deadline set for Public Speakers, as detailed in the attached Procedure.

10.3 Time limits shall be the same for (Ward) Members who wish to speak in relation to a planning application as for any other Public Speaker.

11. Site Visits

Formal Site Visits shall routinely be arranged for Committee Members before consideration of any significant applications (such need to be determined by Senior Planning Officers, in consultation with the Chair).

12. Limit to length of Meetings

Meetings shall not proceed beyond 10.00 pm, without the consent of the Committee by majority vote.

Any business remaining shall be deferred to the next available meeting

of the Committee, or to an earlier additional meeting, as considered most appropriate by the Committee, further to Officer advice.

13. Introduction of the National Scheme of Delegations

The Town and Country (Discharge of Local Planning Authority Functions) (England) Regulations 2026 ("the regulations") which come into force on 31st October 2026 impose new rules regarding the allocation of planning applications as between delegated officer decisions and decisions taken by Members sitting on Planning Committee. The rules apply to all local planning authorities in England.

The regulations bring to an end the ability of ward members to ask for planning applications in their ward to be "called in" to be determined by Planning Committee as opposed to being decided by officers.

Under the regulations certain applications can only be decided by officers under delegated powers. These are generally Schedule 1 applications. There is a separate list of applications, known as Schedule 2 applications, which may be decided either by officers under delegated powers or by Planning Committee. The regulations and guidance make clear that for Schedule 2 applications there is a presumption that decisions will be made under delegated powers by officers unless certain tests are met.

The tests are known as the "Gateway Test" and the regulations state that a Schedule 2 application should only be referred to Planning Committee if the application raises: -

- One or more issues of economic, social or environmental significance to the local area (Ground A); or

- One or more significant planning matters having regard to the development plan and any other material considerations (Ground B),

It is for individual Local Planning Authorities to make arrangements to ensure that Schedule 2 applications are filtered into those applications that will be decided under delegated powers and those that will be referred to Planning Committee. The arrangements that will apply for Redditch Borough Council are set out in Appendix 2 to these committee procedure rules and in the relevant sections of the Scheme of Delegations.

14. Appendices

Appendix 1. Procedure for Public Speaking.
Appendix 2. Arrangements for the National Scheme of Delegations

APPENDIX 1 PLANNING COMMITTEE - PROCEDURE FOR PUBLIC SPEAKING

1. A person wishing to address either in person or in writing the Planning Committee must give notice to the Democratic Services Team of his or her intention to do so by 12.00 noon two working days prior to the Planning Committee meeting in question. Members of the public registering to submit comments in writing must submit the written statement by the same deadline.

2. Members of the public who register to address a meeting of the Planning Committee under the rules set out in this Appendix can do so using one of the three options below:-

    - By attending in person and addressing the committee verbally;
    - By joining the meeting virtually by video link and addressing the committee verbally; or
    - By providing a written statement in advance of the meeting to be read out by an officer.

3. Agenda running orders will be reviewed by the Chair before the start of the meeting to enable the Committee to consider the most controversial items first. This will normally take into account the number of Public Speakers and written statements registered per item and/or the size of the public attendance in respect of any given application.

4. The order of speakers will follow the principles of natural justice to enable the applicant a fair right of reply to those opposing a development.

    The order of speaking will therefore be:

    a) **Objectors**
    b) Ward Member(s) objecting to application
    Members' questions to each objector (through Chair)*
    (Officer comment at each stage as appropriate.)

    c) **Supporters**
    d) Ward Member(s) supporting application
    Members' questions to each supporter (through Chair)*
    (Officer comment at each stage as appropriate.)

    e) Applicant(s)/ agent
    Members' questions to applicant/agent (through Chair)*
    (Officer comment at each stage as appropriate.)

    Note * Members' questions at this stage must only be *to clarify* the representations made by Public Speakers.

5. Subject as mentioned at paragraphs 5 and/or 6 below, an applicant (or agent) and/or an individual objector or supporter will each be allowed to speak for no more than 3 minutes.

6. Subject as mentioned at paragraph 6 below, where there is a group of supporters or objectors with a common interest, the group will be allowed no more than 10 minutes within which to address the Committee.

7. The Committee Chair shall have the discretion:

   (i) in exceptional circumstances, to allow late additions to the list of public Speakers;

   (ii) to decide not to allow speeches, which merely repeat representations made in earlier speeches, which are inaccurate, or which are irrelevant to material Planning considerations; and

   (ii) depending upon circumstances, to vary the periods of time referred to in paragraphs 4 and/or 5 above where s/he deems it appropriate.

   For example, the Chair may wish to allow an individual applicant, agent, objector or supporter or a spokesperson for a group of objectors or supporters extra time within which to address the Committee, where the issues are numerous or particularly complex.

8. Members' questions will clearly extend this time but will enable issues to be fully understood.

9. For the purpose of ensuring a fair hearing, the Chair will offer the Supporters'/ Applicant's side an equivalent time to Objectors, or vice versa, where there is an imbalance between the two.

10. If several individual speakers register, it may be necessary, for the efficient conduct of the meeting, for the Chair to encourage a spokesperson to be identified. Where this is not possible, each speaker will be allowed, at the Chair's discretion, to speak separately and with suitable prompting where issues are being repeated that have been raised by a previous speaker.

11. Direct or open questioning and discussion / debate between Public Speakers and either Members or Officers will not be allowed during Public Speaking. Any such matters raised may be answered by Members / Officers only after the close of Public Speaking, or will be addressed during the subsequent debate. At no time will direct discussion between Members or Officers with a Public Speaker be permitted.

12. After the close of Public Speaking, no other inputs will be permitted from the ‘public gallery’, other than at the discretion of the Chair, and subject to relevant Officer advice, if exceptional circumstances warrant this.

END.