

**Planning Training for Policy and Resources Committee
Members**

Final Decision-Maker	Policy and Resources Committee
Lead Head of Service/Lead Director	Angela Woodhouse – Head of Policy, Communications and Governance
Lead Officer and Report Author	Sam Bailey – Democratic and Administration Services Manager
Classification	Public
Wards affected	All

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.

This report makes the following recommendations to the Policy and Resources Committee

That the planning training programme for members of Policy and Resources Committee for 2018/19 replicates the mandatory training programme agreed by the Planning Committee.

Timetable

Meeting	Date
Policy and Resources Committee	28 November 2018

Planning Training for Policy and Resources Committee Members

1. INTRODUCTION AND BACKGROUND

- 1.1 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.
- 1.2 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 the following in part 3.1, page 6:

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.

- 1.3 In order to fulfil the requirement set out in the Constitution, and to ensure consistency with the training already delivered to Planning Committee, it is recommended that the training programme is agreed as the same for the two Committees.
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2. AVAILABLE OPTIONS

- 2.1 The Committee could agree the same training programme as Planning Committee. This is the preferred recommendation as it is important that the training provided to the two Committees is consistent. However it must be specified that the timescale for being trained will be before the Committee first meets as the Planning Referral body.
- 2.2 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.

- 2.3 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 the Committee.
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3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 The preferred option is outlined in 2.1. This option provides consistency with the training requirements for Planning Committee, without creating additional training responsibilities for Officers unless the Committee is required to act as the Planning Referral body.
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4. RISK

- 4.1 Due to the nature of the particular planning application, as well as any likely future applications, that may be referred to the Committee, Committee not agreeing to the training programme set out in the recommendations on page one would represent a risk of challenge to the Council's decision making process. This is because a failure to agree a training programme would represent a breach of the procedures outlined in the Constitution. It is possible that any perceived irregularities in the decision making process could mean that the Council is open to challenge by the applicant, or more likely, by a third party to the application. Therefore to minimise this risk it is important that the Committee agrees a training programme.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 No previous consultation or Committee feedback.
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6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 No further action is required after the training programme is agreed, unless the Committee is required to meet as the Planning Referral body.
- 6.2 If the Committee is required to meet as the Planning Referral body, those members that are not compliant with the planning training programme will be contacted to offer 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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7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	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 Administration Services Manager
Risk Management	See paragraph 4.1 – the only way to mitigate risk of challenge is for the Committee to agree its training programme.	Democratic and Administration Services Manager
Financial	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 Administration Services Manager
Staffing	No implications.	Democratic and Administration Services Manager
Legal	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.	Democratic and Administration Services Manager
Privacy and Data Protection	No implications.	Democratic and Administration Services Manager
Equalities	Consideration has been given and no negative impact has been identified.	Democratic and Administration Services Manager
Public Health	No implications	Democratic and Administration Services

		Manager
Crime and Disorder	No implications	Democratic and Administration Services Manager
Procurement	No implications	Democratic and Administration Services Manager

8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

None