

# STANDARDS COMMITTEE

29 SEPTEMBER 2014

## REPORT OF THE CORPORATE DIRECTOR (CORPORATE SERVICES)

### A.1 MANDATORY TRAINING FOR MEMBERS

(Report prepared by Colin Sweeney)

#### PART 1 – KEY INFORMATION

##### PURPOSE OF THE REPORT

To advise the Standards Committee, as part of its agreed work programme, on the current position with regard to mandatory training for Members (and named substitute members) of the Council's Licensing and Planning Committees.

##### EXECUTIVE SUMMARY

This report sets out the Council's decision to make mandatory, the training undertaken by Members, and their named substitutes, in respect of a number of the Council's committees. The report also provides details of training previously undertaken and how details of subsequent training will be captured on an ongoing basis in future.

There have been a number of changes, in terms of members appointed, to committees since the last training sessions were delivered. Officers are arranging licensing training for new members (and refresher training for existing members) and this is to be held towards the end of October or early in November.

It is proposed that record-keeping of this nature be extended to other committees of the Council and, in particular, to its Audit and Standards Committees.

##### RECOMMENDATION(S)

It is recommended that:

1. **Details of all mandatory and other relevant training undertaken by Members be recorded and maintained by Democratic Services;**
2. **A programme of relevant training be drafted for approval and implementation by the Audit Committee; and**
3. **An annual report is presented to the Standards Committee, giving details of all training provided and details of attendance (and non-attendance) by Members.**

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

The decision will enable the Council to demonstrate that its decision-making processes are included within the relevant member training to enable such Members to make informed decisions in respect of Audit, Licensing, Planning and Standards-related matters.

### FINANCE, OTHER RESOURCES AND RISK

#### Finance and Other Resources

##### Finance

It is proposed that the training for licensing members mentioned above be met as a one-off payment of £600 from within existing budgets.

Future costs of hosting training will be comparatively low as this will largely be conducted in-house and will be met from within existing budgets.

##### Risk

The integrity of Members, their decision-making and that of the Council and its committees, are good governance. Appropriate training should minimise or eradicate the risk of legal challenge through statutory appeals or judicial review.

### LEGAL

Mandatory attendance at site visits, briefings and specific training was adopted by Council on 3 June 2014 as a pre-requisite for members (and named substitutes) of the Council's planning and licensing committees and this is now included with the Council Procedure Rules within its Constitution.

Planning and Licensing decisions are quasi-judicial and both can be challenged by specific appeal routes in addition to judicial review grounds.

Various pieces of legislation provide criteria to be considered for the majority of decisions taken by the Council's Planning and Licensing Committees and the Licensing (General Purposes) and Premises and Personal Sub-Committees. Knowledge of their provisions and how these are applied, together with general decision-making principles are essential in those areas of expertise.

### OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder/Equality and Diversity/Health Inequalities/Area or Ward affected/Consultation/Public Engagement.

Wards Affected: All

## PART 3 – SUPPORTING INFORMATION

### BACKGROUND

At its meeting held on 3 June 2014, the Council **RESOLVED**, as part of the review of the Constitution, that site visits, briefings and specific training be mandatory for members (and named substitutes) of the Council's planning and licensing committees (Rule 37.1).

At its meeting of the Standards Committee in June 2014, the Committee agreed that as part of its work programme it would receive a report on the current position regarding members training and how mandatory training would be delivered, ensuring compliance with the Council's decision.

Members have undertaken previous related training for Planning and Licensing and details of attendance at these sessions are attached as Appendices A and B to this report.

It is proposed that these records form the basis of training records to be maintained by Democratic Services and which will be added to over time as more Members undertake additional training. It will serve as a useful document to provide evidence that those members (and named substitutes) who have been appointed to such committees have had the appropriate training to allow them to properly undertake the business of the meetings.

### CURRENT POSITION

Given the decision by Council in June 2014 to make certain training mandatory, and its inclusion within the Council Procedure Rules of the Constitution, there is a need to retain robust records of training undertaken and to keep under review where committee membership changes.

The records highlight that there are gaps in the training which current members of the committees have received, which is mainly due to the changes in membership and the new requirement for named substitutes. Therefore, further training sessions are being organised for the Licensing Committee and its Sub-Committees to be delivered in the autumn. In the meantime, any member who has not undertaken a form of training relevant to the work of the sub-committees will not be able to sit on the sub-committee to consider business. If there is an urgent need, officers could offer a short session however, it is not considered effective and efficient use of resources to deliver these on a one-to-one basis.

