



# Nailsworth Town Council

## Pre-application Policy

### 1. Introduction

Nailsworth Town Council (NTC) recognise that developers may wish to consult with the local community in addition to discussing their application with the district council planning authority (Stroud District Council). However, the Council is also aware of the importance of public perception in planning and the critical need to avoid any appearance that the Council is conducting secretive negotiations or colluding with developers.

### 2. Scope

This Policy covers meetings between NTC and developers for any size of development or alteration. It includes discussions on community infrastructure and improvements to the parish which may result from the proposed development.

This Policy applies to all NTC Councillors, committees, working parties, staff, contractual third parties and agents of the council who work and act on behalf of the council.

It applies to all developers, landowners, their employees and agents that act on their behalf.

### 3. Procedure

The developer, landowner or their agent must contact the Clerk in the first instance to arrange a suitable date for the meeting.

- Contact the Town Clerk
- Provide the Clerk with a description of the proposal, previous related planning reference numbers and a site plan
- For a meeting with the council, this will be arranged in a public, accessible venue
- The meeting will be public and be minuted, and those minutes will be available to the public.
- For a public consultation/presentation the developer must arrange and pay for their own venue within the parish. This must be in a publicly accessible location; the Clerk is happy to advise on suitable venues.

Communications (including informal comments and briefings) between the developer and the council (or with individual Councillors and staff) shall not bind the council to make a particular decision, recommendation or action. Any views expressed at a pre-application meeting shall be deemed as provisional. No opinion on whether NTC support or object to the application will be given at a pre-application meeting.

### 4. Individual Discussions

Councillors must be aware of their obligations under the NTC's Code of Conduct. Individual Councillors, or groups of Councillors, must not enter into informal discussions on possible future



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applications with a developer, landowner or agent; to do so may lead to a complaint against them for a potential breach of the Code.

If it is considered that a site meeting is needed with the developer, this will be done with the Clerk or Deputy Clerk present. Notes of the meeting will be circulated to the whole council after the meeting and will be available to the public on request.

#### 5. Pre-Determination

In all meetings with developers, Councillors are reminded of the importance of not predetermining their position on any future application. Predetermination will require Councillors to take no part in the discussion when it is brought to a formal council meeting.

It is noted that expressing a prior view, or pre-disposition, for example of either 'welcome in principle' or 'concerns', is permissible. Taking a closed position to the development and adopting an 'over my dead body' approach to it may well be viewed as predetermination, and if this is the case a Councillor would be unable to vote on the matter when it comes before their council.

#### 6. Supporting Policies and Frameworks

National Planning Policy Framework paragraphs 39-41 encourages early engagement by all parties at the pre-application stage. Under S42 of the Planning Act 2008 (the 2008 Act) a developer must consult with a local planning authority. By virtue of S43 of the Act, this **does not** include town and parish councils, and consultation with NTC cannot be seen to replace the duty of a developer to submit proper applications and undertake consultation through the local planning authority.

This Policy is in line with Nailsworth Town Council's Standing Orders and Code of Conduct. It is part of the council's commitment to the Transparency Code.

This Policy supports **Vision 8: A Council working towards LGA Quality Gold status** in the Town Action Plan.

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