

Peak District National Park Authority



PROTOCOL ON
PLANNING DEVELOPMENT
and PLANNING POLICY

First adopted by the National Park Authority Meeting on 28 March 2008 and amended February 2013, June 2014, December 2016, February 2017, July 2020, January 2021, April and Dec 2023.

PROTOCOL ON PLANNING

DEVELOPMENT and PLANNING POLICY

1 Background

- (a) The Localism Act 2011 introduced a new ethical framework for local government. In July 2012 the Authority Adopted a revised member's Code of Conduct and transferred responsibility for standards matters to the Programmes and Resources Committee and the Monitoring Officer. The Code set out general provisions and obligations for Members and addressed the issue of disclosable pecuniary, personal and prejudicial interests.
- (b) The Members' code of conduct addresses in general terms the aspects of a Member's conduct in carrying out the whole range of official duties and has direct relevance to the conduct of Members in relation to their involvement in the planning system.
- (c) This protocol seeks to relate the general provisions of the code specifically to development management and planning policy but goes beyond the probity concerns of the code. The protocol applies to the determination by the Authority of planning applications and enforcement matters and the formulation of planning policy through the development plan process and any other supplementary policy guidance.
- (d) The Protocol is not intended to restrict Members' fair and objective communications with the local community on planning matters but should be seen as detailed guidance and advice. Its aims are to assist Members and officers in ensuring the preservation of the integrity of the planning system as open and fair to all in any dealings with interested parties on planning matters and at any meetings of the Authority where these are being considered.

2 Introduction

- (a) Town and Country Planning relies on informed judgement within a firm policy context. It is highly contentious because decisions affect the daily lives of everyone and the private lives of individuals, landowners and developers. The key purposes of the planning system are to steer and manage development in the public interest. It necessarily affects land and property interests, particularly the financial value of landholdings and the quality of their setting. It is important therefore that the Authority should make decisions affecting these interests openly, impartially, with sound judgement and for justifiable reasons. The process should leave no grounds for suggesting that a decision has been partial, biased or not well founded in any way.
- (b) Members and officers are both involved in operating the planning system. The successful operation relies on mutual trust and understanding of each other's role. It also relies on each ensuring that they act in a way which is not only fair and impartial but is also clearly seen to be so.

3 Role of Officers

- (a) The function of officers is to advise and assist Members in matters of planning policy and in their determination of planning applications and enforcement issues by:

- providing impartial and professional advice;
 - making sure that all the information necessary for the decision to be made is given;
 - providing a clear and accurate analysis of the issues;
 - using adopted policies and guidance as starting and reference points for decision making;
 - setting applications and enforcement issues against the relevant Development Plan policies and national policy guidance;
 - taking into account all other material considerations;
 - giving a clear recommendation;
 - carrying out the decisions of the Authority made in Committees or Sub-Committees.
- (b) Where officers are exercising delegated powers in accordance with Standing Orders they will:
- act fairly and openly;
 - approach each case with an open mind;
 - use adopted policies and guidance as starting and reference points for decision making;
 - carefully weigh up relevant issues;
 - determine each case on its own merit;
 - ensure that there are clear and substantial reasons for their decisions, and that those reasons are clearly stated.

4 **Officers Discussions with Applicants**

Pre-application meetings or other meetings with applicants are encouraged to ensure beneficial development, to resolve matters which might otherwise lead to the refusal of planning permission, or to advise that permission is unlikely to be granted. However, to avoid such meetings being misunderstood, they should normally be at officer level and:

- where possible meetings should be held at the Authority's offices;
- potentially contentious meetings will be attended by at least two officers, including the Head of Planning or his/her representative;
- it will be made clear at the outset that the discussion will not bind the Authority to making a particular decision and that any views expressed by the officer are provisional;
- advice will be consistent and based upon the Development Plan and material considerations. There should be no significant difference in the interpretation of planning policies among planning officers;

- a note of the discussion, including site meetings will be taken and placed on file and made available for public inspection at the appropriate time;
- a note of any meetings with objectors will also be taken and placed on the file;
- for major or contentious applications a follow up letter will be sent by officers re-emphasising the non-binding nature of discussions.

