



WEST HOATHLY PARISH COUNCIL

representing Highbrook, Selsfield, Sharpthorne, Tyes Cross and West Hoathly

Protocol for discussions with developers

Approved 22nd May 2023

Minute reference: 2311/13m

Introduction

West Hoathly Parish Council is the elected body representing the local community. One aspect of its work is to consider and comment on planning applications. The great majority of applications are decided by Mid Sussex District Council as the Local Planning Authority. The Parish Council gives views on applications but has no powers to grant or refuse planning permission itself. Nevertheless the Parish Council can comment on proposals and the Local Planning authority should consider these views when making their decision.

The West Hoathly Neighbourhood Plan was made by Mid Sussex District Council in April 2015 and, as such, is one of the documents given weight when local planning applications are considered.

Whilst it may be beneficial for Parish Councils to enter into pre-application dialogue with developers regarding proposed developments in the Parish it is important that both sides understand the following protocol.

Protocol

1. Information from a developer regarding any proposed development must be provided in writing.
2. Even though a developer considers information to be sensitive the Parish Council may not necessarily treat this as confidential. If a developer wants information to be kept confidential the reasons for this should be explained in writing.
3. If the need for confidentiality is legitimate the Parish Council will keep separate written records of confidential and non-confidential items.
4. Information held by the Parish Council about any proposed development is subject to disclosure under the Freedom of Information Act 2000.
5. Communications (whether formal or informal) between a developer and the Parish Council about a development at a pre-planning stage will not bind the Parish Council to making a particular decision. Any views expressed are, at best, provisional because not all relevant information will be available and formal consultations will not have taken place.
6. Informal meetings and telephone conversations between a developer and individual councillors or the clerk will be documented in writing and are subject to disclosure under the Freedom of Information Act 2000.

7. The clerk should arrange and attend meetings between developers and councillors.
8. Meetings of the Parish Council and its committees are open to the public (section 1(1) Public Bodies (Admissions to meetings) Act 1960) and developers may attend.
9. The developer may not speak at a council or committee meeting unless specifically invited to address the meeting. They do have the opportunity to speak during the part of the meeting designated for public participation.
10. The minutes of council or committee meetings record the decisions made at them and are available to all via the council's publication scheme. All minutes are available via the Parish Council website (www.westhoathly.gov.uk).
11. The council may invite developers to attend a Parish Council meeting (which is open to the public) or the annual Parish Assembly to present or discuss their proposals.
12. It is an offence under section 1 of the Bribery Act 2010 for a developer or his agent to promise or give financial or other advantage to a Parish Council with the expectation of an improper consideration of a planning application.