

CONSTITUTION PRACTICE NOTE

COUNCILLOR MEETINGS WITH APPLICANTS, DEVELOPERS, OBJECTORS AND SUPPORTERS

Lobbying is a normal part of the planning process and can affect all councillors. Those who may be affected by a planning decision will sometimes want to influence a councillor either on the Planning Committee or a local Ward Member to favour their position. It is appropriate that councillors participate in this process but there are a number of matters that should be borne in mind. The following must be taken into consideration depending on the circumstances.

General advice applicable to all Councillors

1. If a member of the public asks for advice on how the planning process works which goes beyond general principles but into more technical material; like the interpretation of local and national policy, then this must be referred to the planning officers. The planning officer will understand the full technical background and engage with the applicant and objectors. It is inappropriate for a Councillor to offer advice as it could affect the guidance already given.
2. Any request for pre- application advice or meetings with a councillor should involve a planning officer to avoid the possibility that the councillor is drawn into giving technical advice for the reasons given above.
3. If a councillor thinks that a meeting with an applicant, developer , objector or supporter is likely to be viewed as prejudicial to the process being conducted fairly, then they should decline to meet or only do so in the presence of a planning officer eg where an application is highly controversial. If in doubt seek advice from the Planning Team.

Specific additional requirements for Planning Committee Members

4. If a Committee Member decides to meet any person interested in an application it is important that a councillor should not be drawn into stating how they will vote or indicates that they have finally decided the matter so that it could be said that they have “closed their mind” to being influenced in a different direction. If in doubt; or if you have a closed mind, or have predetermined the application, then advice should be sought from the Legal Services Team. If a councillor finds that they are being encouraged to express a final view then they should say that they will only reach a final view at the Committee when they will be exposed to all the relevant material and planning considerations. If a councillor has already predetermined a planning decision then they must not participate in the decision making.

If you are in any doubt please seek clarification from the Monitoring Officer.