

Site Visit Procedure and Protocol for Members of the Planning and Regulatory Services Committee

For audit, scrutiny and governance reasons it is good practice to agree and implement a Committee Site Visit Procedure and Protocol.

These procedures apply to applications being considered by the Planning and Regulatory Services Committee when determining development applications and other matters which may come before the Committee, such as High Hedge applications and Enforcement issues. It has been agreed that all proposals which are to be determined by Committee will be site visited.

The Appointed Officer will retain discretion, in consultation with the Chair or a nominated deputy, to decide that a site visit is not needed in relation to certain applications e.g. an application simply to extend the time limit on an existing mineral consent.

The Clerk to the Committee will make arrangements for the site visits, in consultation with Planning Officers, and will notify Applicants/agents of the arrangements to ensure access to the site can be obtained if needed. The Clerk will also be responsible for providing any equipment needed to address any Health and Safety considerations e.g. high visibility clothing/hard hats. Members should also take care generally on any site visit but particularly when entering/exiting any vehicle at the site visit.

All Members should attend the formally arranged site visit if they can. A record of attendance will be made but there will be no formal minute and the site visit does not form part of the decision making process. Members can still take part in the decision making process even if they have been unable to attend the site visit.

Site visits should be a fact-finding exercise to inspect the physical characteristics and the nature of the site and no debate between parties concerning the merits of the application should take place. An extract from the guidance issued to Scottish Government Inquiry Reporter's Unit on the conduct of site visits is attached as Appendix 1 and is adopted as part of this Protocol as representing best practice.

There are a number of key points to have regard to in relation to site visits. As site visits take place in an open and transparent manner, it is possible that applicants or their representatives and those who have made representations might be present at the site visit. Once a decision on any application is made there may be some parties who are unhappy with the outcome and may therefore be critical of the way matters have been conducted – this could include scrutiny of the site visit process.

In addition to the Clerk to the Committee who will provide advice on any procedural matters and ensure that no discussion is held on the merits of the application, Members attending a site visit will be accompanied by a Principal Planning Officer, if available or a Planning Officer if not, who is familiar with the application site and its surroundings. This may not always be the case officer dealing with the application. The Planning Officer will explain the background and the proposals and can answer questions from Members. They should have plans available for clarification. If available, officers from other services will also be in attendance e.g. Transportation, Environmental Health – to assist Members in clarifying any specific issue on site.

No questions should be asked directly to any third party present – all issues should be raised through the Planning Officer. Any information/queries raised at the site visit

will be reported back to Members at Committee so all Members are in full possession of the same information.

No discussion about the merits or otherwise of the application should take place. Members should stick together whilst at the site and details are being explained although Members may then wish to walk around the site to look at particular aspects. It is important that, at all times, Members are careful to avoid being drawn into conversations with any third parties present. Members should ensure there is no perception by other parties of any lack of fairness or impartiality.

Members may sometimes require to visit a site on their own in preparation for the Committee meeting as they cannot always make the arranged site visit. Reference is sometimes made to this at the meeting. This is perfectly acceptable. A Member must then ensure their conduct on any such visit is in accordance with the Code of Conduct and related guidance from the Standards Commission and that they do not give any indication of their support or opposition to any proposal.

APPENDIX 1

EXTRACT FROM GUIDANCE ISSUED TO SCOTTISH GOVERNMENT INQUIRY REPORTERS ON THE CONDUCT OF SITE VISITS

The purpose of a visit to the site by the Reporter is to allow him/her to familiarise himself/herself with the land in question, its location and surroundings, and any particular physical or geographical features. Persons accompanying the Reporter may point out particular features of aspects referred to in their evidence but the Reporter will not discuss the merits of the application with the parties during the visit. Such discussion is for the inquiry itself.

To be adopted for Council use by appropriate reference to “Members” for “The Reporter”, “representations” for “evidence” and “actual Committee” for “inquiry”.