



HORSMONDEN PARISH COUNCIL

Policy for Meeting with Planning Applicants (developers and individuals)

Guidance for Councillors

Pre-determination

The Localism Act 2011 makes it clear that it is proper for Councillors to play an active part in local discussions. In all meetings Councillors are reminded of the need to abide by the Parish Council's adopted Code of Conduct and the importance of not pre-determining their position on any future planning applications. It is noted that expressing a pre-disposition, e.g. 'welcome in principle' or 'have concerns' is permissible. However, should a Councillor demonstrate a predetermination of their view about a specific planning application and not approach the matter with an open mind, then they should not take part in the formal consideration of that matter at a meeting of the Planning Committee or any other Parish Council or Committee meeting.

Purpose of pre-application briefing meetings and meetings during the application process

- To be positive and proactive in engaging constructively with applicants, Tunbridge Wells Borough Council and other service providers from an early stage
- To assist in identifying and engaging with other interested groups / organisations operating within the community in order to assist applicants to publicise their proposals and related community involvement opportunities
- To seek to understand the full range of community interests the Parish Council is representing with regard to particular development proposals
- To identify clearly, and at an early stage, the issues relating to development proposals that are a priority for the Parish Council and the questions that need asking of the applicant, the Local Planning Authority (TWBC) and/or other services
- To help with identifying gaps or pressures on existing services or facilities and to identify the need for local infrastructure improvement
- To acknowledge and respect the rights of all stakeholders to express their views

Procedure at pre-application briefing meetings

A pre-application briefing is a meeting of the Parish Council or the Planning Committee at which an applicant provides information on their proposed planning application to members of the Parish Council and members of the public.

Developers and applicants are able to provide the Parish Council with a pre-application briefing which is:

- Without prejudice to the Parish Council's response to the formal consultation
- Included as part of a meeting of the Parish Council or the Planning Committee
- Advertised as part of the meeting agenda
- Open to members of the public in accordance with the Public Bodies (Admission to Meetings) Act 1960
- Included as part of the public record in the minutes of the meeting
- Subject to disclosure under the Freedom of Information Act (Applicants should not submit any information on a confidential basis)

No informal meetings and telephone conversations between applicant and individual Councillors should occur.

If Councillors are invited by TWBC to attend a pre-application meeting, the attendees will report back to the next Parish Council, or planning committee meeting, unless TWBC explicitly state that the meeting has been held on a confidential basis, in which case this will be reported under a closed session at the meeting.

Procedure at meetings during the application process

The Parish Council is a statutory consultee on planning applications within the parish of Horsmonden and the final decision on all planning matters rests with Tunbridge Wells Borough Council. The Parish Council has delegated powers to its Planning Committee to consider planning applications and to decide whether to support or object to an application, or to make any other relevant and appropriate comment if a full Council meeting is not being held.

Developers and individuals are welcome to attend and speak at meetings at which planning applications are considered during the statutory consultation process, and which:

- Are open to members of the press and public in accordance with the Public Bodies (Admission to Meetings) Act 1960
- Have advertised the relevant planning application as part of the meeting agenda
- Include discussions as part of the public record in the minutes of the meeting
- Are subject to disclosure under the Freedom of Information Act

Discussions regarding s 106 negotiations/agreements

Developers are also welcome to approach the Council about the possibility of holding more informal discussions regarding S106 agreements, however no decisions can be made at such a meeting and it will be used for discussion only. These meetings must be reported back in full at the next Parish Council meeting and form part of the meeting notes which are then publicly available. Parish Council committee members or advisers are also welcome to attend the informal meetings.

Organising pre-application briefing meetings and attending meetings during the application process

Developers and individuals wishing to organise a pre-application briefing or attend a meeting during the planning application process should contact the Parish Council.

Horsmonden Parish Clerk – clerk@horsmonden-pc.gov.uk