

TEWKESBURY BOROUGH COUNCIL

Report to:	Planning Committee
Date of Meeting:	22 November 2016
Subject:	Review of Protocol for Councillors and Officers Involved in the Planning Process
Report of:	Sara Freckleton, Borough Solicitor
Corporate Lead:	Sara Freckleton, Borough Solicitor
Lead Member:	Councillors D M M Davies, Lead Member for Built Environment and R J E Vines, Leader of the Council
Number of Appendices:	2

Executive Summary:

At its meeting on 14 April 2015, the Council considered a revised Protocol for Councillors and Officers Involved in the Planning Process and resolved that the Protocol be adopted with a review after 12 months. A Standards/Planning Working Group met in September 2016 to conduct the review and proposed two main changes to Section 6 – Planning Committee Site Visits, together with minor typographical and formatting amendments. The Planning Committee is asked for its comments on the proposed amendments prior to the revised Protocol being considered by the Standards Council at its meeting on the afternoon of 22 November 2016 and Council at its meeting on 6 December 2016.

Recommendation:

To CONSIDER the proposed amendments to the Protocol for Councillors and Officers Involved in the Planning Process and to put forward any comments for consideration by the Standards Committee at its meeting on 22 November 2016 prior to the revised Protocol being taken to the Council meeting on 6 December 2016.

Reasons for Recommendation:

In accordance with the Council decision to review the Protocol for Councillors and Officers Involved in the Planning Process.

Resource Implications:

None arising directly from this report.

Legal Implications:

None other than those referred to in the report.

Risk Management Implications:

None.

Performance Management Follow-up:

None.

Environmental Implications:

None.

1.0 INTRODUCTION/BACKGROUND

1.1 At its meeting on 14 April 2015, the Council considered a revised Protocol for Councillors and Officers Involved in the Planning Process and resolved that the Protocol be adopted with a review after 12 months.

1.2 The initial review was undertaken by a joint Working Group made up of four Members of the Planning Committee and four Members of the Standards Committee and it was suggested that a similar arrangement be put in place to examine how the new Protocol had worked after being operational for 12 months, and whether any further amendments were required. The Standards and Planning Committees re-established a Working Group comprising Members of both Committees at their meetings in March and April 2016 respectively.

2.0 REVIEW OF PROTOCOL FOR COUNCILLORS AND OFFICERS INVOLVED IN THE PLANNING PROCESS

2.1 The Standards/Planning Working Group met in September 2016 to conduct the review and agreed that two main changes were necessary in respect of Section 6 – Planning Committee Site Visits.

2.2 Section 6 had been amended considerably during the last review with the whole Committee now attending the Committee Site Visits which took place in advance of the meeting. One of the issues which had been discussed at length previously was whether Parish Councils should continue to be invited to Committee Site Visits. At that time it had been agreed that they should be allowed to attend on the basis of their local knowledge in order to highlight any factual information relevant to the site visit. Unfortunately, this had often continued to be misconstrued as an opportunity to express a view and resulted in a perception that the process was not open or transparent given that no other representatives were permitted to attend Committee Site Visits. Parish Councils now had an opportunity to express their views through the Scheme for Public Participation at Planning Committee, which had been established as a permanent arrangement at the Council meeting in May 2016 following a 12 month trial period, and the Working Group had agreed that this was the most appropriate way for them to engage transparently with the process.

2.3 Currently, those applications where it had been determined that an advance site visit would be appropriate were required to be set out within an 'Advance Site Visits Briefing' item on the Planning Committee Agenda each month. This was not something which had worked particularly well in practice and the Working Group had considered it to be an unnecessary administrative burden which was no longer required now that Members were comfortable with the arrangements for Committee Site Visits.

2.4 In addition to these two main changes, minor amendments were also proposed in order to address typographical errors and formatting throughout the Protocol. A final version of the proposed revised Protocol is attached at **Appendix 1**, with a version showing the

track changes set out at **Appendix 2**.

- 2.5** Members of the Planning Committee are asked to consider the proposed amendments and to put forward any comments for consideration by the Standards Committee which meets on the afternoon of 22 November 2016 and will be responsible for recommending any revisions to the Protocol to the Council at its meeting on 6 December 2016.

3.0 OTHER OPTIONS CONSIDERED

- 3.1** None.

4.0 CONSULTATION

- 4.1** All Members were sent an email inviting their comments on the Protocol prior to the Working Group meeting but no responses were received.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 5.1** Tewkesbury Borough Council Code of Members' Conduct (adopted 26 June 2012 taking effect 1 July 2012).

6.0 RELEVANT GOVERNMENT POLICIES

- 6.1** None directly relevant to this report.

7.0 RESOURCE IMPLICATIONS (Human/Property)

- 7.1** None arising directly from this report.

8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

- 8.1** None.

9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

- 9.1** None.

10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

- 10.1** Council - 14 April 2015
Standards Committee - 21 March 2016
Planning Committee - 12 April 2016

Background Papers: Council Report and Minutes – 14 April 2015.

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Appendices: Appendix 1 – Protocol for Councillors and Officers Involved in the Planning Process – Final Version

Appendix 2 – Protocol for Councillors and Officers Involved in the Planning Process – Version Showing Changes