

ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management Committee
DATE	7 December 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Representation Procedure
REPORT NUMBER	GOV/23/317
DIRECTOR	Gale Beattie
CHIEF OFFICER	David Dunne
REPORT AUTHOR	Elena Plews and Fiona Closs
TERMS OF REFERENCE	General delegations 8.7

1. PURPOSE OF REPORT

- 1.1 To provide an update to Committee on the operation of the representation procedure which was approved by Planning Development Management Committee (PDMC) on 3 November 2022 and to seek approval for the procedure to be updated as outlined at 3.2 of the report.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Notes how the representation procedure has operated since December 2022;
- 2.2 Approves the updated Procedure and Guidance notes at Appendix 1;
- 2.3 Notes that the updated Procedure and Guidance notes will take effect from after today's meeting and will apply to all future Planning Development Management Committees;
- 2.4 Instructs the Chief Officer – Strategic Place Planning to keep the Procedure and Guidance notes under review and to make any minor amendments which are deemed necessary; and
- 2.5 Instructs the Chief Officer – Strategic Place Planning to report back to the Committee after 12 months if any material changes are required to the Procedure and/or Guidance notes.

3. CURRENT SITUATION

3.1 Since the representation procedure was approved by PDMC on 3 November 2022 a total of 42 applications have been considered by the Committee with a total of 80 representations having been made in respect of some of those applications between December 2022 – November 2023. Members will be aware that some applications have attracted more speakers than others. A table with a further breakdown of applications and speakers is available at Appendix 2 of this Report. The procedure has allowed greater access to the planning decision making process by members of the public, applicants and ward members. This has enabled the Committee to obtain a more in depth understanding of the issues affecting applicants, objectors and supporters. The changes which are recommended will ensure continuation of this representation process by applicants and members of the public whilst ensuring that Committee business is dealt with efficiently. It is recommended that the Chief Officer – Strategic Place Planning keeps the procedure under review and reports back to the Committee after 12 months if material changes are required to the procedure. This is to ensure that the procedure can be amended and improved as necessary.

3.2 The changes which are recommended are as follows:

- To expedite Committee business, it is recommended that the procedure is amended to limit the number of speakers on behalf of supporters and objectors to five on each side. Requests would be dealt with on a first come first served basis by making a request to make a representation to Committee Services. A group may wish to appoint a spokesperson. The applicant or their agent and ward members would continue to be able to make a representation at PDMC, irrespective of the number of speakers in support or against the application.
- The existing procedure sets out that those wishing to make representations to PDMC require to notify Committee Services by 5pm on the Monday prior to the relevant Committee meeting. In order to allow those wishing to make representations more time to indicate their desire to make a representation at PDMC it is recommended that the procedure is amended to require notification to Committee Services by 12 noon on the Tuesday prior to the relevant Committee meeting.
- It is recommended that agents or proxies continue to be allowed to read prepared statements on behalf of those eligible to speak but who are unable to attend the Committee meeting however it is recommended that any Council officer does not read out prepared statements on behalf of any party. This is to ensure fairness and transparency to all parties.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications of adopting the updated Procedure. The limit on the number of speakers which is proposed will ensure that PDMC business is expedited and that the impact on resources will be minimised.

5. LEGAL IMPLICATIONS

- 5.1 It is important that all Interested Parties and applicants are given the same opportunity to make verbal representations to the Committee to ensure a fair, open and transparent decision making process.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications of adopting this Procedure.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	No significant risks identified			N/A
Compliance	Procedure is required to comply with requirements of the Code of Conduct	Procedure and guidance notes drafted to comply with requirements of the Code of Conduct.	L	Yes
Operational	Impact on the efficient running of PDMC if there is a lot of interested parties wanting to speak at PDMC.	Procedure has been updated to limit the amount of speakers in an attempt to minimise the impact on the efficient running of PDMC whilst balancing the interests of those wishing to make representations.	L	Yes

		Interested parties have limited time to make their representations.		
Financial	No significant risks identified			N/A
Reputational	No significant risks identified			N/A
Environment / Climate	No significant risks identified			N/A

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2023-2024</u>	
Impact of Report	
Aberdeen City Council Policy Statement <u>Working in Partnership for Aberdeen</u>	The proposals in this report have no impact on the Council Delivery
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
Prosperous Economy Stretch Outcomes	The Council aims to support improvement in the local economy to ensure a high quality of life for all people in Aberdeen. This report seeks to ensure that all people in Aberdeen are able to make representations on planning applications.
Prosperous People Stretch Outcomes	The Council is committed to improving the key life outcomes of all people in Aberdeen. This report seeks to ensure that all citizens of Aberdeen are able to partake in the planning process.
Prosperous Place Stretch Outcomes	The Council is committed to ensuring that Aberdeen is a welcoming place to invest, live and visit, operating to the highest environmental standards. This report provides information in relation to making representations at PDMC.
Regional and City Strategies	N/A

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Stage 1 Integrated Impact Assessment complete.
Data Protection Impact Assessment	Not required.
Other	None

10. BACKGROUND PAPERS

10.1 Planning Development Management Committee Report COM/22/252 reported on 3 November 2022 –

[Representations at PDMC report.pdf \(aberdeencity.gov.uk\)](#)
[Previous procedure note.](#)

11. APPENDICES

11.1 Appendix 1 – Procedure for making representations at PDMC and associated guidance notes.

11.2 Appendix 2 – Table showing breakdown of speakers and applications between December 2022 – November 2023.

12. REPORT AUTHOR CONTACT DETAILS

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