

Positive Engagement: a Guide for Councillors

In broad terms, the success of the planning system depends on:

- establishing and taking forward a clear spatial vision for the area linked to the single outcome agreement;
- effective dialogue between applicants, local authority, local people and other interests to help define and realise the vision;
- ensuring that the spatial plan for an area embodies the aspirations of the community;
- effective communication and ownership of policy between executive and planning committee;
- the planning service being focused on outcomes;
- early and effective community engagement in discussions on plans and development proposals, in accordance with the authority's participation statement; and
- upholding the Councillors Code of Conduct.

As a community leader and local representative you will want to be involved in relevant public meetings, pre-application discussions and policy production. However, this may create some risks for councillors, particularly those who are members of the planning committee, and for the integrity of the decision making process. You should familiarise yourself with guidance found in the Councillors Code of Conduct - <http://www.scotland.gov.uk/Resource/Doc/334603/0109379.pdf>

Councillors can involve themselves in discussions with developers, their constituents and others about planning matters. However, difficulties can be avoided if you follow these useful general hints.

Do

- ✓ always involve officers and structure discussions with developers
- ✓ inform officers about any approaches made to you and seek advice
- ✓ familiarise yourself with the Code of Conduct and follow it when you are representing your authority
- ✓ keep your register of interests up to date
- ✓ be aware of what fairness and impartiality
- ✓ be prepared to hold discussions with an applicant and your officers before a planning application is made, not just after it has been submitted to your authority
- ✓ preface any discussion with disclaimers; keep a note of meetings and calls; and make clear at the outset that discussions are not binding



- ✓ be aware of what personal and prejudicial interests are - refer to your monitoring officer or the Code of Conduct if you are unsure
- ✓ recognise the distinction between giving advice and engaging in negotiation and when this is appropriate in your role
- ✓ stick to policies included in adopted plans, but also pay heed to any other considerations relevant to planning
- ✓ use meetings to show leadership and vision
- ✓ encourage positive outcomes
- ✓ ask for training from your authority in probity matters
- ✓ recognise that you can lobby and campaign but that this may remove you from the decision making process
- ✓ feed in both your own and your local community's concerns and issues
- ✓ be aware that you can engage in discussions but you must have and be seen to have an open mind at the point of decision making.

Do not

- ✗ use your position improperly for personal gain or to advantage your friends or close associates
- ✗ meet developers alone or put yourself in a position where you appear to favour a person, company or group - even a 'friendly' private discussion with a developer could cause others to mistrust your impartiality
- ✗ attend meetings or be involved in decision-making where you have a prejudicial interest under the Code of Conduct - except when speaking when the general public are also allowed to do so
- ✗ accept gifts or hospitality
- ✗ prejudge or be seen to prejudge an issue if you want to be a decision maker on a proposal
- ✗ seek to influence officers or put pressure on them to support a particular course of action in relation to a planning application
- ✗ compromise the impartiality of people who work for your authority
- ✗ invent local guides on probity in planning which are incompatible with current guidance - look for commonly held and common sense parallels in other authorities or the principles set out in national guidance.

