

# Planning Committee

18 June 2015

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

## Planning Committee Training

<b>Final Decision-Maker</b>	Planning Committee
<b>Lead Director or Head of Service</b>	Paul Riley, Head of Finance and Resources
<b>Lead Officer and Report Author</b>	Tessa Mallett, Democratic Services Officer
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

### This report makes the following recommendations to the final decision-maker:

1. To agree the suggested modular approach to Planning Committee member and substitute member training.
2. To agree a date by which all Committee members and substitute members must attend the modular training.

### This report relates to the following corporate priorities:

- Great People
- Great Place
- Great Opportunity

### Timetable

<b>Meeting</b>	<b>Date</b>
Policy and Resources Committee	N/A
Council	N/A
Other Committee	N/A

# Planning Committee Training

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report outlines the training that has been provided to all Planning Committee members and gives details of the training being organised for the year ahead.
  - 1.2 This report also provides details of the Planning Committee member training requirements in the new Maidstone Borough Council Constitution.
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## 2. INTRODUCTION AND BACKGROUND

- 2.1 The new Maidstone Borough Council Constitution came into effect at the Council's Annual Meeting on 23 May 2015. The new Constitution states:
- 2.2 "No Councillor will be able to serve on the Planning and Licensing Committees 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. If the specified training has not been completed by the due date, the Councillor will cease to be a Member/Substitute Member of the Committee until the training has been completed."
- 2.3 Essential Refresher/Induction training for Planning Committee members was held on 26 May 2015. Eight (out of 13) Committee members and three (out of 10) substitute members attended the training. The training covered the following:
  - Planning Policy & Guidance
  - Development Plan
  - National Planning Policy Framework (NPPF)
  - National Planning Practice Guidance (NPPG)
  - Planning Conditions
  - Reasons for Refusal
  - Material Considerations
  - Section 106/Planning Obligations
- 2.4 Further training is being arranged on a modular basis. There are nine modules in total, each will last two hours and will be delivered by Planning Officers. One module will be arranged every three weeks until all nine modules have been completed. It is planned that Parish Councils will be invited to nominate no more than two Parish Councillors to attend this training. The modules are:

1. Local Plan and Neighbourhood Plans, Supplementary Planning Documents and Ministerial Statements;
  2. National Planning Policy Framework and National Planning Policy Guidance;
  3. Local Plan Examinations in Public and the Duty to Co-operate and 5 Year Housing Land Supply;
  4. Transport;
  5. Heritage, Landscape, Open Space and Ecology;
  6. The meaning of Development and Permitted Development;
  7. Conditions, Reasons for Refusal and Section 106 Agreements
  8. Enforcement
  9. Planning Appeals
- 2.5 Records of Councillors' attendance at training are maintained by the Head of Finance and Resources. It has been suggested that attendance at training is publicised in the same way as attendance at meetings.
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### **3. AVAILABLE OPTIONS**

- 3.1 The Committee could decide to do nothing. However, this is not recommended as it is a requirement of the Constitution that all Planning Committee members and substitute members attend training, on an annual basis, to an agreed level, to ensure they are up to date with legislation and planning policies.
- 3.2 The second option would be to ensure all Planning Committee members and substitute members are able to demonstrate a particular level of professional competence by ensuring all Committee members attend the training outlined in 2.4 above by a date agreed by the Committee. This would include ensuring all on-going Committee members and substitute members attend refresher training on an annual basis. A further recommendation within this second option is that all Planning Committee members and substitute members undertake the Essential Refresher/Induction training outlined in 2.3 above, regardless of their previous membership of the Planning Committee, in order to demonstrate that a good level of understanding is being maintained across the whole of the Committee, in accordance with the Constitution.
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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 The second option outlined in 3.2 above is the preferred option as this will ensure all Planning Committee members maintain a set level of professional competence in order to make sound planning decisions.
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### **5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 5.1 The next step is for dates and times for the delivery of the nine modules to be arranged and publicised to all Committee members and substitute members.
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## 6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	Attendance at this training will support the priority of making Maidstone a decent place to live.	Head of Finance and Resources
<b>Risk Management</b>	Non attendance at this training could result in uninformed planning decisions being made, which could expose the council reputational and financial risks.	Head of Finance and Resources
<b>Financial</b>	Minimal as the training is being delivered in house by experience Planning Officers. The training will be delivered at the Town Hall to avoid venue costs.	Head of Finance and Resources
<b>Staffing</b>	The staff resource required will be provided from existing resources.	Head of Finance and Resources
<b>Legal</b>	Non attendance at the training, followed by a decision being made at Committee by a Councillor who has not complied with the Rules of the Constitution, may amount to an avenue for legal challenge of that decision.	Head of Finance and Resources
<b>Equality Impact Needs Assessment</b>	The training will be held in the Town Hall where provision is already made for Councillors with particular needs.	Head of Finance and Resources
<b>Environmental/Sustainable Development</b>	Will be covered in the training to ensure Councillors are up to date with current legislation.	Head of Finance and Resources
<b>Community Safety</b>	N/A	Head of Finance and Resources
<b>Human Rights Act</b>	Issues relating to the relationship between planning law and human rights will be covered in the training	Head of Finance and Resources
<b>Procurement</b>	N/A	Head of Finance and Resources
<b>Asset Management</b>	N/A	Head of Finance and Resources

## 7. REPORT APPENDICES

- None
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## **8. BACKGROUND PAPERS**

- Maidstone Borough Council – Constitution May 2015.