

CABINET

17 MARCH 2025

REFERENCE FROM THE STANDARDS COMMITTEE

A.1 REVISED PLANNING PROBITY PROTOCOL

(Report prepared by Ian Ford, Committee Services Manager)

PURPOSE OF THE REPORT

To enable the Cabinet to consider the recommendations made by the Standards Committee in relation to a revised Planning Probity Protocol and sundry other related matters.

EXECUTIVE SUMMARY

The Standards Committee, at its meeting held on 5 February 2025 (Minute 34 refers), the Committee decided, inter alia, to recommend to full Council that:-

- (1) the revised Planning Probity Protocol (subject to tracked changes being accepted as well as the typing errors being amended) be adopted and incorporated into the Council's Constitution;
- (2) the Planning Committee's Terms of Reference be amended to reflect that personal planning applications submitted by the proposed seniority level of Officers plus all Officers within Planning and Legal Services will be referred to the Planning Committee; and
- (3) training on the Planning Probity Protocol forms part of the Mandatory Training as required by Council Procedure Rule 33.3 for Members of the Planning Committee.

Cabinet is now requested to consider the recommendations put forward by the Standards Committee.

RECOMMENDATION

That, subject to Cabinet's consideration of the recommendations of the Standards Committee arising from its meeting held on 5 February 2025, Cabinet recommends to Full Council that:-

- (1) the revised Planning Probity Protocol be adopted and incorporated into the Council's Constitution;**
- (2) the Planning Committee's Terms of Reference be amended to reflect that personal planning applications submitted by the proposed seniority level of Officers plus all Officers within Planning and Legal Services will be referred to the Planning Committee; and**
- (3) training on the Planning Probity Protocol forms part of the Mandatory Training as required by Council Procedure Rule 33.3 for Members of the Planning Committee.**

BACKGROUND

The Standards Committee ("the Committee"), at its meeting held on 5 February 2025 (Minute 34 refers), had considered the Monitoring Officer's report (A.1) that had presented the updated revised version of the Planning Probity Protocol, following consultation with the

members of the Planning Committee, the Portfolio Holder for Housing and Planning, Planning Officers and the Independent Persons.

It had been reported that some themes emerging from that consultation were:-

- *the concept of Bias needed to be stronger.*
- *stronger links to the Members' Code of Conduct, declarations of interest and the impact of participation at meetings.*
- *importance of seeking advice earlier.*
- *a determination should be made as to which Planning Applications submitted by Officers of the Council in their personal capacity should be submitted to the Planning Committee for determination i.e. Senior Officers above a certain grade and all Officers employed within Planning Services and Legal Services.*
- *the importance of Member Training needed to be stressed within the Planning Probity Protocol.*
- *stronger details needed around Planning Committee Members attending public meetings with applicants, developers and objectors, and*
- *site visits section needed to be stronger relating to the exceptional circumstances.*

The Committee had been made aware that the outcome of the consultation was set out in detail in Appendix B of the Monitoring Officer's report. In addition, it had been considered necessary to include some text around the Protocol on Member and Officer Relations, as that had been omitted in the first review and was relevant.

It had been **RESOLVED** that the Standards Committee –

- (a) notes the outcome of the consultation with the members of the Planning Committee, the Portfolio Holder for Housing and Planning, Planning Officers and the Independent Persons;
- (b) endorses the revised Planning Probity Protocol (subject to tracked changes being accepted as well as the typing errors being amended) and recommends to Full Council that it be adopted and incorporated into the Council's Constitution;
- (c) subject to (b) includes an additional recommendation to Full Council that the Planning Committee's Terms of Reference be amended to reflect the proposed seniority of Officers and all Officers within Planning and Legal Services personal planning applications to be referred to the Planning Committee; and
- (d) subject to Full Council's approval of the Planning Probity Protocol, that training on the Protocol forms part of the Mandatory Training as required by Council Procedure Rule 33.3 for Members of the Planning Committee.

The Council's Monitoring Officer has been thoroughly involved throughout this review and this report's recommendations together with the revised Protocol reflect her input and advice.

BACKGROUND PAPERS

None. However, the published Minutes of the meeting of the Standards Committee held on 5 February 2025 have been referred to in the preparation of this report.

APPENDICES

Report and its Appendices (A.1) of the Monitoring Officer submitted to the Standards Committee at its meeting held on 5 February 2025.