

Part 4

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Public Participation Scheme

INTRODUCTION

1. The Council wishes to give those who are interested the opportunity to make a statement on any item on the agenda for any meeting of the Council, Cabinet, or any of the following Committees:
 - Overview & Scrutiny;
 - Northern Area Planning;
 - Southern Area Planning;
 - Licensing Committee (except when hearing licence applications to which the relevant Licensing Procedure Rules apply); or
 - General Purposes Employment Appeals & Ethics Sub-Committee (subject to the restrictions set out in paragraph 4 under Provisions for Specific Meetings).
2. The Public Participation Scheme is in addition to any other practice or procedure which the Council is required to follow.
3. The Scheme also applies to Members who have a personal interest to which paragraph 5.6 of the Members' Code of Conduct applies (which expression includes those Members who have prejudged a planning application or a licensing application to the hearing of which the Licensing Procedure Rules do not apply) in an item on the agenda.
4. The Scheme also applies to relevant Ward Members who are not Area Planning Committee Members who wish to make a statement to an Area Planning Committee on an item on the agenda.
5. Details of the Scheme and explanatory leaflets are available from the Council offices at Andover and Romsey.

GENERAL PROVISIONS

1. Rules for Speaking

- (a) Statements - These can only be made in respect of items on the agenda for a meeting. Copies of the agendas will be available for inspection 5 clear working days before the relevant meeting at the Council offices at Andover and Romsey.

- (b) Content of address – Speakers (public, Members with a personal interest and relevant Ward Members who are not Area planning Committee Members) must keep their address to the material issues involved. There will be no opportunity to present background or supporting material. There are restrictions in relation to some Committees and these are set out in the Provisions for Specific Meetings below.
- (c) Questions of Speakers – After they have made their statements, speakers (public and Members with a personal interest) may be asked questions on the content of their statements by the Members.
- (d) Notice of intention to speak (the public): in order to make a statement, oral or written notice must be given to Committee Services at the Council Offices, Beech Hurst, Weyhill Road, Andover by 12 noon on the previous working day. Notice to speak will not be accepted until an agenda has been published or, exceptionally, no more than a month in advance of a meeting, and only then if it is known that the subject matter is going to appear.
- (e) Representation by Members: in addition, or as an alternative to speaking directly to the meeting, members of the public may wish to consult with a local or any Member before the meeting to request them to represent their views to the meeting. It should however be noted that Members are not required to do so.
- (f) Planning Committees: it should be understood that, in relation to Planning Committees, Members are prevented by their Local Planning Code of Conduct from taking a view for or against any particular item until they have heard all the views that may be expressed at the relevant Committee meeting, otherwise they may not be able to take part in the meeting.
- (g) Licensing Committee: has its own procedure rules and Ward Members have a representational role but do not take part in decisions in their Ward. Speakers may be asked to clarify matters of fact by Members; there will be no debate between speakers (the public or Members) and the meeting.

2. Procedure at Meetings

- (a) Public speakers should arrive at least 10 minutes before the start of the meeting and register with the Committee Officer.
- (b) The Chairman will invite the speakers (public, Members with a personal interest and relevant Ward Members who are not Area Planning Committee Members) when the agenda item is called.
- (c) Public speakers may remain for the debate but may not speak during the debate.
- (d) After making their statement, Members with a personal interest must leave the room for the duration of the item in which they have the interest.
- (e) The Chairman has discretion to decide the order of agenda items.

PROVISIONS FOR SPECIFIC MEETINGS

1. Northern and Southern Area Planning Committees

- (a) The Council will allow the following seven groups to make presentations:
- Members with a personal interest who object to the application
 - Members with a personal interest who support the application
 - The relevant Parish Council
 - Objectors
 - Supporters
 - Applicant (including agent)
 - Relevant Ward Members who are not Committee Members
- (b) The onus is on Parish Councils, applicants, objectors and supporters to enquire as to the progress of the matter in question. The dates of forthcoming meetings can be obtained from the Council offices and officers will be able to advise on the progress of applications.
- (c) The relevant Parish Council is that Parish Council in whose area the application falls. In exceptional circumstances the Chairman (whose decision on the matter will be final) may allow additional Parish Councils to speak, in which case those additional Parishes shall be given a maximum of three minutes to speak which they must share.
- (d) The order of speaking is as follows:
- Announcement of item by Chairman giving basic details;
 - Introduction by an officer, drawing attention to significant issues and giving updated information;
 - Representations from Members with a personal interest;
 - Parish Council representations;
 - Objectors' representations;
 - Supporters' representations;
 - Applicants' representations;
 - Relevant Ward Members who are not Committee Members;
 - Further comments by officer;
 - Debate and decision.

2. Licensing Committee

The Licensing Procedure Rules will apply when the Licensing Committee sits to hear licensing applications.

3. General Purposes Employment Appeals & Ethics Sub-Committee

Statements cannot be made on items on the agenda that relate to the conduct of individual Members of Test Valley Borough Council, Independent Persons of the General Purposes Employment Appeals & Ethics Sub-Committee, or Members of Parish Councils within the Test Valley Borough area.

LENGTH OF STATEMENT

1. Council, Cabinet, Committees other than Planning Committees and sub-Committees

- (a) A total of 15 minutes will be set aside for each item for each of the two categories of public and Members with a personal interest.
- (b) The Mayor or Chairman may use his/her discretion to extend the total time in exceptional circumstances. The Mayor's or Chairman's decision as to what constitutes exceptional circumstances and the length of such extension shall be final. The total time for Members with a personal interest shall only be extended if there is an equivalent extension for the total time for the public.
- (c) Individual statements will be limited to a maximum of three minutes for members of the public.
- (d) The Mayor or Chairman may limit the length of statements to less than three minutes if a large number of people wish to speak on a particular item.
- (e) A device of green, amber and red lights to indicate times will be provided.

2. Northern and Southern Area Planning Committees

- (a) Each group will have a maximum of three minutes, with the exception of Relevant Ward Members who are not Committee Members who will have a maximum of five minutes. Where there is more than one Relevant Ward Member who is not a Committee Member who wishes to speak they will have a maximum of three minutes each.
- (b) The Chairman may limit the length of statements to less than three minutes if a large number of people wish to speak on a particular item.
- (c) The Chairman may use their discretion to extend the total time for public speaking in exceptional circumstances. The Chairman's decision as to what constitutes exceptional circumstances and the length of such extension shall be final. The total time for Members with a personal interest shall only be extended if there is an equivalent extension for the total time for the public.
- (d) A device of green, amber and red lights to indicate times will be provided.