

**Cheltenham Borough Council**  
**Council – 20 July 2015**  
**Planning Code of Conduct**

<b>Accountable member</b>	<b>Standards Committee Chairman, Councillor Bernard Fisher</b>  <b>Cabinet Member, Corporate Services, Councillor Jon Walklett</b>
<b>Accountable officer</b>	<b>Borough Solicitor</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	The Planning Code of Conduct which was adopted by the Council in October 2006 has been reviewed and amended by a Working Group of Members and approved by the Standards Committee for adoption by the Council. The draft revised Planning Code of Conduct is attached at Appendix 1 reflects changes to legislation, the Code of Members' Conduct and best practice which have taken place since 2006. The Council is asked to adopt the revised Planning Code of Conduct for inclusion as Part 5D of the Constitution.
<b>Recommendations</b>	<b>To adopt the revised Planning Code of Conduct attached at Appendix 1 to be included as Part 5D of the Council's Constitution.</b>

<b>Financial implications</b>	No financial implications.  <b>Contact officer: <a href="mailto:paul.jones@cheltenham.gov.uk">paul.jones@cheltenham.gov.uk</a>, 01242 775154</b>
<b>Legal implications</b>	None specifically arising from the report.  <b>Contact officer: <a href="mailto:sara.freckleton@teWKesbury.gov.uk">sara.freckleton@teWKesbury.gov.uk</a>, 01684 272011</b>
<b>HR implications (including learning and organisational development)</b>	The Planning Code applies to both Councillors and planning officers who become involved in operating the planning system. The successful operation of the planning system relies on mutual trust and understanding of each other's role. It also relies on both Members and Officers ensuring that they act in a way which is not only fair and impartial but is also clearly seen to be so. It is therefore important that all Members and employees involved in the planning system are made aware and adhere to the revised code.  <b>Contact officer: <a href="mailto:julie.mcarthy@cheltenham.gov.uk">julie.mcarthy@cheltenham.gov.uk</a>, 01242 264355</b>

## 1. Background

- 1.1 The Standards Committee established a Working Group comprising members of the Standards and Planning Committees assisted by officers from the Planning Department and One Legal to review the Planning Code of Conduct.
- 1.2 The current Planning Code of Conduct (within part 5 of the Council's Constitution) was adopted by the Council in October 2006. Its purpose is to provide more detailed guidance for members involved in the planning process and is intended to complement the Cheltenham Borough Council Code of Members' Conduct.
- 1.3 There have been significant changes to the Standards / Code of Conduct regime since the adoption of the Planning Code of Conduct in 2006 as well as changes to planning legislation and the Council's practices and the revisions which have taken place bring the Code up to date in respect of legislation, the Code of Members' Conduct and recent best practice.

## 2. Revisions to the Planning Code of Conduct

- 2.1 The Standards Committee has approved the draft revised Planning Code of Conduct attached at Appendix 1 and is recommending it to the Council for adoption and inclusion within the Constitution.
- 2.2 The revised Planning Code follows the format of the current one in generally providing bulleted points stating "Do" or "Do not" under each of the sections. Certain points are of relevance to all Members dealing with planning matters (whether or not they are on the Planning Committee or a substitute) and others will only be relevant to members of the Planning Committee (including substitutes). The draft revised Planning Code of Conduct now flags up which parts will be "applicable to ALL members" and which are "applicable to members of the Planning Committee".
- 2.3 In the draft revised Planning Code of Conduct there has been a slight re-organising and re-naming of the sections and a significant extension to the Introduction, with a summary of the planning process and a planning process flowchart added as Appendix 1 and 2 to the Code. Members of the Planning Committee have been consulted on the revised Planning Code of Conduct and the document approved by the Standards Committee includes amendments to reflect the responses to the consultation.

## 3. Reasons for Recommendations

- 3.1 To ensure that the Planning Code of Conduct is up to date and fit for purpose.

## 4. Consultation and feedback

- 4.1 The Standards Committee has considered and approved the provisions of the revised Code following consultation with Members of the Planning Committee as set out above. The draft revised Planning Code of Conduct attached at Appendix 1 incorporates amendments arising from responses to consultation.

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<b>Appendices</b>	1. Planning Code of Conduct – Appendix 1

<b>Background information</b>	Report to and Minutes of the Council on the 9 <sup>th</sup> October 2006. Planning Code of Conduct Cheltenham Borough Council Code of Members' Conduct
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