



## Town & Parish Councils in Cornwall



### Guiding Principles for Pre-application Discussions

Pre-application discussions have an important role in all types of planning applications. Local Councils are particularly aware of the importance of public perception in planning and the need for transparency in their relationships with developers. This paper has been published to support Town/Parish Councils in their role, working with developers and Cornwall Council on pre-application proposals: [3-way protocol for working together on pre-applications](#).

#### Pre-application meetings

In considering a request to meet with a developer prior to formal submission of a planning application, Parish/Town Councils would expect that

1. The meeting is open to the public to attend and has been reasonably advertised.
2. The developer meets all reasonable costs for the hosting of the public meeting including the provision of large scale paper plans for display purposes.
3. A public consultation or engagement event is either already scheduled, or firmly planned.

Parish/Town Councils may wish to combine a public engagement event with a scheduled local council meeting rather than a separate event. Whilst for large developments an initial pre-app meeting and the community engagement event may be far apart in time, for smaller applications, these could effectively be undertaken at the same meeting.

A Parish/Town Council will **not** normally hold private meetings with developers unless there is a necessary and compelling reason which 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).

#### Pre-application community engagement (PACE)

A Parish/Town Council will encourage developers to carry out engagement with the local community before submitting plans for significant or complex developments. Any PACE meeting must meet the following expectations:

1. The venue is convenient and accessible in the community.
2. Sufficient and timely publicity within the community and to all likely interested parties. The timing of the meeting should be appropriate to allow as wide a range of people as possible to attend.
3. That there is a genuinely open mind and willingness to adapt plans in response to community feedback.
4. The developer meets all reasonable costs for the hosting of the public meeting including the provision of large scale paper plans for display purposes.

Local Councillors are advised not to attend separate private briefings as part of public consultation, but instead to attend a public event.

As well as working with the Town/Parish Council on a public engagement event, developers also have the option of a formal pre-application community engagement forum facilitated by Cornwall Council for more significant or complex applications. Further details on these formal options are found on Cornwall Council's website at:

<http://www.cornwall.gov.uk/environment-and-planning/planning/planning-advice-and-guidance/pre-application-advice/>

and

<http://www.cornwall.gov.uk/environment-and-planning/planning/local-councils/role-of-local-councils-in-planning/>

## **Pre Application Process and the Code of Conduct for Local Councils**

It is noted that some Town/Parish Councils are concerned about potential issues with encouraging early conversations with developers on pre-application proposals. These include requests for meetings with individual councillors and how feedback on a proposal could be viewed as pre-determination.

It is recommended:

### **Individual Councillor's discussions**

- a. Councillors must be aware of their obligations under the Council's Code of Conduct.
- b. Individual Councillors must not enter into informal discussions of possible future applications with a developer; to do so may lead to a complaint for a potential breach of the Code.
- c. Where a site meeting is needed, the Council will nominate at least two representatives to attend.

A developer should not attempt to lobby individual members; if this occurs, the Local Council reserves the right to withdraw from any pre-application process.

### **Pre-Determination**

Councillors should avoid expressing any detailed opinion or prior view which might be viewed as pre-determination. To this end, a formal meeting arranged by the Town/Parish Council could include the following suggested wording on the meeting agenda or invitation:

**While I/Members may express an opinion for or against the proposal at this meeting, my/our mind(s) is/are not closed and I/we will only come to a conclusion on whether I/we should support the scheme or offer an objection after I/we have listened to the full debate.**

A similar statement could also be read out and clearly stated at the start of an informal meeting, to make it clear that the members of the Town/Parish attending are not pre-determining their position on a proposal. Local councillors could also include the words 'in principle' or 'subject to ..' when expressing their views to further emphasise that any opinions given at this stage are not pre-judging a proposal in advance of a formal planning application.