

# WATERBEACH PARISH COUNCIL

## Protocol on informal engagement for major developments

### Guidance for Councillors and developers

1. Waterbeach Parish Council recognises that informal discussions may play an important role in major planning applications, and welcomes the desire of developers to consult both the Council and the public more widely. The Council also needs to have regard to the best use of its Member resource given significant amount of development and the consequent large workload and expectations being placed on the Council.

2. 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. This guidance should be read in conjunction with the [Waterbeach Parish Council Code of Conduct](#) for members which this protocol supplements but does not replace.

### Pre-determination:

3. In all meetings with developers, members are reminded it is of critical importance not to pre-determine their position on any future application, as this could require them to take no part in the discussion. However, expressing a pre-disposition, for example of either 'welcome in principle' or 'concerns', is permissible. *"Clearly expressing an intention to vote in a particular way before a meeting (predetermination) is different from where a councillor makes it clear they are willing to listen to all the considerations presented at the committee before deciding on how to vote (predisposition). The latter is alright, the former is not and may result in a Court quashing such planning decisions.<sup>1</sup>"*

### Informal briefings:

4. The Council may decide to hold meetings or similar with developers provided that:

- These are information gathering events
- No decisions are taken, nor will discussions bind the Council to making a particular decision

5. The Clerk (or other WPC officer) and/or the Planning Consultant to WPC should where possible be present in such meetings.

### Focus groups/other stakeholder events:

6. The Council is also willing in principle to agree to requests from the developer to nominate individual members to participate in wider stakeholder events. In such cases the member will be expected to provide a brief (oral or written) report back to full Council in the public session of the next meeting.

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<sup>1</sup> LGA guidance: <https://www.local.gov.uk/sites/default/files/documents/probity-planning-councill-d92.pdf>

## **Representing other bodies**

7. Major developers will wish to engage widely with all sections of the local community. Councillors who are members in other community-based or local organisations may be asked, or wish, to represent these organisations in their respective discussions with major developers. When attending/engaging in approach they must make it clear in what capacity they are attending and must not purport to be representing the Council at such meetings.

8. In any Council discussions or debates about that developer, the Parish Councillor should declare a non pecuniary interest. If the interest is financial, ie directly related to financial benefit of that group or organisation, it is up to the Parish Councillor concerned to decide how they wish to proceed i.e to declare a pecuniary interest and withdraw from voting, OR apply in writing to the Clerk in advance of the meeting for a dispensation to participate in the discussion OR declare a non pecuniary interest.

## **Individual members' discussions:**

9. 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 consider carefully the public perception of such meetings;
- ii. To avoid any appearance of collusion in applications;
- iii. To avoid accepting hospitality in connection with such meetings;
- iv. To advise the Chairman, and where possible the Council, of such meetings in advance;
- v. To report back (briefly) to Council, either at its monthly meeting or by way of a short note.

10. Members must not purport to be representing the Council at such meetings, unless expressly authorised to do so by the Council.

## **Public consultation:**

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

- i. An accessible and convenient venue (where Covid 19 restrictions apply, easy access to virtual meetings);
- ii. Sufficient publicity to likely interested parties, in good time;
- iii. Clarity on issues being consulted on;
- iv. Appropriate timings to allow as wide a range of people as possible to attend;
- v. A genuinely open mind and willingness to adapt plans in response to feedback.

This Policy was adopted at the Council meeting \_\_\_\_xxxxxxx\_\_\_\_\_