All members and named-substitutes of committees will be required to attend future organised sessions and Group Leaders will be notified if members do not undertake the training.

To ensure that the training is successful and the application of the principles is understood by members, it is suggested that each session would have a workshop style question session at the end. This style has been adopted by the Planning Committee training sessions and has worked well for both members and officers and encourages debate.

Not all training has to be delivered separately from the committee meeting and at its meeting of the Standards Committee in June 2014, the Monitoring Officer suggested that the training for Standards Committee members will be delivered through the consideration of a number of reports on procedures and best practice, examples of which was the hearing procedures and a review of the current complaints process. In addition, a pre-

hearing session was organised for the Town and Parish Standards Sub-Committee before the hearing on 22 September 2014.

## **BACKGROUND PAPERS FOR THE DECISION**

There are no background papers arising from this report.

## **APPENDICES**

### **A.1 – Appendix A**

Attendance at Planning-Related Training Sessions (April to June 2014)

### **A.1 – Appendix B**

Attendance at Licensing-Related Training Sessions (October to November 2013)

COUNCILLOR	Member of Planning Committee	Attendance At Training Event - 2014							Total 2014
		08/04/14	20/05/14	17/06/14					
		Resolving Breaches	Determining Planning Applications	Design Review					
Aldis, D								0	
Amos, C								0	
Broderick, J		✓						1	
Brown, N	✓	✓	✓	✓				4	
Bucke, R			✓	✓				2	
Caines, G								0	
Callender, C								0	
Callender, R								0	
Calver G								0	
Casey, D		✓	✓	✓				3	
Challinor, S	✓	✓	✓	✓				4	
Chapman, J			✓					1	
Colbourne, A								0	
Cossens, M								0	
De-Vaux Balbirnie, P		✓	✓	✓				3	
Fawcett, T	✓			✓				2	
Goggin, A		✓						1	
Griffiths, C		✓	✓	✓				3	
Guglielmi, C		✓	✓	✓				3	
Guglielmi, V		✓	✓					2	
Hawkins, J								0	
Heaney, R	✓		✓	✓				3	
Henderson, I								0	
Henderson, J								0	
Honeywood, P								0	
Honeywood, S								0	
Howard, T	✓							1	
Johnson, I	✓			✓				2	
King, K T								0	
Mayzes, D R		✓		✓				2	
Mayzes, S								0	
McLeod, D	✓	✓	✓	✓				4	
McWilliams, L		✓	✓	✓				3	

Miles, D									0
Mitchell, G	✓	✓	✓	✓					4
Nicholls, F			✓	✓					2
Oxley, D									0
Oxley, P									0
Page, M									0
Patten, M									0
Platt, M									0
Powell, J									0
Pugh, A			✓	✓					2
Richardson, S									0
Sambridge, P									0
Scott, G									0
Shearing, H									0
Simons, K	✓	✓	✓						3
Skeels, D		✓							1
Skeels, M		✓							1
Steady, G									0
Stock, N									0
Talbot, M		✓	✓	✓					3
Tracey, I									0
Turner, N		✓	✓	✓					3
Watling, G		✓	✓						2
White, J	✓	✓		✓					3
Winfield, C		✓							1
Wood, A		✓	✓	✓					3

***Members of Planning Committee***

**COUNCILLOR TRAINING CONFIRMATION**

**OCTOBER AND NOVEMBER 2013**

NAME	DATES	
	LA 2003	Taxi
Councillor Caines, Graham	29/10/2013	12/11/2013
Councillor Casey, Dan	23/10/2013	04/11/2013
Councillor Colbourne, Tony	29/10/2013	N/A
Councillor De-Vaux Balbirnie, Peter	29/10/2013	04/11/2013
Councillor Fawcett, Tony	29/10/2013	12/11/2013
Councillor Mitchell, Gwen	23/10/2013	04/11/2013
Councillor Oxley, David	29/10/2013	04/11/2013
Councillor Platt, Mark	23/10/2013	04/11/2013
Councillor Powell, Jose	23/10/2013	04/11/2013
Councillor Pugh, Anthony	23/10/2013	04/11/2013
Councillor Sambridge, Pam	23/10/2013	Away on Holiday for both dates
Councillor Shearing, Harry	29/10/2013	04/11/2013
Councillor Skeels, Dawn	23/10/2013	04/11/2013
Councillor White, John	23/10/2013	04/11/2013