

**COUNCIL**  
**16 JANUARY 2020**

**PART 1 – PUBLIC DOCUMENT**

**ITEM 6a**

**TITLE OF REPORT: ITEM REFERRED FROM STANDARDS COMMITTEE: 22 OCTOBER 2019 – PLANNING CODE OF GOOD PRACTICE**

***Extract from the draft Minutes of the Standards Committee meeting held on 22 October 2019***

The Legal Regulatory Team Manager and Deputy Monitoring Officer presented the report entitled Planning Code of Good Conduct together with the following appendices:

- Appendix A – Amended Planning Code of Good Practice;
- Appendix B – Comparison between NHDC Planning Code of Good Practice.

The Legal Regulatory Team Manager advised that an amendment was required to the first Paragraph on page 23 so that it read words to the effect:

“Don’t agree to any formal meeting with applicants, developers or groups of objectors if you can avoid it. You may act as a Ward advocate, however where you have acted as such, then you must not sit on, or be a substitute for that item at the Committee meeting. Where you feel that a formal meeting would be useful to clarify issues, you only arrange that meeting through the Development and Conservation Manager if she/ he is able to organise one. If the meeting can be arranged, the Officer(s) will then ensure that those present at the meeting are advised from the start that the discussions will not bind the authority to any particular course of action, that the meeting is properly recorded on the application file and the record of the meeting is disclosed when the application is considered by the Committee.”

The following Members asked questions and took part in the debate:

- District Councillor Judi Billing;
- District Councillor Sam Collins;
- District Councillor David Levett;
- District Councillor Richard Thake;
- District Councillor Claire Strong;
- District Councillor Mike Rice;
- Independent Person Nicholas Moss;
- Parish Councillor Julia Magill.

In response to questions the Service Director – Legal and Community advised that:

- The Code was trying to address pre-determination and bias;
- The exception was when acting as a Ward Advocate (so long as then did not sit on the Planning Control Committee or act as a substitute for that item).

Members suggested a number of amendments to the document including:

- Amending the introduction to make clear that the Code applied to all Members, whether or not they were on the Planning Control Committee, but making it clear which parts did or did not apply to Ward Advocates;
- Amending the Introduction and the document throughout, to make clear the different roles of the Planning Control Committee Member and the Ward Advocate;
- Defining gifts and hospitality in amounts rather than stating “minimal”;
- Members agreed to email any other suggested amendment to the Legal Regulatory Team Manager to be considered.

**RESOLVED:**

- (1) That Members of the Committee be requested to email any suggested amendments to the Legal Regulatory Team Manager;
- (2) That, prior to consideration by Council, the Legal Regulatory Team Manager be requested to make amendments as suggested in consultation with the Chairman and Vice-Chairman of the Standards Committee and the Independent Person;
- (3) That, prior to consideration by Council, the Legal Regulatory Team Manager be requested to amend the first Paragraph on page 23 to read words to the effect:

“Don’t agree to any formal meeting with applicants, developers or groups of objectors if you can avoid it. You may act as a Ward advocate, however where you have acted as such, then you must not sit on, or be a substitute for that item at the Committee meeting. Where you feel that a formal meeting would be useful to clarify issues, you only arrange that meeting through the Development and Conservation Manager if she/ he is able to organise one. If the meeting can be arranged, the Officer(s) will then ensure that those present at the meeting are advised from the start that the discussions will not bind the authority to any particular course of action, that the meeting is properly recorded on the application file and the record of the meeting is disclosed when the application is considered by the Committee.”

**RECOMMENDED TO COUNCIL:** That, subject to any amendment resulting from the resolutions above, the Planning Code of Good Practice as amended and contained at Appendix A be adopted.

**REASON FOR DECISIONS:** To ensure good governance within the Council and that the Council’s Planning Code of Good Practice remains fit for purpose and is consistent with best practice.

**(To be considered with Item 7)**