

**Planning Committee Training**

<b>Final Decision-Maker</b>	Planning Committee
<b>Lead Head of Service</b>	Angela Woodhouse, Head of Policy & Communications
<b>Lead Officer and Report Author</b>	Rob Jarman, Head of Planning and Development James Bailey – Development Manager
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

This report outlines Planning Committee Members' and Substitute Members' responsibilities to ensure they comply with the Council's Constitution by ensuring their knowledge and understanding of current local and national planning policies and legislation remains up to date, while serving on or supporting the Committee.

The report also strongly recommends attendance at a programme of optional training for Planning Committee Members and Substitute Members to facilitate their planning knowledge while serving on or supporting the Committee.

**Purpose of Report**

To agree the training requirements for Planning Committee Members and Substitute Members and to make a referral to Policy and Resources Committee to notify them of the training programme agreed by Planning so that the Committee can complete their training in the event the Planning Referrals process is invoked.

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

- 1. That new Planning Committee Members and new Substitute Members** complete Planning Training by the end of September 2021, covering the Development Plan, Planning Policies & Guidance, Legislation, Planning Conditions, Grounds of Refusal of Planning Applications, Section 106 Agreements/CIL and Legal Training including Pre-determination of Planning Applications (General and Constitution background), and Planning Judicial Reviews (General process) in order to fulfil the requirements in the Constitution.
- 2. That existing experienced Planning Committee Members and Substitute Members** complete training covering Enforcement and the duty under Section 38(6) of the Planning and Compulsory Act 2004 together with training on the Development Plan to fulfil the requirements in the Constitution by February 2022.

3. **That Planning Committee Members and Substitute Members** are strongly recommended to complete the following optional training sessions by February 2022:
- Between 2-3 specialised/best practice subject area sessions covering those topics set out in Appendix 1.
4. **That Parish Councils be invited to all training events**
5. **That training sessions be delivered virtually**
6. **That a referral be made to Policy and Resources Committee to notify them of the training programme agreed by Planning so that the Committee can complete their training in the event the Planning Referrals process is invoked**

<b>Timetable</b>	
<b><i>Meeting</i></b>	<b><i>Date</i></b>
Planning Committee	24 <sup>th</sup> June 2021

# Planning Committee Training

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p><i>The four Strategic Plan objectives are:</i></p> <ul style="list-style-type: none"> <li><i>Embracing Growth and Enabling Infrastructure</i></li> <li><i>Safe, Clean and Green</i></li> <li><i>Homes and Communities</i></li> <li><i>A Thriving Place</i></li> </ul> <p><i>Accepting the recommendations will materially improve the Council's ability to achieve corporate priorities. We set out the reasons other choices will be less effective in section 2.</i></p>	Rob Jarman James Bailey Austin Mackie
<b>Cross Cutting Objectives</b>	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> <li><i>Heritage is Respected</i></li> <li><i>Health Inequalities are Addressed and Reduced</i></li> <li><i>Deprivation is reduced and Social Mobility is Improved</i></li> <li><i>Biodiversity and Environmental Sustainability is respected</i></li> </ul> <p><i>The report recommendation(s) supports the achievement(s) of the cross-cutting objectives by ensuring Members are kept up to date on existing and proposed legislative changes and best practise.</i></p>	Rob Jarman James Bailey Austin Mackie
<b>Risk Management</b>	<i>Already covered in the risk section</i>	Rob Jarman
<b>Financial</b>	<ul style="list-style-type: none"> <li><i>The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.</i></li> </ul>	Rob Jarman
<b>Staffing</b>	<ul style="list-style-type: none"> <li><i>We will deliver the recommendations with our current staffing. We will liaise with the</i></li> </ul>	Rob Jarman

	<i>Policy and Communications team to establish whether a bespoke on-line training package can be delivered.</i>	
<b>Legal</b>	<ul style="list-style-type: none"> <li><i>Accepting the recommendations will fulfil the Council's duties under the Constitution. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of the Constitution.</i></li> </ul>	Legal Team
<b>Privacy and Data Protection</b>	<ul style="list-style-type: none"> <li><i>Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with our retention schedules.</i></li> </ul>	Policy and Information Team
<b>Equalities</b>	<ul style="list-style-type: none"> <li><i>The recommendations do not propose a change in service therefore will not require an equalities impact assessment</i></li> </ul>	Policy & Information Manager
<b>Public Health</b>	<ul style="list-style-type: none"> <li><i>We recognise that the recommendations will not negatively impact on population health or that of individuals.</i></li> </ul>	Public Health Officer
<b>Crime and Disorder</b>	<i>The recommendation will not have a negative impact on Crime and Disorder.</i>	Rob Jarman

## 2. INTRODUCTION AND BACKGROUND

2.1 The Council's Constitution sets out the responsibilities of Planning Committee Members and Substitute Members.

2.2 The Council's Constitution, Part 4.4 (Local Code of Conduct for Councillors and Officers dealing with planning matters), Section 1.c states, under **"THE GENERAL ROLE AND CONDUCT OF COUNCILLORS AND OFFICERS"**:

