



CLARIFICATION was sought on

*“ All Councillors being able to listen to presentations and being involved in discussions concerning planning applications ”*

Referring to the following paragraph from the Commons Conservators Minutes, October 2008

*Cllr Scholes informed the meeting that, due to conflicts of interest, he will not be sitting on the Western Area Planning Committee when Targetfollow applies for planning permission, and will be obtaining written legal opinion over his position. All Councillors intend to obtain the advice of the Monitoring Officer. Cllrs Edwards, Cobbold and Mayhew intend to sit on the planning committee, and Cllr Mayhew is seeking additional advice to clarify her position as quickly as possible, due to her conflicting interests. All councillors, though, are able to listen to presentations and be involved in discussions until any plans are submitted for planning permission.*

It is true that Councillors can attend presentations and ask questions at any time during either pre-application discussions or after an application has been submitted. They may also choose to do this through any planning application determination and before the committee.

However, if they adopt a particular view prior to the committee meeting then they should not form part of the committee and make a declaration to that effect.

Councillors who form part of the committee should not have voiced an opinion on an application (even at pre-application stage) and then still sit on the committee. The giving of an opinion can often occur during discussions so it may be advisable for councillors not to speak.

However, it may be possible to attend a public meeting and listen or ask questions of clarification (much as with a Planning Forum). Guidance is available to councillors on this point and as the minutes state advice can be requested from the Monitoring Officer if the councillor is in any doubt.

[Andrew Taylor - TWBC Planning Services - Development Control Manager](#)  
29 January 2009

**Royal Tunbridge Wells Town Forum – Meeting 29 January 2009 – ‘Community Champion’**  
On request this information was sent to all Tunbridge Wells Borough Councillors.