5 **Officers' Reports to Committees**

- (a) Decisions on planning applications have to be taken in accordance with planning law and in particular s38(6) of the Planning and Compulsory Purchase Act 2004 which states that the determination must be in accordance with the development plan unless material considerations indicate otherwise.
- (b) Officers' reports to the Planning Committee will refer to:
- the planning history of the site;
 - the proposal;
 - the substance of any written comments and representations received;
 - the comments of consultees;
 - the relevant policies and guidance applicable to the application;
 - any other material considerations;
 - a professional appraisal of the application which clearly justifies the recommendation;
 - any material considerations that justify a departure from the development plan;
 - a clear recommendation.

6 **Site Visits**

- (a) Site visits by Committee Members are useful to identify features of a proposal, which may be difficult to convey in a written report, but site visits do delay the decision on an application and should only be used where the expected benefit is substantial. Each request for a site visit should be considered against this criteria.
- (b) Cases may be referred to a site visit by Members at a formal meeting or by officers who may judge that a Member site visit is the most appropriate means of ensuring Members get a clear understanding of the proposal and the issues raised.
- (c) Where Members in Committee agree to carry out a site visit the reasons for the decision will be recorded in the Minutes of the meeting.
- (d) Site visits will be carried out in accordance with the agreed procedures and are:
- fact finding exercises;
 - to enable officers to point out relevant features;

- to enable Members' questions of fact to be asked on site for clarification;
 - not part of the formal consideration of the application and therefore public rights of attendance do not apply.
- (e) Discussion on the application will only take place at the subsequent Committee meeting, as all relevant parties may not be in attendance on site.

7 **Role of Members**

- (a) Members set the Authority's planning policy and except where these are delegated to officers, determine planning applications and enforcement issues within the context of that policy. It is a requirement of the Members' code of conduct that Members must not in their official capacity use their position improperly to confer on or secure for themselves or any other person an advantage or disadvantage.
- (b) When Members come to make a decision on a planning matter, they must:
- act fairly and openly;
 - approach each case with an open mind;
 - use adopted policies and guidance as starting and reference points for decision making;
 - carefully weigh up relevant issues;
 - determine each case on its own merits;
 - ensure that there are clear and substantial reasons for their decisions, and that those reasons are clearly stated.
- (c) In accordance with national guidance in order to demonstrate that individual members of the Planning Committee meet the requirements set out in (b) above Members must not participate in the discussion and subsequent voting on a planning matter if they have been absent from the meeting at any time during consideration of that matter, including introductions by officers and where appropriate representations from Members of the Public.

8 **Group Decisions**

Although National Park Authorities are non-political organisations Members need to be aware of the potential for attempting to influence the determination of an application. Members cannot accept an instruction from anyone to determine an application in a particular way, as they must determine the issue on its merits. So, while they may give appropriate weight to the views of other Members whether expressed in the Committee Meeting or in prior discussions, they must determine the application on its merits and should not take into account any factor which they are not prepared to state in open Committee. As a result it is not appropriate for any group of Members to instruct Members to vote in a particular manner on an application or to apply or threaten to apply any sanction to any Member who voted contrary to the group's collective view. If such instructions are given Members should declare it in exactly the same manner as they would declare any other attempt at lobbying.

