

**Report title here**

<b>Final Decision-Maker</b>	Policy and Resources Committee
<b>Lead Head of Service</b>	Angela Woodhouse – Head of Policy, Communications and Governance
<b>Lead Officer and Report Author</b>	Ryan O’Connell – Democratic and Electoral Services Manager
<b>Classification</b>	Public
<b>Wards affected</b>	<i>All</i>

**Executive Summary**

In the event that the Policy and Resources Committee is required to meet as the Planning Referrals Body, the Committee members must be trained in relevant policies, legislation and procedures. This is a mandatory constitutional requirement. In order to do this, the Committee must have an agreed planning training programme. This report recommends that the training programme should be the same as for the Planning Committee.

**Purpose of Report**

*Decision*

**This report makes the following recommendations to this Committee:**

That the planning training programme for members of Policy and Resources Committee replicates the training programme agreed annually by the Planning Committee.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Policy and Resources Committee	23 July 2019

# Planning Training for Policy and Resources Committee Members

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	Not agreeing the recommendations on page one could affect the Council's ability to achieve its corporate priorities if it contributed to a protracted legal challenge over the technicalities of a Planning Application.	Democratic and Electoral Services Manager
<b>Cross Cutting Objectives</b>	None specifically but see impact on Corporate Priorities above	Democratic and Electoral Services Manager
<b>Risk Management</b>	See paragraph 5	Democratic and Electoral Services Manager
<b>Financial</b>	The recommendations have no financial impact to the Council. Choosing the do nothing option could have a financial impact to the Council but it is not clear how much this would be yet.	Democratic and Electoral Services Manager
<b>Staffing</b>	No implications.	Democratic and Electoral Services Manager
<b>Legal</b>	Accepting the recommendations ensures that the Policy and Resources Committee is compliant with the requirements in the Constitution, should it need to be convened to consider a Planning Referral.	Russell Fitzpatrick (MKLS (Planning))
<b>Privacy and Data Protection</b>	No implications.	Democratic and Electoral Services Manager
<b>Equalities</b>	No impact identified, however the accessibility needs of all members will be considered in terms of training needs.	Equalities and Corporate Policy Officer.
<b>Public Health</b>	No implications	Democratic and Electoral Services Manager
<b>Crime and</b>	No implications	Democratic and Electoral

<b>Disorder</b>		Services Manager
<b>Procurement</b>	No implications	Democratic and Electoral Services Manager

## **2. INTRODUCTION AND BACKGROUND**

2.1 At its meeting of 6 December 2017, the Council agreed to abolish the Planning Referrals Committee and instead refer any Planning Applications with potentially significant cost implications to the Policy and Resources Committee.

2.2 In order for the Policy and Resources Committee to carry out its role as the Planning Referrals Body, the Constitution states that the Committee must agree a programme of training. The constitution states in part 3.1 that:

*"No Councillor will be able to serve on the Planning Committee, Policy & Resources Committee acting as the Planning Referral body and Licensing Committee without having agreed to undertake a minimum period of training on the policies, procedures, legislation and guidance relevant to the Committee as specified by the Committee. This training should be completed to an agreed level according to an agreed programme within an agreed time period set by the Committee and must be refreshed annually."*

2.3 A programme of training is established annually for members of the Council's Planning Committee by resolution of that Committee. The training programme for 2019/20 was agreed at a meeting of the Planning Committee on 27 June 2019.

2.4 In order to fulfil the mandatory Constitutional requirement in 2.2 above, and to ensure consistency with the training programme already established by and delivered to Planning Committee, it is recommended that the training programme for members of both the Planning Committee and Policy and Resources Committee be the same and, subject to the comments made at 7.2 below, that members of Policy and Resources Committee be required to undergo the training programme established annually by resolution of the Planning Committee.

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## **3. AVAILABLE OPTIONS**

3.1 The Committee could agree the same training programme as Planning Committee. This is the preferred option as it is important that the training provided to the two Committees is consistent. However Members on Policy and Resources Committee must carry out the mandatory training before the Committee first meets as the Planning Referral body.

- 3.2 The Committee could agree its own training requirements, programme and time period for it to be completed in. This would not be recommended as it may mean that those members of Policy and Resources Committee who also sit on Planning Committee have had different training to those members that only sit on Policy and Resources Committee. This scenario would mean there is a risk of inconsistent decision making between the two Committees if applications are referred to Policy and Resources Committee.
- 3.3 The Committee could choose to do nothing. This is not recommended as it would mean that if a planning application is referred to Policy and Resources Committee, the Committee would not have an agreed training plan in place to action and therefore a number of members would not be able to sit on the Committee if an application is referred to it.

#### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

The preferred option is outlined in 3.1. This option provides consistency with the training requirements for Planning Committee, without creating additional training responsibilities for Officers. More importantly, it also ensures that members are able to give any planning application referred to it a balanced and fair consideration based on planning merits and also avoids the pitfalls identified in 3.2 and 3.3 above.

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#### **5. RISK**

A failure to agree to the training programme set out in the recommendation would present a risk of challenge to the Council's decision making process. A failure to agree a training programme would constitute a breach of the Council's Constitutional procedures. It is possible that any (perceived) irregularities in the decision making process could leave the Council open to challenge by the planning applicant or a third party. In order to minimise this risk it is important that the Committee agrees the recommended training programme.

#### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

No previous consultation or Committee feedback.

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#### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 No further action is required after the training programme is agreed, unless the Committee is required to meet as the Planning Referral body.
- 7.2 If the Committee is required to meet as the Planning Referral body, those members that are not compliant with the mandatory planning training programme will be contacted and offered the appropriate training. Those that do not complete the training to the level required will not be able to sit on the Policy and Resources Committee when it meets to discharge its

function as the Planning Referral body.

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## **8. REPORT APPENDICES**

None

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## **9. BACKGROUND PAPERS**

Report to Planning Committee – 27 June 2019 – Planning Committee  
Member and Substitute Member Training.