



Agenda Item 3

PRE-DETERMINATION HEARING PROCEDURES

FALKIRK COUNCIL

PLANNING PRE-DETERMINATION HEARING PROCEDURES

1. The Convener will formally welcome all those present and explain the purpose of the Hearing.
2. The order of proceedings and the procedures to be followed at the Hearing will be explained.
3. The Convener will ask the relevant officer from the Council to present the report relating to the planning proposal.
4. The Convener will invite the applicant or their agent and any statutory consultees to speak in relation to the proposal. The applicant or their agent will normally be entitled to speak for 10 minutes whereas statutory consultees will normally be entitled to speak for up to 5 minutes.
5. The Members of the Committee will be invited to question the applicant/agent/statutory consultees and may seek guidance on factual or legal matters from the officers after each presentation.
6. The Convener will invite other persons submitting representations (including the objector(s) or supporter (s) to speak to the terms of their representation(s) submitted in response to the planning proposal. Each party will normally be permitted to address the Committee once for up to 5 minutes. So as to avoid repetition, where parties have a similar interest or objection, a spokesperson will be invited to speak on behalf of the group. In these circumstances, the spokesperson will normally be permitted to speak for up to 10 minutes.
7. The Convener may limit the number of speakers addressing the Hearing on any particular topic or may curtail any speech which repeats any matter on which the Hearing has already been addressed.
8. The applicant and/or agent will have a right of reply to any points raised by any party heard by the Committee.
9. The Members of the Committee will be invited to question any party heard by the Committee or may seek guidance on factual or legal matters from Council officers after each presentation.
10. Members of the Committee may identify any other planning issues that they wish to see addressed in the report to the meeting of Council that will consider the application.
11. The Convener will close the Pre-Determination Hearing.

NOTES:

- (A) NO CROSS EXAMINATION WILL BE PERMITTED UNDER ANY CIRCUMSTANCES. ALL REMARKS MUST BE DIRECTED TO THE CONVENER, WHOSE DECISION ON ANY MATTERS OF ORDER WILL BE FINAL.**
- (B) IF ANYONE WHO HAS INTIMATED THEIR INTENTION TO BE HEARD AT THE HEARING FAILS TO APPEAR AT THE HEARING TIMEOUSLY, THE COMMITTEE MAY PROCEED WITH THE BUSINESS WITHOUT HEARING THAT PERSON.**
- (C) THE CONVENER WILL BE RESPONSIBLE FOR ENSURING THAT THE HEARING IS CONDUCTED EFFICIENTLY HAVING DUE REGARD TO THE PRINCIPLES OF NATURAL JUSTICE.**
- (D) FOR THE AVOIDANCE OF DOUBT, NO DECISION ON THE APPLICATION WILL BE TAKEN AT THE HEARING.**