

PLYMOUTH CITY COUNCIL

Subject:	Constitutional Changes: Planning Committee Code of Practice and Terms of Reference
Committee:	City Council
Date:	16 September 2013
Cabinet Member:	Councillor Peter Smith
CMT Member:	Tim Howes (Monitoring Officer)
Author:	Judith Shore (Democratic and Member Support Manager)
Contact details:	T: 01752 304494 Email: judith.shore@plymouth.gov.uk
Ref:	
Key Decision:	N/A
Part:	I

Purpose of the report:

To recommend changes to the constitution, in particular to amend the Planning Committee Code of Practice (Part G of the constitution) and Planning Committee terms of reference (Part E of the constitution).

The changes have been made in response to the Local Government Association and Planning Advisory Service updated guidance on Probity in Planning for Councillors and Officers issued in April 2013).

The main changes are as follows:

Code of Practice (Appendix A):

- Section 6.6 – ‘officers and serving councillors must not act as agents for people pursuing planning matters within Plymouth City Council’s jurisdiction.’
- 12.3 – ‘Members should inform the planning officer if they intend to enter the owner’s property unaccompanied and seek clarification from the planning officer whether it is appropriate for them to be accompanied by an officer.’
- Section 12.13 – ‘a record that a Planning Committee site visit has taken place should be made through a Planning Committee minute.’

Terms of reference (Appendix B):

- Widening the types of application considered by the Planning Committee to include close relatives of employees or Members; 2.2.2 c) ‘ the application is submitted by an employee or Member of the Council, or a close relative of an employee or Member of the Council living in the same property’ and 4.3 ‘For the purposes of the Planning Committee functions a close relative is defined as: a husband or wife (or civil partner), a son or daughter, a father or mother; or a brother or sister.’

The Brilliant Co-operative Council Corporate Plan 2013/14 – 2016/7:

The changes encourage greater transparency in the democratic process.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land:**

There are no material implications resulting from these changes to the constitution.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

There are no material implications resulting from these changes to the constitution.

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? No

Recommendations and Reasons for recommended action:

It is recommended that Council agree the following:

1. To adopt the revised Planning Committee Code of Practice
2. To adopt the change to the Planning Committee's terms of reference

Alternative options considered and rejected:

The Constitution Review Group considered these amendments before recommending them to council. One option would be to do nothing in which case the Code of Practice and Terms of Reference would be out of date and not entirely reflect national guidance.

Published work / information:

Council constitution

<http://www.plymouth.gov.uk/constitution>

Background papers:

None

Sign off:

Fin	djn13 14.17	Leg	18374/ DVS	Mon Off	18374/ DVS	HR		Assets		IT		Strat Proc	
Originating SMT Member Tim Howes													
Has the Cabinet Member(s) agreed the content of the report? n/a													