Report for: | Cabinet
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Date of meeting: | 17th October 2017
Part: | 1
If Part II, reason: |

| Title of report: | Planning Code of Practice and Protocol for Member Officer Relations
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Contact: | Cllr Andrew Williams, Leader of the Council
Author/Responsible Officer: | Mark Brookes, Solicitor to the Council and Monitoring Officer
Purpose of report: | To seek approval to the amended and updated Planning Code of Practice and the Protocol for Member/Officer Relations to reflect changes to staffing structures, operational changes and new legislation.

Recommendations

1. That Cabinet recommend Council to approve the Planning Code of Practice.
2. That Cabinet recommend Council to approve the Protocol for Member Officer Relations.

Corporate Objectives:
The Constitution, which includes the codes of practice and protocols, support all of the Council’s Corporate Objectives as they provide the governance and standards framework for all decisions, strategic and operational.

Implications:

- Financial
  There are no financial implications arising from this report.
- Value for Money
  There are no implications arising from this report.
<table>
<thead>
<tr>
<th>Risk Implications</th>
<th>Failure to have up to date codes and protocols could lead to inappropriate conduct which could in turn undermine council decision making with the potential for legal challenge and reputational damage.</th>
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</thead>
<tbody>
<tr>
<td>Community Impact Assessment</td>
<td>There are no community impacts which require assessing resulting from this report.</td>
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<tr>
<td>Health And Safety Implications</td>
<td>There are no Health and Safety implications connected to this report.</td>
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| Monitoring Officer/S.151 Officer Comments | **Monitoring Officer:**
This is a Monitoring Officer report.

**S.151 Officer**
No further comments to add to this report. |
| Consultees: | Standards Committee
Development Management Committee
Corporate Management Team
Councillor Andrew Williams, Leader of the Council
Councillor Neil Harden, Portfolio Holder for Residents and Corporate Services |
| Background papers: | Reports to Standards Committee 22\(^{nd}\) September 2016 and 8\(^{th}\) December 2016.
Reports to Development Management Committee 12\(^{th}\) January 2017 and 17\(^{th}\) June 2017. |
| Glossary of acronyms and any other abbreviations used in this report: | None |
Background

1. The Monitoring Officer is under a continuous duty to review the Constitution to ensure that it is up to date and provides an appropriate governance framework for conduct and all Council decision making.

2. The Constitution includes four codes/protocols which guide appropriate standards and conduct; the Code of Conduct for Members, Code of Conduct for Employees, Planning Code of Practice and the Protocol for Member/Officer Relations.

3. The Code of Conduct for Members was adopted in July 2012 and is up to date with current legislation and therefore no recommendations for amended are required. The Standards Committee received training and reviewed the Code of Conduct on 9th June 2016 and no recommendations for change were made.

4. The Employee Code of Conduct has not been formally reviewed and is scheduled for review in Autumn 2017 and therefore will come to Cabinet/Council for approval once it has been considered by Standards Committee.

Planning Code of Practice

5. The Planning Code of Practice was last adopted on 27th February 2008. It is therefore appropriate that the Code of Practice should be reconsidered and updated as many of its provisions are out of date and do not reflect current legislation or working practices.

6. Members will find annexed to this report a proposed revised Code of Practice for consideration by Members. The proposed changes are shown in tracked changes for ease of reference but Members are asked to consider the document as a whole.

7. The revised Code of Practice was considered by the Standards Committee on 8 December 2016 and Development Management Committee on 12 January 2017 and 17th June 2017, when Members requested various amendments, which have now been incorporated.

8. Changes to the Codes and Protocols may only be approved by full Council after consideration of the proposal by the Cabinet and/or the Monitoring Officer.

9. The Monitoring Officer is satisfied that the amended Code of Practice is appropriate for adoption and provides a suitable governance framework to assist members and officers through the Development Management process.

Protocol for Member/Officer Relations

10. The Protocol for Member/Officer Relations was last adopted on 14th June 2006. It is therefore appropriate that the Protocol should be reconsidered and updated as like the Planning Code of Practice many of its provisions are out of date and do not reflect current legislation or working practices.
11. The Protocol was considered by the Standards Committee on 22nd September 2016 and their comments and amendments have been incorporated in the annexed amended draft.

12. The Monitoring Officer is satisfied that the amended Protocol provides suitable guidance for Members and Officers and is recommended for adoption.