9 Lobbying

- (a) Lobbying is a normal and perfectly proper part of the political process and it is quite common for applicants or other interested parties to want to discuss a proposed development with Members, or distribute written material to Members before a planning application is determined. This can help Members' understanding of the issues and concerns associated with an application.
- (b) Unless care and common sense is exercised by all the parties involved such lobbying can lead to the impartiality of a Member being called into question. Members are under an obligation to determine matters on their merits. That means that they must not make up their minds or appear to have made up their minds before receiving and reading the officer reports and before hearing all proper debate on the matter out of which new information may arise.
- (c) To avoid compromising their position in making a decision before they have received all the relevant information, Members must:
- take care in any contact with interested parties, particularly when meeting them alone, to ensure they are not unduly influenced in any way by one party or another. If possible any meetings with Members should be arranged by and attended by an appropriate officer.
 - not advise applicants, their agents or objectors on the likely acceptability of planning proposals;
 - restrict their response to giving procedural advice and listening to concerns and views;
 - direct lobbyists or objectors to planning officers, who will include reference to their opinions, where relevant, in their report;
 - not organise support for or against a planning application;
 - not lobby other Members;
 - not discuss the merits or otherwise of any planning proposals with officers outside the Committee meetings and any discussions shall be restricted to matters of fact and the mutual exchange of relevant information;
 - not pressurise officers to make a particular recommendation in their report contrary to their professional view or use undue pressure to seek to persuade an officer to withdraw a report;
 - not circulate unofficial papers to other Members or at Committee meetings;
 - advise the Head of Planning and the Chair of the appropriate Committee of the existence of any lobbying interest.
- (d) Where a Member has been lobbied, he/she should report to the relevant Committee that he/she has been lobbied and by whom. Although the receipt of lobbying correspondence is not in itself a personal or prejudicial interest Members are asked to declare that they have been lobbied at meetings of the Planning Committee during the declaration of interests item so that any declarations are recorded in the minutes of the meeting. To remind Members to report lobbying and declare personal interests, a form is circulated with the papers for the meeting

which should be completed when they prepare for the meeting. Although this form is handed in after the meeting, for full openness and transparency Members must still make a verbal declaration to the meeting at the appropriate time.

- (e) Being lobbied does not prevent participation, however, Members must act in the public interest and not at the behest of any individual or interest. Even if the Member feels that he/she retains an open mind on the matter, but that his/her impartiality has been compromised, he/she will need to decide whether to withdraw from the meeting and take no further part in the decision making process. Failure to withdraw from the meeting in these circumstances can lead to an accusation of bias or predetermination that may constitute mal-administration and or the Authority could be at risk of legal proceedings.
- (f) Care should be taken by Members before introducing new information into the debate at the Committee as that might lead to consideration of an application being deferred or the Committee taking a decision on the basis of information which subsequently proves to be incorrect. Where a Member receives relevant information in respect of an application which is not contained in the Committee report whenever possible the Member should advise the Head of Planning directly so that the information can be confirmed before the Committee meeting.
- (g) Members are entitled to feel predisposed towards a particular decision, but must still be able to consider and weigh relevant factors before reaching the final decision. Pre-determination arises when Members' minds are closed (or reasonably perceived to be) to the consideration and weighing of the relevant factors that risks making the whole decision vulnerable to legal challenge.
- (h) Section 25 of the Localism Act has sought to clarify the law regarding predetermination and applies where a decision by Members is challenged on the grounds of "bias, predetermination or otherwise".

Section 25 states that:

"A decision maker is not taken to have had, or appeared to have had, a closed mind when making a decision just because:

- (a) the decision maker had previously done anything that directly or indirectly indicated what view the decision maker took, or would or might take, in relation to that matter, and*
- (b) the matter was relevant to the decision."*

Therefore if a Member has previously given a view on an issue, this does not in itself show that that Member has a closed mind on that issue. The fact that a Member might have campaigned on an issue or made public statements about their approach to it, does not prevent a Member from participating in discussion of the matter when it comes before the Authority, and to vote on a decision regarding it. So long as the Member approaches decision making with an open mind, in the sense such Member has regard to all material considerations, and remains open to the possibility that, however unlikely, he or she will hear arguments during the debate that might change their mind about how they intend to vote, such Member will not be held to have predetermined the issue.

- (i) If a Member does fully commit themselves to a particular view on a planning issue before it is considered at Committee or a meeting of the full Authority, such that their mind is no longer open to consideration of the merits of the case, the Member should leave the room and take no part in the decision/debate or vote on the matter.

10 Membership of a Lobbying Group

A personal interest will arise if a Member is also a member of a lobby or campaigning group that makes representations about an issue that comes up for discussion or decision at a Planning Committee or other Authority meetings.

