

APPENDIX ONE

London Borough of Brent – Planning Code of Practice Review

Final Draft @ 24-5-18

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A. INTRODUCTION, KEY ISSUES & OVERALL CONCLUSIONS

A.1 Structure of the Review

This **Final Draft Review Document** is to be read with a marked - up copy of the proposed LB Brent “Planning Code of Practice” set out in Appendix 1.

- LB BRENT’s own proposed Code changes, (Appendix 1), are highlighted in **RED, BLUE and YELLOW**, (**Brent’s original document sent to Marc Dorfman**).
- “Review Comments” in Appendix 1, are **BLACK BOLD when supportive of the Brent changes**. They sit between paragraphs. Review Comments are not numbered. Each comment, (when there is a comment), refers to the paragraph before it.
- Where there are “Review Comments” which recommend further LB Brent consideration and clarification, they are highlighted in **BROWN BOLD**, both in Appendix 1 and in Section F. REVIEW COMMENTARY below. These issues of clarification have now been dealt with by exchanges between LBB Officers and the Reviewer.
- There were 30 proposed Brent sub section changes overall to the Code, considered and approved by Full Council in January 2018. At the same time LB Brent also put in place new terms of reference for the Planning Committee and linked changes to planning standing orders.
- Out of the 30 changes to the Code, (in a document that had 14 main sections and 57 sub sections in total), the Review initially supported 25

of the 30 proposed changes and asked LB Brent to consider and clarify 5. **Section D** below sets out these 5 issues – these were responded to by LBB and **the Review now notes and supports all of Brent’s 30 proposed changes and responses.**

- The Review proposes that LB Brent introduces summary sub – headings to each of Brent’s proposed paragraphs in the Code to make it easy for the reader to see any part of the Code in context; to go to a particular section and to help in future reviews and comparisons. These sub headings are in **BOLD GREEN**. LB Brent can consider and change these – they are not essential and simply offered for ease of reading.

A.2 Purpose of the Review of the LB Brent Planning Code of Practice, and the Proposed 2018 Changes

- i) Desktop review of the Planning Code of Practice and proposed changes – is it up to date? Does it comply with “best practice”?
- ii) How does Brent’s Code compare with other London Boroughs?
- iii) After attending LB Brent Planning Committee, check if the standards set out in the Code relates to the reality. If necessary carry out stakeholder interviews
- iv) Analysis of Planning Committee decisions where contrary to officer recommendations. Consider any recommendations with Head of Planning
- v) Make any appropriate overall findings and recommendations for improvement.

A.3 Structure of the Brent Code

The overall structure of Brent’s Code and in general its own proposed changes are considered sound.

A.4 How Does the Brent Code Compare with National Guidance and Best Practise?

When compared to the guidance to Local Planning Authorities on the design and content of Planning Codes, (LGA Planning in Probity” 2013), the Brent Code and its proposed changes covers all essential issues and areas and can be seen to have made its Code relevant to local planning issues. Brent’s approach has been to concentrate on “conduct and behaviours” rather than operational rules. This seems sensible if the Code is to sit in the Constitution.

A.5 How does the Brent Code Compare with Neighbouring London Boroughs?

The following London LPAs have been examined via a web site assessment of the Constitution and any special Planning Protocol/Code of Practice:

Ealing, Harrow, Hammersmith & Fulham, Camden, Kensington & Chelsea and Westminster. These are all Brent's nearest neighbour's.

Findings:

Harrow and Camden's Code are comprehensive and detailed and set out both conduct and operational standards and guidance.

Hammersmith & Fulham and Ealing have similar Codes to Brent. They concentrate on conduct issues.

In terms of Kensington and Westminster, it is not obvious that either of these Boroughs have special Planning Codes of Practice, easily available on the web or referred to in their Constitutions. Westminster has a "member's handbook", that covers general decision making behaviour and procedure, (operations).

Brent's own recent proposed Code improvements, and changes to how Planning Committee is now managed, have demonstrated to this Review that the Borough's Code now covers all essential elements as set out in the 2013 LGA/PAS "Probity in Planning" Guidance – the latest and best practice guidance. Although some other Borough's Codes cover both conduct and Committee operational matters, (and are therefore larger), the Brent proposed Code, stands up well in comparison to the sample looked at. Brent's focus on "conduct and behaviours" seems sensible when the Code is to be included in a Constitution. A concentration on "behaviours" provides strong constitutional guidance, whilst allowing procedure and operations to change more easily.

