UTTLESFORD DISTRICT COUNCIL

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Chief Executive: Dawn French

Cllr N Gregory
Via Email

5 September 2019

RH

Please ask for Roger Harborough on 01799 510457
email: rharborough@uttlesford.gov.uk

Dear Cllr Gregory

PROBITY IN PLANNING

I refer to your letter dated 15 August.

Member participation at the pre-application stage for proposed major developments

The comments in the introductory paragraph of my letter of 15 July were of a general nature and not specifically directed to MAG's 35 million plus package of proposals. You ask why Members did not comply with the Probity in Planning Guidance in the Council's Constitution. I do not know on what basis you assert that. I am not aware of any material breach of the guidance either in relation to the MAG proposals or any other major development. If there had been a potential breach of the guidance as included in the constitution, it would have been considered in the context of the subsequent clause in the Localism Act.

Meetings with MAG/ STAL

I attach various overlapping lists of meetings produced for previous purposes. Notes relating to these meetings are also attached. **These are unredacted versions and include material that is exempt from disclosure under the Environmental Information Regulations after application of the public interest test. The versions provided to you should not therefore be released to any external party.**

Access to Information Rules 21.1 and 21.2

Rule 21.2 does need to be read in the context of Rule 21.1 but both rules apply to documents in the possession of the Executive and therefore these particular rules relate to Executive functions.

Breaches of good practice guidance

I have interpreted your question as rhetorical.

Access to individual members' diaries

You have requested the release of certain former members' personal information. This is distinct from establishing whether there is evidence that there has been a breach of professional privilege in relation to protected legal advice.

Outstanding Matters

I responded to your questions relating to meetings between councillors and MAG/ STAL in my previous letter of 30 July. To my knowledge, the only meetings were those to which I referred in that letter. As I said, I have no reason to believe that there were any other member meetings.

The minutes of Scrutiny Committee at its meeting on 15 January into handling major planning applications made it clear that it intended to include the process for the 35 million plus proposals but also that it was not appropriate that its focus should be on a single application that has not yet been determined. I am aware that PAS has been engaged to review the general issue of major application following the Committee's consideration of its proposed approach at its meeting on 25 June. The Planning Committee is dealing with the determination of the MAG application following the Council resolution of 28 June. Your continued questioning about the MAG application therefore seems to be misplaced.

Yours sincerely

Roger Harborough
Director of Public Services