

PLANNING SUB-COMMITTEE (PUBLIC RIGHTS OF WAY)

PROCEDURAL NOTE FOR DETERMINATION OF APPLICATIONS CONSIDERED BY THE PUBLIC RIGHTS OF WAY SUB-COMMITTEE

The purpose of this note is to ensure that all applications considered by the Sub-Committee are dealt with in a just, timely and effective way. . Any objections and written representations made following appropriate consultation will be included with each application report.

Public notice of the time and place of each meeting will be given at least 5 clear days before a meeting, accompanied by all agenda reports.

Late representations in respect of applications considered under Section 53 of the Wildlife and Countryside Act 1981 will be accepted if received no later than 3 clear working days prior to the date of the meeting.

Late representations in respect of all other applications will be accepted if received no later than 12 Noon on the day prior to the meeting.

Any late representations received will be circulated to committee members the evening before Committee by email and presented in hard copy form at the actual meeting.

Provisions for public speaking will be in accordance with the attached guide.

The quorum for the Sub-Committee will be 3 Members.

The Chairman and Vice-Chairman of the Sub-Committee will be appointed by the Members of the Sub-Committee at its first meeting following the Annual Meeting of Council and the appointments will continue until the end of the municipal year.

PROCEDURE

The meeting will be conducted as follows, subject to any changes made at the Chairman's discretion:

1. Following the taking of apologies, approval of minutes and receipt of any declarations of interest the Chairman shall outline to those present the purpose of the meeting, the procedure to be followed at the meeting, introduce the Sub-Committee and request all present identify themselves.
2. The responsible officer shall introduce the report in respect of each application to be considered by the Sub-Committee.

3. Those objecting to the applications will be asked to make their representations. Those speaking will not be allowed to ask any questions of officers or the Sub-Committee. Those Members of the Sub-Committee who wish to ask questions of clarification may do so at the end of the allocated period, however, they should not interrupt or otherwise question the speaker(s) in any way.
4. Any Councillors of the Vale of Glamorgan Council not on Public Rights of Way Sub-Committee will then be entitled to address the Sub-Committee, subject to a time limit of 3 minutes per Councillor
5. Those supporting the application will then be asked to make their representations. Those speaking will not be allowed to ask any questions of officers or the Sub-Committee. Those Members of the Sub-Committee who wish to ask questions of clarification may do so at the end of the allocated period, however, they should not interrupt or otherwise question the speaker(s) in any way.
6. The responsible officer may comment on the representations made.
7. The Sub-Committee shall consider the application in conjunction with any written and oral representations and objections made.
8. The Sub-Committee may at any point during the meeting ask any further questions of the responsible officer or seek clarification on any points raised.
9. If deemed appropriate the Chairman and Sub-Committee Members may make a site visit at a date and time to be arranged at the meeting.
10. The Sub-Committee may retire if appropriate to deliberate the application accompanied only by the Council's Legal Officer and the Scrutiny and Committee Services Officer
11. The Sub-Committee will endeavour to provide a decision verbally, however, if that is not possible, the applicant and any objectors will be notified of the decision in writing within 5 working days following the meeting.

Guide to Public Speaking at Public Rights of Way Sub-Committee

Representations on Public Rights of Way Applications

Wherever possible, objections or representations to public rights of way applications should be made in writing. Save in respect of applications considered under s.53 Wildlife and Countryside Act 1981, written representations on applications received up until 12.00 noon on the day before Public Rights of Way Sub-Committee will be accepted and made available for public inspection. Representations made in respect of applications considered under s.53 Wildlife and Countryside Act 1981 will be accepted if received no later than 3 clear working days prior to the date of the meeting. Those representations received too late to be referred to in the committee report will be circulated to Public Rights of Way Sub-Committee Members the evening before the Committee and hard copies will be distributed at the meeting

Public Speaking

There will be occasions when applicants or objectors, or both, may wish to make representations in person to the Public Rights of Way Sub-Committee. In such circumstances, the following procedure will apply:

Notification to Speak

It is necessary to have sufficient advance warning of speakers to gauge the likely overall public attendance, to prepare enough copies of agendas and to offer support and advice to those unsure of how to proceed. It may also be necessary to resolve any issues regarding nominating a lead speaker and those persons will need a reasonable timeframe to co-ordinate their response.

Unless you specifically notify us otherwise, in registering to speak, you consent to the Council forwarding your contact details to others (of the same opinion) who wish to speak in order to assist you to nominate a single spokesperson.

Requests to speak must be received no later than **two clear working days** prior to the sub-committee.

To register your interest you should complete the online form, which can be found at [www.valeofglamorgan.gov.uk/\[to be confirmed\]](http://www.valeofglamorgan.gov.uk/[to be confirmed])

It is recognised that there will be individuals who will not have access to an electronic facility. Those individuals will be able to register to speak by telephone on **01446 709855** (they will be asked to provide the same information required in the online form)

Procedure

Each individual speaker will be allowed no more than 3 minutes to address the Sub-Committee, provided that (regardless of the number of speakers) those speaking for **and** against will be allocated the same amount of time in total. For example, in the event that two or more persons are registered to speak against an application, where there is only one person registered to speak in favour, he/she will be allocated 6 minutes to speak. This is to ensure that there is equality of time afforded to those speaking for and against any application.

A maximum period of 6 minutes will be allowed for those registered to speak for **or** against an application to address the Sub-Committee. If more than one person is registered to speak for or against, they are encouraged to nominate one spokesperson. Otherwise, the 6 minutes allocated will be split evenly between those persons registered to speak. The time limits will be strictly observed.

Those persons addressing the Sub-Committee will not be allowed to hand out any documentation to Members at Sub-Committee, and no facilities will be provided or available for presentations.

NB This procedure applies equally to town or community Councillors who must also register to speak in accordance with the guidance.

Who can speak?

Subject to compliance with the registration and procedural requirements set out in this guidance, the following persons are eligible to speak:-

Objectors to the application or their representative;

The applicant or their representative;

A representative of a Town or Community Council;

Any Councillor elected to the Vale of Glamorgan Council not on Public Rights of Way Sub-Committee

(NB Vale of Glamorgan Council Members are not required to register to speak).

Deferred Applications

If an application is deferred at a committee meeting on the basis that further information and / or analysis is required, the same procedure for public speaking will apply when the application is considered at the subsequent Sub-Committee meeting(s).

Other information

All parties who have registered to speak must arrive at the committee meeting at least 15 minutes prior to commencement and inform the Democratic Services Officer of their arrival.

This procedure does not apply to Public Rights of Way Sub-Committee site visits, where no public speaking is allowed.