

REPORT OF MRS JENNY CLIFFORD, THE HEAD OF PLANNING, ECONOMY AND REGENERATION

PROBITY IN PLANNING REVISED ADVICE FOR COUNCILLORS AND OFFICERS MAKING PLANNING DECISIONS.

REASON FOR REPORT:

To provide the Committee with changes to guidance

MATTERS FOR CONSIDERATION:

The content of the revised guidance.

RECOMMENDATION: For information and discussion.

FINANCIAL IMPLICATIONS: Probity in planning is about ensuring that decisions on plan making and planning applications are undertaken, on behalf of communities, in a fair, impartial and transparent way. The Council is at risk if guidance is not adhered to.

LEGAL IMPLICATIONS: Not legal advice officers and members will need to seek legal advice when required.

RISK ASSESSMENT: Reputational and financial risk as a result of non-compliance with probity guidance.

EQUALITY IMPACT ASSESSMENT: Probity includes ensuring equality.

RELATIONSHIP TO CORPORATE PLAN: The effective operation of the planning function of the Planning, Economy and Regeneration Service including the processing and deciding of applications is central to achieving priorities in the Corporate Plan.

IMPACT UPON CLIMATE CHANGE: No climate change issues are identified arising from this report.

1.0 INTRODUCTION TO THE GUIDANCE

1.1 This guide which can be found through the following link https://www.local.gov.uk/sites/default/files/documents/34.2_Probity_in_Planning_04.pdf has been published by the Local Government Association for officers and councillors involved in making planning decisions in their local authority. It is informed by contributions from councillors and officers and includes:

- a brief overview of the planning system and the role of decision makers
- councillor and officer conduct
- registration and disclosure of interests
- predisposition, predetermination or bias
- lobbying of and by councillors
- discussions before a decision is taken
- officer reports
- public speaking at planning committees

- decisions which differ from an officer's recommendation
- committee site visits
- reviewing past planning decisions and the outcomes
- complaints and record keeping.

2.0 CONSIDERATIONS.

Councillors and officers should be familiar with, and adhere to, their own local authority codes of conduct and guidance. This advice is not intended to be prescriptive. Local circumstances may necessitate local variations of policy and practice. Every council should regularly review the way in which it conducts its planning business.

At this stage this report is for information only.

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List of Background Papers:	Probity in Planning Advice for councillors and officers making planning decision, December 2019.
Circulation of the Report:	Cllr Graeme Barnell Members of Planning Committee