

Committee	Date	Classification	Report No.	Agenda Item No.
Development Committee	16th June 2010	Unrestricted	DC002/011	5.2
Report of: Assistant Chief Executive		Title : Development Committee Public Speaking Procedure		
Originating Officer(s) : Nadir Ahmed, Democratic Services		Ward(s) affected: N/A		

1. Summary

- 1.1 This report sets out the proposed amendments to the Public Speaking Procedure at meetings of the Development Committee. The Committee is requested to note the proposed changes to the Constitution in relation to this and agree to adopt the proposed changes to the Committee's own procedures.

2. Recommendations

- 2.1 That the Development Committee agrees to note the proposed changes to the Council's Constitution in relation to the Public Speaking Procedure as set out in Appendix 1 to this report; and
- 2.2 That the Development Committee agrees to adopt the proposed changes to the Committee's own procedures as set out in Appendix 2 to this report with effect from 14th July 2010.

3. Background

- 3.1 The work of the Development Committee in determining planning applications is quasi-judicial in nature and needs to be based on fairness and natural justice.
- 3.2 One of the procedures in place to ensure sound, fair and just decisions are made is the Public Speaking Procedure. This is in two parts:
- a) The Public Speaking Procedure in the Council's Constitution
 - b) Any additional procedural rules that the Committee adopts from time to time.
- 3.3 Following a review of the Public Speaking Procedure by officers in Democratic Services, Legal Services and Planning, a number of changes have been proposed.

- 3.4 These changes have been recommended to better facilitate the practical running of the Committee. They primarily aim to codify existing procedures and enshrine them in the Council's Constitution.
- 3.5 Appendix 1 sets out the proposed Public Speaking Procedure in the Constitution.
- 3.6 Any changes to the Constitution must be agreed by Council. Accordingly, a report will be presented to the Council on 14th July 2010 with the recommendation that the proposed changes be agreed with immediate effect.
- 3.7 Appendix 2 sets out the proposed additional procedural rules for adoption by the Committee.
- 3.8 If adopted, these changes will be implemented when the proposed changes to the Constitution are agreed by Council.

4. Comments of the Chief Financial Officer

- 4.1 There are no specific financial comments arising from the recommendations in this report.

5. Concurrent report of the Assistant Chief Executive (Legal)

- 5.1 There are no specific legal comments arising from the recommendations in this report.

6. One Tower Hamlets Considerations

- 6.1 There are no immediate One Tower Hamlets implications arising from the recommendations in this report.

7. Sustainable Action for a Greener Environment

- 7.1 There are no specific SAGE implications arising from the recommendations in this report.

8. Risk Management Implications

- 8.1 The Council needs to have a robust Public Speaking Procedure in place to ensure decisions are made on the basis of fairness and natural justice.

9. Crime and Disorder Reduction Implications

- 9.1 There are no Crime and Disorder Reduction implications arising from the recommendations in this report.

10. Appendices

- Appendix 1 Proposed provisions in the Council's Constitution (Part 4.8) relating to public speaking
- Appendix 2 Proposed public speaking procedure adopted by this Committee

LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED) LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of "background paper"

If not supplied
Name and telephone
number of holder

None

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