

COROLLARY TO ADVICE NOTE 4 - ADVICE TO MEMBERS ON THE APPLICATION OF THE CODE OF MEMBER CONDUCT TO DEVELOPMENT CONTROL

The provisions of Section 25 of the Localism Act 2011 revise the predetermination rules for Members, given that the rules on bias left many Members uncertain about whether they had the right to speak and vote on the issues on which they campaigned and were elected.

The changes make it clear that Members have a right to have a preliminary view and can freely discuss and publicise their view and voting intentions as they see fit. However, this is on the basis that Members must be prepared to listen to all of the arguments and evidence before making their decision.

In particular, no views should be expressed by a Planning Applications Committee Member in such a manner that a reasonable person would reasonably conclude that they have pre-determined the application and/or is approaching the decision-making process with a closed mind.