
REPORT TO:	ANNUAL COUNCIL	AGENDA ITEM: 20
DATE OF MEETING:	21ST MAY 2015	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ARDIP KAUR Ardip.Kaur@south-derbys.gov.uk EXT. 5715	DOC:
SUBJECT:	PLANNING CODE OF GOOD PRACTICE	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That subject to any amendments by Council, the Planning Code of Good Practice (Appendix A) be approved and adopted.
- 1.2 That the Planning Code of Good Practice is included within Part 5 of the Council's Constitution and replaces the existing Code.

2.0 Purpose of Report

- 2.1 To seek the approval of the Council's Planning Code of Good Practice which is based on the Model Code. The Model Code has been produced by the national body 'Lawyers in Local Government (LLG)'.

3.0 Detail

- 3.1 A 2014 Model Code has been produced by the national body 'Lawyers in Local Government (LLG)', (formerly known as Association of Council Secretaries and Solicitors (ACSeS)). The Code takes into account the update to the Seven Principles of Public Life (the 'Nolan Principles') and commentary from the Committee on Standards in Public Life, the changes in approach to codes of conduct, predetermination introduced by the Localism Act 2011, and the guide on 'Openness and transparency on personal interests' published by the Department for Communities and Local Government 2013.
- 3.2 It is necessary to produce a new revised document based on the Model Code produced by LLG.
- 3.3 Consultation has been undertaken with the Planning Services Directorate, who have responded as follows;

The Model Code has been compiled on a sound and robust basis as described in its introduction. As such it is incumbent on the Local Planning Authority to review its current Code in the light of this advice. The proposal around the compulsory attendance of committee site visits and the subsequent entitlement to take part in the committee proceedings has been an issue at the planning committee before but has

not been reviewed as a principle of decision making for some time. It would appear sensible to be guided by the Model Code in this regard and therefore ensure that Members who have not taken part in the organised site visit cannot then play a part in the determination of the case at the subsequent Planning Committee. Abiding by the Code would ensure that any subsequent challenge to a decision taken by Members would be more robustly defensible in court on the basis of an informed decision having been made.

5.0 Financial Implications

5.1 There are no financial implications arising directly from this report.

6.0 Legal Implications

6.1 The Code takes account of best practice and assists the Council to fulfil its statutory duty to promote and maintain high standards of conduct for both Members and Officers.

7.0 Corporate Implications

7.1 The Code builds on the Council's good governance arrangements and promotes transparency and integrity within the Planning decision making process.

8.0 Community Implications

8.1 The Code seeks to maintain the ability for the community to witness the practices and procedures employed by the Council in its function as the Local Planning Authority.

9.0 Background Papers

9.1 Planning Code of Good Practice.