

STANDARDS COMMITTEE

8 FEBRUARY 2023

REPORT OF THE MONITORING OFFICER

A.2 MANDATORY TRAINING FOR MEMBERS – ANNUAL UPDATE

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 and 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)

It is recommended that the Standards Committee:

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

REASON(S) FOR THE RECOMMENDATION(S)

To provide a timely update to the Committee as part of its agreed work programme.

ALTERNATIVE OPTIONS CONSIDERED

There are no alternative options associated with this report.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Members' training forms parts of the effective and positive governance within the organisation. Council Procedure Rule 33.3 refers to the training for Members of the Audit, Licensing and Registration and Planning Committees.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Mandatory attendance at site visits, briefings and specific training as a pre-requisite for Members (and named substitutes) of the Council's Audit, Licensing and 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 and 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 events.

FINANCE AND OTHER RESOURCE IMPLICATIONS

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 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.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	
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B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	
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C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	
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MILESTONES AND DELIVERY

Mandatory training must be delivered to relevant Members in a timely manner and within the timeframes mentioned in this report.

ASSOCIATED RISKS AND MITIGATION

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 and 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.

OUTCOME OF CONSULTATION AND ENGAGEMENT

There is no requirement to seek consultation on this report. This is a public document to be presented to the Standards Committee.

EQUALITIES

The Standards Committee and its associated work programme aims to deliver fairness, transparency and consistency to all customers and stakeholders.

SOCIAL VALUE CONSIDERATIONS

Social value considerations are taken into account for each decision made.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

This is taken into account for each decision made.

OTHER RELEVANT 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	Not applicable
Health Inequalities	Not applicable
Area or Ward affected	All Wards could be affected

ANY OTHER RELEVANT INFORMATION

None

PART 3 – SUPPORTING INFORMATION

BACKGROUND

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.

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 02 October 2019 (Minute 14 refers). The resources required for training Councillors (beyond the mandatory training to which this report concerns) has a budget allocation of £8,300.

In 2021/22 The Portfolio Holder for Corporate Finance and Governance established a Working Party which provided a cross-party mechanism for the regular input into development opportunities for Councillors. 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. Thus far five sessions have taken place, with a further session planned, along with specific planning development sessions.

Access to the Local Government Association's online training portal is available 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

The completed and returned evaluation sheets, circulated following any 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 All Member Briefings.

The new Member Induction Programme for 2023/24 will be presented to the Committee at its next meeting.

PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.

The Standards Committee resolved at its 2 October 2019 meeting that the Committee:

a) confirms its commitment to seeing good Councillor development as a key component of good governance;

b) endorses the draft Councillor Development Statement 2019/23, as set out at Appendix A to the report of the Head of Democratic Services and Elections, with the exception of the paragraph on page 9 of the Statement which refers to the intention to video record All Member Briefings which should be deleted pending a re-draft and re-submission of that paragraph to a future meeting of the Committee;

c) notes that the Statement will be kept under review and that any substantial alteration to it will be the subject of a further report to this Committee; and

d) authorises the Head of Democratic Services and Elections to make minor amendments to the Statement, as necessary.

The Committee has also been provided with annual training updates as part of its work programme.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

There are no background papers associated with this report.

APPENDICES

Appendix A – Planning Committee and Licensing and Registration Committee Training Record 2022/23

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