Members should declare the existence and nature of the personal interest at the meeting so that members of the public are informed about interests that may relate to their decisions. Members can continue to participate unless the interest is also prejudicial in which case Paragraph 16 of this protocol will apply.

A Member will not have a prejudicial interest in a planning proposal which the Member and a lobby group have campaigned against if the Member or the lobby group are not financially affected by the proposal.

However a Member should still consider the general test for personal and prejudicial interests (whether a reasonable member of the public who knows the relevant facts would think it likely that the Member's judgment of the public interest would be prejudiced) and whether there is any other reason why they should not participate in the decision including bias.

A prejudicial interest will arise if the matter will have a direct impact on a lobby or campaign group such as an application from the group for planning permission or grant aid.

11 The Representative Role

Members may represent the views of constituents and communities at a meeting. However Members must ensure that in representing those views they are not influenced by those views, that they retain an open mind on the matter and remain impartial in the decision making process. If a Member feels that they have been influenced by those views and can no longer remain impartial they must withdraw from the meeting to avoid an accusation of bias or predetermination.

A Member with a prejudicial interest under the code of conduct can represent the views of constituents and communities at a meeting where that part of the meeting is open to the public. The Member must withdraw from the meeting after making the representation.

Another Member of a committee can represent the views of constituents or communities on behalf of a Member in the following circumstances:

- where a Member withdraws from a meeting to avoid an accusation of bias or predetermination; or
- where a Member with a prejudicial interest decides to withdraw from the meeting;

The Member should advise the constituents or community representatives that he/she intends to withdraw from the meeting and that the other Member will represent their views on the issue.

When representing the views of constituents or communities in these circumstances the other Member should make it clear to the committee that he or she is acting in place of the Member who has withdrawn from the meeting.

12 **Membership of another Local Authority**

There is nothing in the code of conduct which prevents dual-hatted Members speaking and voting at both parish or district tiers and then at an Authority meeting on the same planning issue. Members who take this course will need to declare their membership of the parish or district council as a personal interest at the Authority meeting. Generally this will not constitute a prejudicial interest.

Members are under a legal obligation to approach decision-making with an open mind, prepared to listen to all sides of the argument. Dual-hatted Members who choose to speak and vote at parish or district level and also at the Authority meeting will need to make it very clear that their vote at parish or district level represents a preliminary view and that they will reconsider the matter afresh at the Authority meeting. Failure to do this may lead to a legal challenge of the Authority's decision on the grounds of predetermination.

If an issue comes up for discussion at the parish or district level a Member should:

- at the parish or district level, make it clear that they will reconsider the matter at the Authority meeting taking into account all relevant evidence and representations at that meeting;
- at the Authority meeting declare a personal interest arising from membership of the parish or district council and make it clear that the parish or district council's view is not binding on them and that the matter is being considered afresh.

An application by a Member's local authority will give rise to a prejudicial interest as membership of that authority will be included in the Register of Interests and it is unrealistic to expect a member of the public to believe that a Member would disregard the interests of the other authority and would therefore think that a Member's judgment is likely to be prejudiced.

13 **Applications within a Member's Neighbourhood**

Where a Member lives in a part of the Authority's area which will be particularly affected by a planning application a personal interest will arise if the application affects, the well-being or financial position of the Member, or their family, or people with whom the Member has a close personal association, including their employers, firms or companies of which they are partners or directors more than it would affect the majority of people in the Authority's area.

This will be a prejudicial interest if a member of the public, who knows the relevant facts, would reasonably think the Member's personal interest is so significant that it is likely to prejudice their judgment of the public interest. Members should clearly act in the public interest and not in the interests of family or friends. Clearly the closer the relationship, the more likely it is that a prejudicial interest will arise.

An interest shared by a Member with very few other people living in the same area is much more likely to prejudice the Member's judgment than an interest that affects many people living in the area.

The Member needs to consider how a reasonable and objective observer with knowledge of all the relevant facts would view the situation. They must also particularly consider how the circumstances are likely to impact on their judgment of the public interest.

The mere existence of local knowledge or connections within the local community will not normally be sufficient to meet this test. There must be some factor that might positively harm a Member's ability to judge the public interest objectively.