*"The Council has agreed that no Councillor will be able to serve on this Committee without having agreed to undertake a minimum period of training on the policies, procedures, legislation and guidance relevant to this Committee as specified by the Committee. This training must be completed to an agreed programme set by the Committee annually with a due date for completion. New members must receive training, but the programme may include no training provision for experienced members*

*unless there have been relevant changes to legislation, policies, or guidance.*

*If a Councillor has not completed the specified training by the due date, the Councillor will cease to a member/substitute member of this committee until the training has bene completed. The Head of Policy, Communications and Governance will keep a record of the training requirements of this Committee and of Councillors compliance with the requirements.*

2.3 Further, Part 4.4 Section 20 states under “**TRAINING**”:

*Training requirements for Planning Committee Members and Substitute Members are set out in 1 (c) of this code.*

*All Councillors should receive basic training on planning issues.*

- 2.4 Previous reports to Planning Committee confirmed that investigations had been carried out into an electronic version of fresher training which would allow members to self-serve from a selection of topic-based subjects. Unfortunately, there were no market options available at the time and this would have required a bespoke suite of training packages to be developed and implemented. This option was not pursued any further due to resource and cost implications.
- 2.5 However, matters have changed significantly since these previous reports were presented to Planning Committee with a greater use of agile and mobile training, especially during the Covid crisis. It is therefore considered reasonable to investigate these options again to ascertain if there is a package that can be developed, or tailor made to suit the needs of Councillors.
- 2.6 This option will be investigated further to see if a package can be developed for use in the next financial year.

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### **3. AVAILABLE OPTIONS**

#### **3.1 Option 1**

Planning committee members and substitute members should attend as follows:

- **That new Planning Committee Members and new Substitute Members** complete Planning Training by the end of September 2021, covering the Development Plan, Planning Policies & Guidance, Legislation, Planning Conditions, Grounds of Refusal of Planning Applications, Section 106 Agreements/CIL and Legal Training including Pre-determination of Planning Applications (General and Constitution background), and Planning Judicial Reviews (General process) in order to fulfil the requirements in the Constitution.

- **That existing experienced Planning Committee Members and Substitute Members** complete refresher training covering Enforcement and the duty under Section 38(6) of the Planning and Compulsory Act 2004 together with training on the Development Plan to fulfil the requirements in the Constitution.
- **That Planning Committee Members and Substitute Members** are strongly recommended to complete the following optional training sessions:
  - Between 2-3 specialised/best practice subject area sessions covering those topics set out in Appendix 1.
- **That Parish Councils be invited to all training events**
- **That training sessions be delivery virtually**

### 3.2 *Option 2*

The same as bullet points 1 and 3 above but with a change to bullet point 2 in so far as experienced planning committee and substitute members are not required to attend refresher training covering Enforcement and the duty under Section 38(6) of the Planning and Compulsory Act 2004 together with training on the Development Plan.

### 3.3 *Option 3*

The same as bullet points 1 and 3 above but with a change to bullet point 2 in so far as experienced planning committee and substitute members select refresher training of their choice.

### 3.4 *Option 4*

Members of the Planning Committee and Substitute Members, including both experienced and new members do not attend training events.

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

- 4.1 Option 1 is the preferred option as it provides for the training needs of new committee members and substitutes on key areas which are essential for new members to make informed and accurate decisions on planning applications and complies with the requirements of the Constitution.
- 4.2 This option also provides for refresher training for experienced members on topic areas which are key to the decision-making process and take in account previous training requirements. This also complies with the requirements of the Constitution.
- 4.3 This option also caters for additional training, which is voluntary but advisory, that members attend at least 2 subject area sessions. This will help expand the knowledge base of members and provide updates on new

areas of legislation and best practise. This would meet the requirements of the Constitution.

- 4.4 This option also builds upon experiences gained over the last year during Covid where the only options available for training were via virtual means. Experience has shown that attendance increased with a greater number of attendees able to participate. The intention would be to record the training sessions (subject to agreement) and make these available for viewing later. This would potentially facilitate an even greater uptake of training as members could review these sessions at a later date and enable a form of self-assessment for training to be undertaken.
  - 4.5 Options 2 and 3 are not favoured because the refresher training has been selected based on past training.
  - 4.6 Option 4 is not favoured as it fails to meet the basic requirements of the Constitution and leaves the Council open to challenge.
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## **5. RISK**

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.
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## **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 6.1 A draft schedule of training topics is included as Appendix 1. We would like to extend invites to Parish Council Members and therefore a format of virtual events using Teams is the preferred option as this enables unlimited numbers to attend and is more suited to informal training. Members would then be invited to the virtual events.
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## **7. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- *Appendix 1: Draft Training Programme*