

TRAFFORD COUNCIL

Report to: Council
Date: 24 May 2017
Report of: Director of Legal and Democratic Services and Monitoring Officer

Report Title

Planning Committee Code of Practice

Summary

In response to suggestions from the Standards and Planning Committees the Director of Legal and Democratic has drawn up a Code of Practice for Members and Officers involved with the determination of applications for planning permission by the Planning Committee. This is submitted to Council for approval and incorporation in the Council's Constitution.

Recommendation(s)

That Council adopt the Planning Committee Code of Practice (appendix 1) and authorise the Director of Legal and Democratic Services to incorporate it in the Council's Constitution

Contact person for access to background papers and further information:

Name: Jane Le Fevre
Extension: 4215

Background Papers: None

1. Background

- 1.1 The proposal to create a code of practice tailored specifically for those Councillors/Officers who sit upon/support the Planning Committee has been previously discussed by members of both the Standards and Planning Committees. Members have suggested that given unique role that members of the Planning Committee have and the impact their decisions/actions can have upon residents of Trafford and private interests an additional Code of Practice would assist to provide clarity and to ensure that Members/Officers act appropriately.

2. **Proposed Planning Committee Code of Practice**

- 2.1 A number of possible codes of conduct were considered with the resulting Code of Practice (appendix 1) being drafted by the Director of Legal and Democratic Services with input from the Head of Planning and Development. It has been reviewed and amended by the Chairman of the Planning Committee who supports the proposed Code. The Planning Committee agreed to the code at its meeting on 11 May 2017.
- 2.2 The Code was also considered by the Standards Committee at its meeting on 8 March 2017 and it has formally endorsed and welcomed the proposed Code.
- 2.3 The adoption of such Protocols provide greater clarity for Members and will reduce the risk of a decision being judicially reviewed, a complaint of maladministration being made to the Local Government Ombudsman, a complaint against a Member personally.
- 2.4 The proposed Code of Practice covers the following areas;
- General Roles, Responsibilities and Conduct
 - Planning Committee Meetings
 - Administrative Arrangements
 - Pre-Application Discussions
 - Lobbying of Members of the Planning Committee
 - Planning Applications Submitted by Members and Officers
 - Planning Applications Submitted by the Council
 - Conduct and Procedure of Planning Committee Meetings
 - Conduct
 - Procedure
 - Planning Committee Decisions Contrary to Officer Recommendation
 - Appeals against Council Decisions
 - Member Training
 - Review of Decisions
- 2.5 Once agreed by Full Council, the Code of Practice will be added to the Council's Constitution. This will also make the Code of Practice available to members of the public enabling them to consult the Code regarding a planning application.