14 Planning Applications by Members or Officers

- (a) The impartiality of the planning process requires particular care when dealing with an application by anyone who might ordinarily be involved in that process. Whenever any Member or officer submits an application to the Authority for himself/herself or on behalf of any other person, they must inform both the Head of Planning and the Authority's Monitoring Officer using the prescribed form and not take part in processing or determining the application. Authority Members should also use the prescribed form to inform the Head of Planning and the Authority's Monitoring Officer if a planning application affects any disclosable pecuniary interest or a "relevant person" as defined under paragraph 18(3) of the Member Code of Conduct. This includes:
- a family member or anyone with a close association or a person or body who employs or has appointed such persons, including any firm in which they are a partner, or any company of which they are directors;
 - any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - any body of which they are a member or in a position of general control or management.
- (b) The Head of Planning will ensure that all such applications are determined at the appropriate Committee Meeting and not under any delegated powers. The consideration of such a proposal from a Member would be considered as a Disclosable Pecuniary interest for that Member under the code. The member may not make a representation to the meetings unless a dispensation has been granted – see paragraph 15 below. However a member may make written representations in their private capacity addressed to officers. In these circumstances it is good practice to set out the existence and nature of the members interest and/or a member may use a professional representative to act on their behalf such as a planning agent.
- (c) A Member or officer shall have the same rights as a member of the public in discussing their proposal with a planning officer in advance of consideration by a Committee.
- (d) Consideration by the Planning Committee of a planning application from a Member of the Authority does not automatically give rise to a personal interest for other Members of the Authority. The view is that there must be a closer personal association with that Member such as friendship or a business relationship that is outside the usual day to day working contacts and relationships normally expected between Members of local authorities. The same principles will apply to an application from an officer of the Authority. If there is such a close personal association a prejudicial interest may arise as the well-being or financial position of the Member or officer is likely to be affected more than the majority of the inhabitants of the Authority's area. A member of the public, who knows the relevant facts, would reasonably think the Member's personal interest is so significant that it is likely to prejudice their judgment of the public interest.

15 Non Participation when a Disclosable Pecuniary Interest arises and a dispensation has not been obtained.

Where a Disclosable Pecuniary Interest arises under the code of conduct in the circumstances mentioned in the preceding paragraphs a Member with a disclosable pecuniary interest may not make a representation at the meeting and must not be present at the meeting during consideration of that matter.

16 Participating when a Personal Prejudicial Interest arises

Where a personal prejudicial interest arises under the code of conduct in the circumstances mentioned in the preceding paragraphs a Member with a personal prejudicial interest is allowed to make a representation to a meeting if that part of the meeting is open to the public. The Member must withdraw from the meeting after making the representation and may not be present in the meeting room when the matter is being considered by the Committee. The Authority's Standing Orders deal with the procedures, including a requirement that advance notice to speak must be given by the Member in these circumstances.

17 Planning Applications by the Authority

The Authority itself requires planning permission to carry out or authorise development on land it owns. These applications will be treated in the same way as those from private applicants in accordance with the Town and Country Planning General Regulations. Members will not need to declare a personal interest solely because of their membership of the Authority.

18 Decisions Contrary to Officer Recommendations

- (a) From time to time, Committee Members will disagree with the professional advice given by the Head of Planning. Development Management is not an absolute science and there can be genuine disagreement about the implications of a particular proposal. Officers will be present at the Committee making the decision and will be able to advise if the facts simply cannot support the conclusion that the Members have drawn and the Committee is in danger of acting unreasonably.
- (b) In cases where the Committee decides for good and valid reasons to depart from the officer's recommendation, the Committee must define the reasons for rejecting the officer's recommendation and those reasons must be recorded in the minutes of the meeting. Officers will assist the Committee to define the correct terms of the reasons.
- (c) Where the Senior Manager advising the Committee believes that a decision contrary to the officer recommendation would be a departure from policy, through the Chair, they shall inform the meeting either before or immediately after a vote is taken that it would be a departure. In these circumstance final determination of the matter will be deferred until the next meeting of the Committee. During the deferment, the relevant officers will prepare a further report for the Committee which will cover:
 - i. the policy implications e.g whether the decision is a major departure from the development plan or other key policy.
 - ii. the budget implications (if applicable)
 - iii. a risk assessment
 - iv. an assessment of the robustness of the provisional reasons including recommendations on any conditions.

