Copythorne Parish Council Meeting – November 10th 2026

Item 11 - To receive and approve a Developer Communications Policy.

BACKGROUND
Developers may wish to present proposals at different planning application stages to the Council to seek its views and that pre-application discussions play an important role in major developments.

The Council welcomes the desire of developers to consult both the Council and the local community more widely. 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.

To avoid improper lobbying by a developer or creating a perception that the Council (as a body) have a predetermined position about a proposed development it is important that the Council has a policy on how to respond.

CURRENT POSITION
A draft Developer Communications Policy was discussed with and agree by members of the Personnel & Governance Advisory Committee at its meeting on October 22nd 2026.

RECOMMENDATION FROM THE PERSONNEL & GOVERNANCE ADVISORY COMMITTEE:-
That Council approves the draft Developer Communications Policy attached to this report.

David Rigby
Clerk to Copythorne Parish Council
October 23rd 2026

DRAFT - Copythorne Parish Council Developer Communications Policy

PURPOSE

1.1.1 Copythorne Parish Council ("the Council") acknowledge that developers may wish to present proposals at different planning application stages to the Council to seek its views and that pre-application discussions play an important role in major developments.

The Council welcomes the desire of developers to consult both the Council and the local community more widely. 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.

To avoid improper lobbying by a developer or creating a perception that the Council have a predetermined position about a proposed development, the Council, and any delegated Committee, Advisory Committee or Working Group will follow the policy guidance notes below.

SCOPE

2.1 This document applies to all Councillors, Committees, Advisory Committees, Working Groups, Employees of the Council, contractual third parties and agents of the Council who work and act on behalf of the Council.

2.2 This document applies to all developers, landowners, their employees and agents that act on their behalf.

PROCEDURE

3.1 The developer must provide information about the proposed development affecting the parish in writing.

3.2 If the developer considers that information provided to the Council is sensitive, this will not require the Council to treat it as confidential. The developer must identify information that they want to be 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. Any planning application will eventually become public, and developers might want to bear that in mind when considering what may, or may not, be sensitive.

3.3 Information held by the Council about a proposed development is subject to disclosure under the Data Protection and Information legislation.

3.4 Communications (including informal and formal meetings) between the developer and the Council (or with individual councillors and staff) about a pre-planning application development will not bind the council to making a particular decision. Any views expressed are, at best, provisional because not all of the relevant information will be available to the Council and formal consultations will not have taken place.

3.5 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 Data Protection and Information legislation. Such meetings should have a minimum of two councillors (or one councillor and the Council Clerk present. Council staff may or will arrange and attend meetings with councillors and send a follow-up in writing.

3.6 The Council consider that the more that any discussion or communication details can be made public, the less there can be any concerns over a clash of interests or any impropriety. For those reasons, whenever possible and practicable the Council would appreciate any discussions being held in a public forum – and where possible with an appropriate Local Authority Planning Officer.

3.7 Official meetings of the Council and its committees are open to the public (Section 1(1) Public Bodies (Admission to Meetings) Act 1960) and developers may attend.

3.8 By prior arrangement the developer may be invited to speak at a Council, committee meeting or Advisory Committee meeting, or they may do so at any meeting during public participation, when speakers are normally limited to speak for 3 minutes only.

3.9 The minutes of the Council meetings which record the decisions made at them are available to all on the Council website or, by application, from the Parish Clerk.

3.10 The Council may invite developers to attend an assembly of the Parish, which is also open to the public (Section 1(1) Public Bodies (Admission to Meetings) Act 1960), to present or discuss their proposals for a proposed development affecting the Parish.

3.11 It is an offence under section 1 of the Bribery Act 2010 for a developer or their agent to promise or give a financial or other advantage to the Council with the expectation of an improper consideration of a planning application. If the developer is an organisation, such as a charity or company, the Council may request sight of the developer's anti-bribery policy.

THE NATIONAL PLANNING POLICY FRAMEWORK

In so far as the Council's policy applies, it has been confirmed that a developer must, under s.42 of the Planning Act 2008 (the 2008 Act), consult with a local authority (which by virtue of s.43 does NOT include a parish council) if the land to be developed is in the local authority's area before the submission of a planning application. S.42 of the 2008 Act also provides that before the submission of a planning application, a developer must consult with the persons listed in s.44. These are persons whom the developer, after 'making diligent inquiry', knows to be the owner, lessee, tenant (whatever the tenancy period) or occupier of the land and a person who (a) is interested in the land, or (b) has power (i) to sell and convey the land, or (ii) to release the land. The persons caught by s.44 of the 2008 Act may include a parish council.

The National Planning Policy Framework encourages developers to liaise with the local planning authority (and others but with NO specific reference to parish councils) before the submission of a planning application.

Following is an extract from the National Planning Policy Framework (December 2024):

Pre-application engagement and front-loading

40. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre- application discussion enables better coordination between public and private resources and improved outcomes for the community.

41.Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required

to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.

42. The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.

43. The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle, even where other consents relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible.

44. The right information is crucial to good decision-making, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). To avoid delay, applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible.

As highlighted above, there are circumstances when a developer may consult with a parish council before the developer has submitted a planning application to the local planning authority and the parish council is asked by the planning authority to make representations about the application (Paragraph 8 of Schedule 1 to the Town and Country Planning Act 1990).

Section 25 of the Localism 2011 Act (the 2011 Act) restricts the impact of the acts of, or verbal or written statements or views expressed by councillors prior to a decision that might suggest pre-determination. s. 25(2) of the 2011 Act provides that:

A decision-maker (i.e., a councillor) is not to be taken to have had, or to have appeared to have had, a closed mind when making the 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 a matter, and (b) the matter was relevant to the decision.

Copythorne Parish Council would also want to draw attention to the Copythorne Parish Design Statement, available online at: https://www.newforestnpa.gov.uk/document/copythorne-parish-design-statement-spd/

--END--