

STANDARDS COMMITTEE

2 FEBRUARY 2022

REPORT OF THE MONITORING OFFICER

A.2 MANDATORY TRAINING FOR MEMBERS – ANNUAL UPDATE

(Report prepared by Debbie Bunce and Keith Simmons)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

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

EXECUTIVE SUMMARY

This report reiterates the Council's decision and constitutional requirement to make relevant training mandatory for Members, and their named substitutes, in respect of their membership on those committees which provide regulatory type functions. The report also details training undertaken and attendance to date.

RECOMMENDATION(S)

That the Standards Committee:

- (a) notes the contents of this report and its Appendix; and**
- (b) continues to encourage members of the Planning, Licensing & Registration and Audit Committees to attend all organised mandatory training events in order to comply with the requirements of the Council's Constitution.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The contents of the report and subsequent decision of the Standards Committee will enable the Council to demonstrate good governance in connection decision-making processes and monitoring of Member training.

FINANCE, OTHER RESOURCES AND RISK

Finance and Other Resources

Finance

The cost of external training organised for elected Members is met through a specified training budget and is therefore within existing resources. When changes are made to committee membership or named substitutes this does have an impact on the resources available. Although Officers will try to accommodate availability; alternative or additional training will not be offered to Members who fail to attend an organised session unless, or

until, a further larger session is available.

Sessions arranged by Tendring District Council are sometimes offered to other Councils for their Members to attend and in doing so a contribution towards the cost of hosting is received.

Risk

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

The aim of the Planning Code & Protocol, which also makes reference to the requirements of attending training, is to ensure that in the planning process there are no grounds for suggesting that a decision has been biased, partial or not well founded in any way.

LEGAL & CONSTITUTIONAL

Mandatory attendance at site visits, briefings and specific training as a pre-requisite for Members (and named substitutes) of the Council's Audit, Licensing & Registration, Planning and Standards Committees is part of the Council Procedure Rules included within Part 4 of the Council's Constitution.

Planning and Licensing decisions can be challenged by specific statutory appeal routes in addition to being subject to judicial review on administrative grounds.

Various pieces of legislation provide criteria to be considered for the majority of decisions taken by the Council's Planning and Licensing & Registration Committees and the Miscellaneous Licensing 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.

The aforementioned Planning Code and Protocol was approved by the Standards Committee and following a recommendation to full Council, incorporated within the Constitution. The Monitoring Officer has delegated authority from full Council to make minor amendments to the Constitution.

The Council Procedure Rules were amended in 2019 to expressly state that:

- A Member cannot sit as a member of the Planning Committee unless they have received specific training with regard to the determination of planning applications (CPR 33.3).
- A Member cannot sit as a member of the Licensing and Registration Committee unless they have received specific training with regard to the determination of applications for personal or premises licences submitted under the Licensing Act 2003.
- No Member can continue to sit as a member of the above committees if they have gone more than two years without attending any of the relevant training events.

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

CURRENT POSITION

The Standards Committee, as part of its annual work programme since 2014 has received a report providing details of the mandatory training provided to members of the Planning and Licensing and Registration Committees.

Appendix A: Attached to this report are details of the training record for the Planning Committee.

Members of the Planning Committee were invited to a session on Planning Appeals on Tuesday 21 April 2021.

Members of the Licensing and Registration Committee are invited to attend the mandatory training session on 28 March 2022.

Mandatory Training in the context of Councillor Development more widely

The mandatory training referenced in this report also forms part of the overall training provision for all Councillors within the framework established by the Council's "Councillor Development Statement" as reported to this Committee on 2 October 2019 (Minute 14 refers). For 2021/22, and future years, it was recognised that the resources required for training for Councillors (beyond the mandatory training to which this report concerns), would require additional budget to be allocated. This budget was expanded from £1,870 to £6,870 as a consequence.

More recently, the Portfolio Holder for Corporate Finance and Governance has established a Working Party to provide a cross-party mechanism for the regular input going forward into development opportunities for Councillors as envisaged. The Membership provides for input from all the main Committees of the Council and all the political groups on the Council that is broadly proportionate to the overall position on the Council as a whole. The first meeting of the Working Party is envisaged to take place later in February 2022.

Access to the Local Government Association's online training portal has been arranged for all Councillors and this provides training modules on:

- Community Engagement and Leadership
- Councillor Induction
- Commissioning Council services
- Equality, Diversity and Unconscious Bias
- The Effective ward Councillor
- Facilitation and Conflict resolution
- Handling Complaints for service improvement
- Handling intimidation
- Holding Council meetings online
- Influencing skills
- Licensing and regulation
- Local Government Finance

Planning

Police and crime panels

Scrutiny for councillors

Stress management and personal resilience

Supporting mentally healthier communities

Supporting your constituents with complex issues

Using the opportunity of this report, it is also possible to advise the Committee that in-house training sessions have also been provided to Councillors in 2021 on Fraud, developing key lines of enquiry for scrutiny work, time management and speed-reading. In addition, a total of 30 places were booked on external training sessions in 2021; including on Scrutiny essentials, Implementing the new taxi and private hire vehicles standards, personal safety for Councillors and (for those elected in 2021) information for newly elected Councillors.

The completed and returned evaluation sheets, circulated following the training sessions provided, are used to assist the Council refine and improve its training offer.

The above itself does not reference the training provided for Councillors through the All Member Briefings.

BACKGROUND PAPERS FOR THE DECISION

There are no background papers arising from this report.

APPENDICES

Appendix A: Planning Committee Training Record 2021/22