- (d) In these circumstances where an appeal arises against a decision to refuse an application, officers will represent the views of the Authority at the appeal. The Committee may be requested to agree to Members giving evidence at the appeal on the reasons for the Committee's decision. Officers will give support to the relevant Committee Members in preparing such evidence.

19 Review of the Decisions Taken

On a regular basis the decisions taken by the Planning Committee will be monitored by the Head of Planning in consultation with the Chair and Vice Chair of the Planning Committee. This review will include examples of cases on planning and listed building applications; permitted departures; planning appeals; and enforcement cases. Any need to reconsider any policies or practices as a result will be reported to the appropriate Committee.

20 Planning Policy

- (a) Many of the aspects of this Protocol that are relevant to planning applications, in particular, declarations of interest, meetings with interested parties and lobbying, are equally relevant to the formulation of planning policy through the development plan process and any other supplementary policy guidance.
- (b) At all stages in the preparation of policies for the development plan or any other planning guidance:
- officers will consider Government policy guidance and other legal requirements as the basis for policies;
 - more than one officer will be involved in the development of any one area of policy;
 - where possible more than one Member will be involved at formal consultation events;
 - Members appointed to Committees and Advisory Groups dealing with policy issues will reflect the balance between local and national viewpoints;
 - Members of the Plans Review Task Team will be consulted at appropriate stages on the Authority's statutory plans and some consultation papers on planning and other relevant land use policies.
 - all representations on draft policies will be recorded and analysed. The records of these together with the Authority's response will be placed on public deposit at key stages in plan production;
 - the Development Plan will be formally approved and adopted by a meeting of the National Park Authority;
 - advice given to Members of the Authority on the interpretation of policies will be copied to the Chair and Deputy Chair of the Authority.

21 Public Participation at Committee Meetings

The Authority has procedures that ensure that where it receives representations from or on behalf of an applicant or from members of the public on a particular application or on any other planning matter there is an opportunity for advocates both for and against the proposal to attend and present their views at the Authority's meetings.

22 **Records**

Records on planning applications, enforcement and development plan matters should be complete and accurate. Every file shall contain an accurate account of events so that someone who has not been involved in the process can understand what the decision was and why and how it was reached. Where matters have been determined by officers under delegated powers those decisions will be as well documented and recorded as those taken by Members in a Committee meeting.

23 **Gifts and Hospitality**

Gifts and hospitality give rise to particular problems in respect of the credibility of the planning process and acceptance of gifts or hospitality by Members or officers can be a very serious criminal offence. Both should not behave in a way which might be taken as indicating that they are open to such offers. They should have particular regard to the provisions of their respective codes of conduct and any guidance issued.

A Member must also register in the Register of Member's Interests any gift or hospitality with an estimated value of at least £25. Such a gift or hospitality is a personal interest and must be declared at a meeting if the business relates to or is likely to affect the interests of a person who has given the Member the gift or hospitality. The obligation to declare that personal interest at a meeting ceases after a period of three years from the date of registration.

24 **Complaints**

- (a) Any complaints arising out of the operation of this Protocol will be considered by the Authority's Monitoring Officer. Where necessary a report will be considered by the Authority Meeting which will keep under review the operation of this Protocol.
- (b) Complaints alleging a breach of the Members' code of conduct will be handled in accordance with the Authority's Arrangements for dealing with standards allegations approved in accordance with the provisions set out in the Localism Act 2011.

25 **Advice**

The Authority's Monitoring Officer and Deputy Monitoring Officer will give advice on the interpretation and operation of this Protocol. Advice should be sought early and preferably well before any meeting takes place.

26 **Review**

The operation of the Protocol shall be monitored and reviewed and any appropriate amendments made when necessary.

