

Guidance for Addressing the Development Management Committee



Planning Services Development Management

Introduction

This guidance note explains the format of the Development Management Committee. It has been produced to help applicants and objectors prepare and make the most of the opportunity to address the committee.

Who can address the committee?

Applicants agents and people who have objected to or support an application have the opportunity to address the committee. To be eligible, you contact us by 12 noon on the Monday before the committee meeting. If you do not and we have no record of a response, you might not have the opportunity to participate in the meeting.

Where is the meeting held?

The Development Management Committee meets every four weeks at the West Lothian Civic Centre, Howden South Road, Livingston. If you are the applicant, agent or an objector we will tell you details of the time and date a week before the meeting .

Please note there is limited visitor parking available at the Civic Centre. Alternative parking can be found at Almondvale Stadium and at The Centre, 87 Almondvale South, Livingston.

When you arrive please report at the reception desk of the Civic Centre, where you will be given a visitor's pass.

The meeting takes place in the council chambers in the Civic Centre. You should try to arrive at the chambers not later than 10 minutes prior to the start of the meeting. The agenda and reports are available online at <http://coins.westlothian.gov.uk/coins> prior to the meeting.

Who attends the Development Management Committee?

The committee has nine members and there are representatives from each of the political parties.

The membership of the current sub-committee is:

- Councillor Charles Kennedy (Chairman)
- Provost Tom Kerr (Vice-Chair)
- Councillor Stuart Borrowman
- Councillor William Boyle
- Councillor Harry Cartmill
- Councillor Lawrence Fitzpatrick
- Councillor Pauline Clark
- Councillor Dom McGuire
- Councillor David Tait

In addition to the councillors and officials, there are usually representatives from the local press in attendance together with applicants, agents, objectors and other members of the public.

How is the Development Management Committee meeting organised?

The meeting is divided into sections.

- Planning applications which have attracted speakers
- Applications which have not attracted speakers.

The length of any meeting is difficult to predict. The meeting begins at 10.00 and the aim is to finish before noon. However, if this is not feasible there might be a 30 minute adjournment around noon.

Other business arising is dealt with at the end of the meeting. This is usually the reporting of appeals and requests for enforcement action. Occasionally there will be some matters which require to be discussed privately and in a closed session.

The meeting is chaired by the Chairman and it is normal practice for the Development Management Manager to introduce the application and give any update to the written report on the agenda. Anyone objecting to the application who has indicated that they want to address the committee will be asked to speak first, followed by any supporters of the applicant and then the applicant or agent. Members of the committee then have an opportunity to ask questions and debate the proposals before the case is put to a vote and a decision taken whether to grant or refuse permission.

When it is time for you to speak, you will be invited to take a seat at the committee table. A microphone is provided and you should make use of this. A maximum time of five minutes is permitted for you to put your case, which must be only on valid planning matters. You must not make statements that are personal, defamatory or abusive, nor interrupt another speaker or the committee debate.

You might find it helpful to prepare what you want to say in advance. Remember that you do not need to repeat all the points in any letters sent in, since these will already have been summarised in the committee report and are reproduced in full. You should instead focus on the key points of concern to you.

Please be aware that supporting papers, reports or photographs cannot be circulated to members as part of the presentation. Members might ask you questions and you will be thanked for making your presentation. After you have spoken you can stay to hear the debate and listen to the decision being made.

The committee may either grant planning permission or refuse it. Occasionally, decisions on applications are continued so that further information can be obtained. In such cases, the application will be considered again at a future meeting.

What happens once the application has been decided?

The applicant/agent and representees will be advised in writing, normally within five working days, of the committee's decision.

In some instances, before a decision notice can be issued, applications require to be notified to the Government or Historic Environment Scotland or are subject to a legal agreement between the applicant and the council. In such cases, it will not be possible to let you know about the decision until the Government responds or the legal agreement is concluded.

If approved, the development should comply with the approved plans and the conditions. If the development contravenes the terms of the permission, the council is empowered to take enforcement action to rectify the breach.

Can I appeal against the decision if I disagree with it?

Only the applicant has a right of appeal, if the Development Management Committee planning application. If you are an applicant and your application has been refused or if the council has imposed conditions which you find unacceptable, you have three months from the date the decision is issued to lodge an appeal with the Scottish Ministers. You can obtain appeal forms from the **Scottish Government, Directorate of Planning & Environmental Appeals, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR**. Alternatively, you can telephone **01324 696400** or log onto the website at <https://eplanning.scotland.gov.uk/WAM/> The decision of the Scottish Ministers or a Reporter is final, except on a point of law.

Developers are not entitled, solely by reason of a planning permission, to carry out a proposed development. They may need other approvals, depending on the type of development. Planning permission does not override any civil/property rights which may be in force over the land which is the subject of the planning approval and it is the responsibility of the developer to ensure that he/she has all other necessary consents before starting work.

How do I complain about the way the application was processed?

If you are particularly unhappy with the way in which the council dealt with your application or your representations, or if you believe that it failed to follow the correct procedures in processing the application, then you can make a formal complaint to the council. A leaflet explaining the council's complaints procedure is available from any council office or can be requested by telephone. In addition, complaints can be made via the council's website.

If, after having exhausted the council's complaints procedure, you remain unsatisfied, you can then complain to: **The Scottish Public Services Ombudsman, 23 Walker Street, Edinburgh, EH3 7HX**, telephone **0970 011 5378**.

Customers with special requirements

Information is available in **Braille, tape, large print** and **community languages**. Please contact the **interpretation and translation** service on **01506 280000**

Text phones offer the opportunity for people with a hearing impairment to access the council. The text phone number is **18001 01506 464427**. A loop system is also available in all offices.

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