

Cheltenham Borough Council
Standards Committee – 18 July 2013
Review of Planning Code of Conduct

Accountable member	Cabinet Member, Corporate Services, Councillor Jon Walklett
Accountable officer	Borough Solicitor, Sara Freckleton
Key Decision	No
Executive summary	This report seeks the agreement of the Committee to the methodology and timescale for the review of the Planning Code of Conduct which was adopted by the Council in October 2006.
Recommendations	That a “task and finish” working group of members and officers is established to review the Planning Code of Conduct and prepare a revised Code for consideration by the Standards Committee. The composition and terms of reference of the working group will be as set out at paragraph 3.3 of this report.

Financial implications	No significant financial implications arising from the content of this report. Contact officer: paul.jones@cheltenham.gov.uk, 01242 775154
Legal implications	None arising from the report. Contact officer: sara.freckleton@tewkesbury.gov.uk, 01684 272011
HR implications (including learning and organisational development)	No significant HR implications arising from the content of this report. Contact officer: julie.mcarthy@cheltenham.gov.uk, 01242 264355

1. Background

- 1.1 At its last meeting, when considering its work programme, the Standards Committee agreed to commence a review of the Planning Code of Conduct at the next meeting. This report seeks approval for the methodology and timescale for the review.

2. Planning Code of Conduct

- 2.1 The Planning Code of Conduct which is attached as Appendix 1 to this report, was adopted by the Council on the 9th October 2006. Its purpose is to provide more detailed guidance for members involved in the planning process and it is intended to be complementary to the requirements of the Cheltenham Borough Council Code of Members' Conduct.
- 2.2 As the Committee will be aware, there have been significant changes to the Standards/Code of Conduct regime on two occasions since the adoption of the Planning Code of Conduct in 2006 and the document is, to that extent, out of date. In particular, the flowchart which is appended to the document is based on the Code of Conduct which was in place in 2006 and its terminology and content is incorrect. Consequently the flowchart has been removed from the Council's website. Nevertheless, the general tenor and thrust of the advice contained in the Planning Code of Conduct itself and the expected behaviours remain relevant and should continue to be observed whilst the document is reviewed.

3. Proposed methodology and timescale for review

- 3.1 In order for an effective review to be undertaken which takes into account both the planning and the conduct requirements it is suggested that a "task and finish" working group of members and officers be set up to review the Planning Protocol and to recommend changes for the approval of the Standards Committee. It will be necessary for the working group to review recent best practice and all relevant guidance from the Department for Communities and Local Government and other public and professional bodies.
- 3.2 The review, to include consultation with members both formally and informally and with officers, would commence in September 2013 and is likely to take approximately 3 – 4 months to complete.
- 3.3 It is proposed that the composition of the Working Group should be 3 Standards Committee Members, 3 Planning Committee Members and 3 Officers (2 Planning and 1 One Legal). Terms of reference are suggested as follows:-

"To review the Planning Code of Conduct and prepare a revised Code for consideration by the Standards Committee. The review will include consideration of any recent best practice and guidance from the Department for Communities and Local Government and other relevant professional and public bodies. The review will include consultation, as appropriate, with Members and Officers"

4. Reasons for Recommendations

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

5. Consultation and feedback

- 5.1 The proposed methodology and timescale provides the opportunity to undertake relevant consultation.

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Appendices	1. Planning Code of Conduct
Background information	Report to and Minutes of the Council on the 9 th October 2006. Planning Code of Conduct Cheltenham Borough Council Code of Members' Conduct