A copy of the Member Declaration of Interest form is appended to this document for your information. Copies of the form for your use are available on request from Customer and Democratic Support Team.

Appendix

Peak District National Park Authority

Please read the guidance overleaf and send completed forms to
Customer and Democratic Support, Aldern House, Bakewell, DE45
1AE



MEMBER DECLARATION OF INTEREST FORM

Name: _____

I wish to register the following pecuniary interest(s) in a matter which is being handled by the Authority as part of its business and where there could be a perception of conflict between my personal interest and public duties:

A My interests

Nature of interest (1)	Relating to (2)

(1) Please state if a financial interest (i.e. you stand to gain or lose financially) or a non financial interest (i.e. you stand to gain or lose some non financial advantage or benefit)

(2) Please state what your interest relates to (e.g. a planning application, a grant application, a contract for supplies, a tender for a contract, a legal agreement) and give enough detail so that it is clear

B Interests of my partner, a member of my family and close friends (these have to be declared to ensure there is no perception that you could use your influence or knowledge to the benefit of your family or close friends)

Name and Relationship to you (3)	Nature of interest (4)	Relating to (5)

(3) Please state the relationship of the person to you e.g. partner, brother, sister in law, son, friend

(4) Please state if a financial interest or a non financial interest

(5) Please state what the interest relates to (e.g. a planning application, a grant application, a contract for supplies, a tender for a contract, an employment application, a legal agreement) and give enough detail so that it is clear

I confirm that I will not be involved in decisions relating to the matter nor in any way attempt to advise or influence the decision made by the Authority or its staff other than by use of my rights as an ordinary member of the public (and in this respect I will ensure that my behaviour and actions can be clearly seen by others as no more than a customer of the Authority)

I understand that this completed form will be copied to the relevant service for the case file if appropriate and kept in the register of Member interests by Democratic Services staff on behalf of the Monitoring Officer. I am aware that this register will be open to inspection.

I understand that the Monitoring Officer will review the register of interests each year along with other checks.

Signed:.....**Date:**.....

Office Use:

Copied by Democratic Services to:.....Date.....

Reviewed by Monitoring Officer.....Date.....

Reviewed by Head of Planning.....Date.....

(Interests in Planning matters only (including enforcement))

Guidance: It is your responsibility to decide on whether you have an interest in a matter being handled by the Authority. In making this judgement you should also think about what a reasonable member of the public might think. The following guidance is provided to help you.

The requirement for you to declare an interest is governed by legislation, the Member Code of Conduct and the Authority's Anti Fraud and Corruption Policy. The key messages from these are:

1. You are required to declare any financial interest in any business conducted by the Authority
2. You are required to declare any non financial interest in any business conducted by the Authority
3. You are required to declare both your interests and those of your partner, a member of your family and close friends (where known)
4. This includes for example interests relating to a planning application, a grant application, a contract for supplies, a tender for a contract, a legal agreement, an employment application of a relative/friend.
5. Orders and contracts, grants and planning decisions must be decided on merit and no special favour may be shown to Members, their friends, partners or relatives or businesses run by them. This also applies to current or recent former Members or their partners, close relatives or associates in awarding of contracts to businesses run by them or employing them in a senior or relevant managerial capacity
6. In declaring an interest you are expected to ensure you are not involved in determining a matter and in no way attempt to influence or advise on the issue/decision made by the Authority other than using the routes available to an ordinary member of the public. Note that Standing Order 1.45 (5) states that where a Member has a discloseable pecuniary interest they may not make a representations on that matter and must not be present unless they have a dispensation. Please contact the Monitoring Officer if you need more information on how to obtain one.
7. This includes any decisions made on recruitment, discipline, promotion or pay adjustments for any potential or existing employee who is a relative, partner or friend
8. This form is to be used for declaring your interest in a specific matter where a decision is to be made by an Officer or Members. You Disclosable Pecuniary Interests and more general personal interests should still be entered into the Register of Member Interests using the prescribed form.

Please do not hesitate to contact the Monitoring Officer or the Deputy Monitoring Officer if you have any queries on whether to declare an interest or not.