



## **EAST CAMBRIDGESHIRE DISTRICT COUNCIL**

### **PROTOCOL FOR PLANNING COMMITTEE SITE VISITS**

#### **1. Purpose**

- 1.1 The purpose of this protocol is to guide the conduct of Planning Committee site visits to enable Members to ensure that these visits are conducted in accordance with the Council's Constitution.
- 1.2 Members of the Planning Committee are strongly encouraged to attend the organised site visits. If Members are unable to do so, they may visit the site location themselves, but must view it only from the public highway and should not enter into discussions with the land/property owner or any other parties.
- 1.3 Site visits fall within the definition of a 'meeting' for the purposes of the Members Code of Conduct within the Constitution, which requires that Members declare their interests before taking part in such meetings. Therefore, the rules regarding participation where a Member has a prejudicial interest apply as stringently as they would to Members taking part and having input into any debate and vote.

#### **2. Planning Committee Site Visits**

- 2.1 The practice of this Council is to visit application sites prior to their consideration at Planning Committee. The Planning Manager will identify which sites will need to be visited.
- 2.2 The purpose of the site visit is for Members to gain factual knowledge of a site and make a visual assessment of the proposal and its relationship with adjoining development.
- 2.3 The Members will be provided with a "Member Pack" which includes a selection of the PowerPoint slides that will be displayed at the Committee. These describe the application proposal and summarise the main issues.
- 2.4 Officers will arrange with the developer/landowner, where possible, for Members to gain access to the site.
- 2.5 Before Members get on the bus, the Planning Committee Chairman will ask Members whether they need to declare an interest in an application. When the bus arrives at each site Members will be reminded again of their need to declare any interest they may have, as it may only become apparent to Members that they have an interest when they arrive at a site. The Planning Manager will record any interests that are declared.

- 2.6 If Members declare a Disclosable Pecuniary Interest or a Prejudicial Interest, then they should remain on the bus and not take part in the site visit. If a Member declares a Personal Interest then they are able to take part in the visit. It is incumbent upon a Member to ensure that their interest is only personal before taking part in the site visit.
- 2.7 Members also need to consider whether they have an open mind about the application before taking part in a site visit. The Constitution, in Part 5, "Guidance on Planning for Members" paragraph 10.4, requires that Members, who have demonstrated that they have a closed mind, before a decision is taken should not take part in the decision-making process. Continued involvement could amount to maladministration.
- 2.8 At the start of the site visit, the Chairman or Planning Manager will advise those present of the procedure to be followed, so everyone present is aware that it is a fact-finding exercise only.
- 2.9 Members should not engage individually or in small groups with others who may be present.
- 2.10 An Officer will introduce the application to Members of the Committee and highlight any physical features that the Members will need to be aware of when they discuss the application at Planning Committee.
- 2.11 Members should avoid discussion of the merits of an application at the site visit. They can seek clarification from Officers about the application and point out any site features to other Members. They should be careful not to be perceived as having formed an opinion about the application. The proper place for the discussion about the merits of a planning application is within Planning Committee.
- 2.12 At the site visit, the Chairman may, at his/her discretion, ask one representative of the Applicant, Objectors or Parish/Town/City Council (if present), to point out any particular characteristics of the site and its surroundings that they would like to bring to Members attention. It is stressed that this is to point out physical characteristics and not to outline to Members their full arguments. Members can ask questions, however, these and any responses should be given in the presence of all other representatives in attendance.
- 2.13 Officers will try to ensure that Members are not approached by objectors and supporters at the site visit. However, this may not always be possible. Where Members are approached, they should explain that the purpose of their visit is to view the site and its surroundings and that they cannot enter into any discussion about the merits of the application and cannot accept any written material.

3. Additional Guidance

- 3.1 Members may be approached during the application process by an applicant or objector and asked to visit a site. The Constitution, in Part 5 “Guidance on Planning for Members” Section 7, highlights the dangers for Members, whether on Planning Committee or not, in attending informal visits, and advises against such visits.
- 3.2 If a request to visit a site relates to an application that they know or think will be determined by Planning Committee, the Member may prefer to explain that they will view the site as part of the formal Committee Site Visit.
- 3.3 If a Member concludes that an informal site visit is **absolutely necessary**, they should advise an Officer that they will be making the visit. Officers can accompany a Member on such visits if required.