

# **MELKSHAM WITOUT PARISH COUNCIL**

## **POLICY FOR PRE-PLANNING APPLICATION MEETINGS WITH DEVELOPERS**

### **POLICY**

Melksham Without Parish Council acknowledge that developers may wish to present proposals at Pre-Planning Application stage to the Parish Council, to seek its views and that of the local community. In order to avoid improper lobbying by a developer or creating a perception that the Council have a predetermined position about a proposed development, the Council will follow the procedure below:

### **PROCEDURE**

1. The developer must provide information about the proposed development affecting the parish in writing.
2. If the developer considers that information provided to the Parish Council is sensitive, this will not require the council to treat it as confidential. The developer must identify information that they want to be confidential, and explain the reasons in writing. If the developer has a legitimate expectation for confidentiality about the proposed development, the Council will keep a written record of the confidential and non-confidential issues.
3. Information held by the Parish Council about a proposed development is subject to disclosure under the Freedom of Information Act 2000.
4. Communications (including informal and formal meetings) between the developer and the Council (or with individual councillors and staff) about a pre-planning application development will not bind the council to making a particular decision. Any views expressed are, at best, provisional because not all of the relevant information will be available to the Council and formal consultations will not have taken place.
5. Informal meetings and telephone conversations between a developer and individual councillors or staff will be documented in writing and are subject to disclosure under the freedom of Information Act 2000. Council staff will arrange and attend meetings with councillors and send a follow-up in writing.
6. The meetings of the Council and its committees are open to the public (Section 1(1) Public Bodies (Admission to Meetings) Act 1960) and developers may attend.
7. The developer may not speak at a Council or committee meeting unless they are invited to address the meeting or do so during public participation. The developer may regard information about the proposed development as either confidential or “sensitive” and therefore not suitable for discussion at a

meeting open to the public. However, Councillors at the Council or committee meeting will decide if there are grounds to exclude the public from the meeting when the proposed development is being discussed and considered. The Parish Council may do this if the matter being considered at the meeting would prejudice the public interest due to its confidentiality or for other special reasons (Section 1(2) Public Bodies (Admissions to meetings) Act 1960).

8. The minutes of the Council and committee meetings which record the decisions made at them are available to all on the Parish Council Website ([www.melkshamwithout.co.uk](http://www.melkshamwithout.co.uk)) or from the Parish Council Office.
9. The Council may invite developers to attend an assembly of the Parish meeting, which is also open to the public (Section 1(1) Public Bodies (Admission to Meetings) Act 1960), to present or discuss their proposals for a proposed development affecting the Parish.
10. It is an offence under section 1 of the Bribery Act 2010 for a developer or their agent to promise or give a financial or other advantage to the Parish council with the expectation of an improper consideration of a planning application. If the developer is an organisation, such as a charity or company, the council may request sight of the developer's anti-bribery policy.

*Policy recommended by the Planning Committee, 30<sup>th</sup> November, 2015 and approved by Full Council, 14<sup>th</sup> December, 2016.*