

Protocol relating to LMPC communication with developers prior to Planning Applications or in other contexts.

LMPC seek to avoid improper lobbying by developers and creating the perception that they have predetermined their position about a proposed development.

Therefore:

1. The developer must provide information about the proposed development affecting the parish in writing.
2. Even if the developer considers that information provided to a local council is sensitive, this will not require the Council to treat it as confidential. From the outset, the developer must identify information that (s)he wants to be treated as confidential, and explain the reasons in writing. If the developer has a legitimate expectation for confidentiality about the proposed development, the council will keep a written record of the confidential and non-confidential issues.
3. Information held by LMPC about a proposed development is subject to disclosure under the Freedom of Information Act 2000.
4. Communications (including formal and informal meetings) between the developer and LMPC (or with individual Cllrs and staff) about a pre-planning application will not bind the Council to making a particular decision. Any views expressed are provisional because not all the relevant information will be available to Council and formal consultations will not have taken place.
5. Informal meetings and telephone conversations between a developer and individual Cllrs or staff will be documented in writing and are subject to disclosure under the FoI Act. Council staff will arrange and attend meetings with Cllrs and send a follow-up letter.
6. The developer may not speak at a Council meeting except during the public discussion period or unless (s)he is invited to address the meeting. The developer may regard information about the proposed development as either confidential or 'sensitive' and therefore not suitable for discussion at a meeting open to the public. However, it is Cllrs at the meeting who will decide if there are grounds to exclude the public.
7. It is an offence under Section 1 Bribery Act 2010 for a developer or his agent to promise or give a financial or other advantage to a local council or councillors with the expectation of an improper consideration of a planning application. If the developer is an organisation (eg charity or company), the Council may request sight of its Anti-Bribery policy.

Adopted by Council 10.1.2019