

BARNT GREEN PARISH COUNCIL

80 Hewell Road, Birmingham, B45 8NF

0121 447 9893

exec@barntgreen.org.uk
www.barntgreen.org.uk



Policy Protocol on Preapplication Meetings for Major Developments

Introduction

It is recognised that it is important to involve first tier local government at the earliest stages of a development project.

Given that Parish Councils are democratically elected bodies closest to the community they serve it is considered a good reason to encourage this.

Effective and early consultation will lead to development proposals which are both better developed and understood by the public, where important issues have been articulated and considered at the earliest opportunity.

The involvement of parish councils and communities in the planning system is reinforced in the National Planning Policy Framework (the key national planning document) which states:

Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community. (Para.39)

More specifically the Government has introduced measures to encourage developers and parish councils to enter into early discussions on development proposals.

One of the many reforms the Localism Act 2011 introduced was a duty on developers to consult with local communities before submitting planning applications for certain (normally major) developments.

In addition, the Act clarifies the rules on 'predetermination'. This has made it clear that councillors can enter early discussions with a developer on a planning application without fear of being accused of bias or facing a legal challenge, as long as they entered into these with an open mind.

While the Government encourages parish councils to enter into such discussions often it does not go into detail about how this should be done. This policy is aimed at providing that guidance.

1. Guidance for Councillors and developers

- 1.1 Barnt Green Parish Council recognises that preapplication discussions play an important role in major planning applications, and welcome developers to consult both the Council and the public more widely. However the Council is also aware of the importance of public perception in planning and the critical need to avoid any appearance that the Council is conducting secretive negotiations or colluding with developers.

2. Pre-determination

2.1 In all meetings with developers, members are reminded of the critical importance of not pre-determining their position on any future application, as this could require them to take no part in the discussion. It is noted, however, that expressing a predisposition, for example of either 'welcome in principle' or 'concerns', is permissible.

3. Council Discussions

3.1 Barnt Green Parish Council has a Planning Committee who will act as the official voice of the Council in any pre application meetings for major developments. This committee has an appointed Chairman.

4. Individual members' discussions

4.1. Individual members may be approached by developers for informal discussions of possible future applications. Whilst it is left to the individual judgement of members whether to take part in such discussions, based on the nature and likely level of controversy of the application, they are advised:

- i) to carefully consider the public perception of such meetings;
- ii) to avoid any appearance of collusion in applications likely to cause controversy;
- iii) to avoid accepting hospitality in connection with such meetings;
- iv) to advise the Chairman of the Parish Council, the Chairman of the Planning Committee and the Executive Officer of the Council, *in advance* of such meetings.
- v) Members must not purport to be representing the Council at such meetings, unless expressly authorised to do so by the Council.

5. Preapplication briefings

5.1. The Council is, in general, willing to hold meetings with developers prior to public consultation on the following two conditions:

- i) full public consultation is either already scheduled or firmly planned;
- ii) The Chairman of the Parish Council must make it clear that the main purpose of any meeting is to learn more about the development proposal and its implications, not to form a view or make a decision. However, should a view or opinion be expressed, this will not bind the Parish Council to making a decision.

5.2 Consideration should be given to involving other interested bodies such as the local planning authority and the community in pre-application discussions.

5.3 Barnt Green Parish Council will not hold private meetings with developers unless there is a necessary and compelling reason that could be justified to the public (for example a strong commercial sensitivity, where a developer wishes to receive an initial steer before deciding whether to progress).

5.4 During any pre application briefing or meeting, a written report will be made. While sometimes a degree of confidentiality may be needed this will be addressed while at the same time retaining a written record of the meeting.

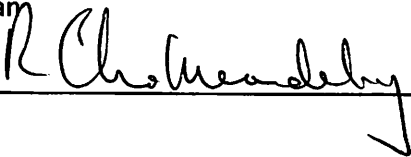
6 Pre application public consultations

6.1 The Council strongly encourages developers to carry out full public consultation prior to submitting plans for major developments, on the following basis:

- i) Providing an accessible and convenient venue;
- ii) Providing timely and sufficient publicity to likely interested parties;
- iii) Allow for appropriate timings to enable attendance by as wide a range of people as possible;
- iv) Providing a genuinely open mind and willingness to adapt plans in response to feedback;

6.2 Members are advised not to attend separate private briefings as part of public consultation, but instead to attend with the public.

Approved by Barnt Green Parish Council at the Parish Council Meeting 22 June 2020 and signed by the Chairman



Date 24/6/2020

Review Date: June 2025