



Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR
Tel: 01768 899 773 Email: office@penrithtowncouncil.co.uk

DEVELOPER ENGAGEMENT POLICY

Policy Statement

- 1.1 Penrith Town Council recognises that pre-application discussions can play an important part in major planning applications and welcomes the desire of developers to consult both Penrith Town Council and the public more widely. However, the Council is aware of the importance of public perception in planning and the critical need to avoid any appearance that Penrith Town Council is conducting secretive negotiations or is colluding with developers. It is important therefore that such pre-application discussions are undertaken appropriately and transparently.
- 1.2 This policy is designed to clarify how Penrith Town Council will engage with developers and/or their agents, both prior to, and following, the submission of a planning application within the parish. The policy will inform both Councillors and Officers when arranging discussions with developers.

Scope

- 1.3 This policy applies to:
 - a) All Councillors and Officers of Penrith Town Council as well as third parties and agents of the Council who work and act on behalf of the Council.
 - b) All stages of the development cycle including speculative queries and during the construction phase. Penrith Town Council will not offer any advice on planning policy or provide a formal view at presentations; and

- c) All meetings with developers, landowners, their employees, and agents that act on their behalf.

Responsibility for Implementation

- 1.4 The Council has overall responsibility for the effective operation of this policy.
- 1.5 All Councillors and employees should ensure that they read and understand it.
- 1.6 Any breach of this policy should be reported to the Town Clerk.
- 1.7 Questions regarding the content or application of the policy should be directed to the Town Clerk in the first instance.

Pre-determination

- 1.8 In all meetings and discussions, developers, Councillors and Officers are reminded of the critical importance of not pre-determining their position on any future application, as this could require them to take no part in the discussion at Committee or Council. It should be noted, that expressing a pre-disposition, for example 'welcome in principle' or 'concerns' is permissible.
- 1.9 Those considering an application must be able to apply an open mind and be willing to consider all material issues before deciding on a particular view of an application.
- 1.10 On occasions, individual Councillors may be approached by developers for informal discussions about an application already within the planning system or regarding possible future applications. Whilst it is up to the individual whether they take part in a discussion, based on the nature of the proposed development and the possible level of controversy, they are advised:
 - a) To carefully consider the public perception of such a discussion/meeting.
 - b) To avoid any appearance of collusion in applications.
 - c) To avoid accepting any hospitality or gifts from the developer in connection with such meetings; and
 - d) To advise the Chair of the Planning Committee and Officers of such meetings as soon as possible.
- 1.11 Councillors must not suggest that they are representing Penrith Town Council at such meetings, unless expressly authorised to do so by the Council.

Pre-Application Meeting Guidelines

- 1.12 Penrith Town Council will, where possible, accommodate requests from developers to present their pre-application proposals at a Planning Committee or other arranged meeting on the following conditions:
 - a) Full public consultation is either already scheduled or firmly planned.
 - b) The meeting is open to the public to attend and has been reasonably advertised.
- 1.13 The developer must provide information about the proposed development in writing.
- 1.14 If the developer considers that the information provided is sensitive and wishes it to remain confidential, the developer must identify the specific information that they wish to remain confidential and explain the reasons in writing. If the reasons are legitimate, the Council will keep a written record of the confidential and non-confidential issues.
- 1.15 Where possible, specific meetings with developers will normally be held before a meeting of the Planning Committee and, as a preference, be open to the public. Should developers request not to attend a public meeting because of compelling and justifiable reasons (e.g. strong commercial sensitivity), a private meeting may be arranged.
- 1.16 All meetings with developers will be documented and reported to Committee/Council.
- 1.17 Pre-application planning discussions, communications and any comment given by Penrith Town Council, individual Councillors or Officers, will not bind the Council to making a particular decision and any views expressed will be without prejudice and based on the information available at that time.

Pre-Application Public Consultations

- 1.18 Penrith Town Council strongly encourages developers to carry out full public consultation before submitting plans for major developments on the following basis:

- a) Any consultation meeting should be held at an accessible and convenient venue.
- b) Sufficient publicity should be given to likely interested parties, in good time.
- c) Appropriate timings should be given to allow as wide a range of people as possible to attend.
- d) Consultation should be meaningful. Developers should have a genuinely open mind and a willingness to adapt and revise plans in response to feedback.

1.19 Councillors are advised not to attend separate private briefings as part of public consultation, but instead to attend with the public.

Monitoring and Review

The Planning Committee shall be responsible for reviewing this policy every two years or sooner if legislation dictates, to ensure that it meets legal requirements and reflects best practice.

Approved: March 2021

Review: 2023