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Earnley Parish Council Protocol for dealing with Developers

Adopted on _____ Signed _____

- The developer must provide information about the proposed development affecting the parish in writing.
- 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.
- Information held by a local council about a proposed development is subject to disclosure under the Freedom of Information Act 2000.
- Communications about a preplanning application development will not bind the council to making a particular decision.
- Informal meetings and telephone conversations between a developer and individual councillors or staff will be documented in writing and are subject to disclosure under the Freedom of Information Act 2000. Council staff will arrange and attend meetings with councillors and send a follow-up letter.
- The meetings of a local council and its committees are open to the public (Section 1(1) Public Bodies (Admissions to Meetings) Act 1960) and developers may attend.
- The developer may not speak at a council or committee meeting unless (s)he is invited to address the meeting or has an opportunity to do so during the meeting designated for public participation. It is for the councillors at the council or committee meeting to decide if there are grounds to exclude the public from the meeting when the proposed development is being discussed and considered (section 1(2) Public Bodies (Admissions to Meetings) Act 1960).
- The minutes of council and committee meetings which record the decisions made at them are available to all via the council's publication scheme as required the Freedom of Information Act 2000.
- The council may invite developers to attend an assembly of the parish meeting, which is also open to the public (Section 1(1) Public Bodies (Admissions to Meeting) Act 1960) to present or discuss their proposals for a proposed development affecting the parish
- It is an offence (Section 1 Bribery Act 2010) for a developer or his agent to promise or give financial advantage to a local council with the expectation of an improper consideration of a planning application.