



# Treverbyn Parish Council

## Planning Protocol Policy

### Conduct

1. Councillors must act in accordance with the Council's Code of Conduct for members and co-opted members, which provides guidance and standards for Councillors. Breaches of the Code can be referred to the Monitoring Officer.
2. Councillors should not favour any individuals or groups and, although they may be influenced by the opinions of others, they alone have a responsibility to decide what view to take. The basis of the planning system is the consideration of proposals against wider public interests and opposing views are often strongly held. Councillors should take account of those views but they should not favour any person.
3. The Council's Code of Conduct and relevant legislation must be followed scrupulously. Not only should impropriety be avoided but also any appearance or grounds for suspicion of improper conduct should be avoided. It is for each Councillor to consider the application of the Council's Code of Conduct to his or her personal circumstances.
4. The position with regard to pecuniary and non-pecuniary interests is contained within the Council's Code of Conduct. The guiding rule for Councillors must be that one should not use one's position to further a private or personal interest rather than the general public interest or give grounds for such perception. Private interests could arise through family, friends, clubs, groups, organisations, trade unions and voluntary bodies. Members are advised to refer to the council's Code of Conduct for the circumstances in which they will need to declare an interest and withdraw from the meeting during consideration of that item. Councillors who are unsure whether an interest should be declared should seek advice from the Chairman or the Clerk or the Monitoring Officer.

5. Councillors shall decline any gifts of hospitality offered by any third parties in connection with any application and/ or disclose any advantage to themselves or the Council from information acquired in confidence about an application.

6. The Council's Code of Conduct requires that members and co-opted members of the Council must not do anything which compromises or which is likely to compromise the impartiality of those who work for, or on behalf of, the Authority. Members or co-opted members must not conduct himself/herself in a manner which could be reasonably be regarded as bringing the office of councillor or the Council into disrepute.

7. Councillors should avoid giving any indication of the likely decision and should not express an opinion to a person lobbying on an application. They must make it clear that they will only be in a position to take a decision after having heard all the evidence and debate.

8. Councillors should avoid organising support for or opposition to a planning application and avoid lobbying other councillors. There should be no political group meetings prior to the meeting to influence how members should vote.

### **Pre-Application Requirements**

9. If requested the Council can convene a meeting to allow potential developers to present their proposals. The date, time and venue of the meeting will be publicised on the Council's website.

10. It should be made clear at the outset that any such discussions will not bind the Council to making a particular decision and that views expressed are personal and provisional.

11. The main purpose of the meeting should be to allow the developer to discuss issues at an early stage that could be addressed as part of the planning application. Such a meeting is not a substitute for the formal planning process. Members are expected to essentially ask relevant questions to the applicant, rather than express a view or opinion on the application.

### **Site Visit by the Planning Sub-committee.**

12. The purpose of an organised site visit is to enable members of the Planning Sub-committee to understand more fully:

- The details of a site where development is planned.

- The exact location and details of the surrounding area
- To reflect on any issues/comments raised by residents and/or objectors.
- To provide photographs and maps of the site if necessary.

13. Permission to enter the land will be sought where possible prior to the accompanied site visit. All members of the Planning sub-committee should be accompanied by the Clerk or Deputy Clerk.

14. There should be no decision taken at an accompanied site visit, nor is it the purpose of the site visit to debate the merits of the development either between councillors, the applicant or their representative or with local residents. Debate about the application will only take place at the time of the Planning meeting when it is scheduled for formal consideration.

### **Procedure at site visits**

15 The following procedure is recommended on all planning site visits:

- The Clerk or Deputy Clerk will oversee the conduct of the site visit. All persons in attendance will be introduced and the names of all present will be noted.
- At the request of the Chairman, the Clerk or Deputy Clerk can briefly describe the proposal and display any relevant plans and drawings. It is expected that members of the Planning Sub-committee will already be familiar with the application.
- Councillors may ask for factual clarification of any planning matter relating to the proposal or any surrounding land.
- At no time during the visit should Councillors debate or comment on the planning merits or otherwise of the application.
- At no time during the visit should Councillors debate the merits of the application with the applicant, their agent or representative, any member of the public or objector.
- To assist in ensuring that Councillors are not compromised on any of the above situations and receive the same information, they are required to keep together in one group during the entirety of the site visit.

### **Procedure for a 5-day protocol.**

16. This policy details the procedure for when the planning officer's proposed recommendations differs from the decision made by the consultee (namely the Parish Council) and therefore activates the 5- day protocol. It is based on the

principles that the members of the Council may wish to reevaluate their original decision given the information and explanation from the Planning Officer and that there would be insufficient time before the next scheduled meeting for further discussion.

(a) Upon receipt of the correspondence from the Planning Department and the reasons of the disagreement and the Planning Officer's recommendations that the Clerk and/or Deputy Clerk must notify number specified or All members of Council.

(b) Councillors will be responsible for ensuring that their comments (based on planning guidance and application information) and their vote is informed within the stipulated timescale.

(c) If there has been no change to the original resolution, the details of the application and the result of the re-consideration will be announced at the next meeting of Council and recorded in the minutes.

(d) If there has been a change to the original resolution, the details of the application and the result of the re-consideration will be taken to the next meeting of Council to be ratified and recorded in the minutes.

(c) The Clerk and/or Deputy Clerk will advise the Planning Officer of the result of the re-considerations and update the appropriate records, including the website.

Adopted: 14<sup>th</sup> May 2024