A.6 Planning Committee – the Code in Action

Planning Committee on 14th March 2018 was observed by the Reviewer.

The Cttee room was accessible and there were refreshments for the public. The public was able to see the presentation slides. Cttee questions, answers and the debate were audible. Public copies of the Agenda were available.

Cttee administrators made sure the room was ready for the Cttee at 7pm. This included a good guidance sheet for the public and members that explained:

- The Cttee running order
- Roles and responsibilities of officers and members
- Speaking rights
- Meeting conduct
- The importance of "open minded decisions"

- Material considerations
- Further information and openness to public views and comments

The Meeting was very well chaired and Cttee members respected the Chair's authority. The Chair introduced the Cttee and its purpose and proceedings very well. The Chair brought officers into the debate in appropriate ways and gave way to the Lead Planning Advisor at appropriate moments/stages.

Officer presentations made the technical Agenda reports easier to understand.

Members generally exhibited an understanding of material matters. There was a "little playing to the audience", but this was managed well by the Chair and Lead Officers. This is something that continually needs to be addressed in member/officer training.

Overall the Planning Committee was well run and one could see the impact of the Brent Planning Code.

A.7 Analysis of Planning Committee decisions where contrary to officer recommendations

Over the past municipal year (2017-18) only two recommendations from officers have been overturned by committee (out of 53 decisions). This represents a very low percentage and is of no cause for concern. The sample is too small to justify investigation and any meaningful conclusions.

In terms of the government's measure of quality of decisions, as assessed by the number of major applications overturned on appeal (ie refused by the Council and subsequently allowed by the Inspectorate), the Council's performance is 0% (lower is better); the government's 'red flag' is triggered at 10%. Brent's performance on appeal is well clear of this level.

Based on these two statistics, there is no need to question the robustness of the decision making further.

A8. Key Review Issues

There were 30 proposed Brent sub section changes overall to the Code, considered and approved by Full Council in January 2018. At the same time LB Brent also put in place new terms of reference for the Planning Committee and linked changes to planning standing orders.

Out of the 30 changes to the Code, (in a document that had 14 main sections and 57 sub sections in total), the Review initially supported 25 of the 30 proposed changes and asked LB Brent to consider and clarify 5:

- **Section 4.2** Members explaining the reasons for making a comment at Planning Committee.
- **Section 5 and 5.1** “Call – In” procedures
- **Section 6.1** Development proposals by Councillors
- **Section 6.2** Development proposals by Officers
- **Section 7.1** “Key Lobbying Advice”

Section D below sets out these 5 issues – these were responded to by LBB and the Review now notes and supports all of Brent’s 30 proposed changes and responses.

A.9 Overall Conclusion

Overall the LB Brent Planning Code of Practice for Members and Officers is sensibly structured and covers all important issues set out in national guidance (LGA/PAS “Probity in Planning” 2013). The proposed 2018 LB Brent changes are supported by the Review. Sensibly, Brent’s proposed Code focuses on “behaviours and conduct” which will have longevity, rather than “operational” matters, which will need to be changed from time to time and should be outside of the Constitution.

B. PROPOSED CODE SECTIONS & COMPARISON TO LGA GUIDANCE 2013

The main headings of the “industry standard guide” to Local Planning Authority good practice codes are set out below. This is followed by the headings of the LB Brent proposed Code of Practice 2018. Both have been reviewed, and the Brent proposed Code is judged to cover all essential issues. Whilst the Brent Code is more detailed on member and officer actions and relationships, the LGA guidance covers a wider range of issues that are practical but not essential and which could be in “operation guidance” rather than in a code of conduct, (e.g. committee public speaking rights and committee report content).

LGA Guidance - Headings 2013

1. Purpose of Planning & Decision Making Good Practice
2. Role and Conduct of Councillors and Officers
3. Registration and Disclosure of Interests
4. Predisposition, predetermination or bias
5. Officer and member planning applications
6. Lobby of and by councillors
7. Pre – application and post submission discussions

8. Officer reports
9. Public speaking
10. Planning decisions, and motions contrary to policy and officer recommendation
11. Committee site visits
12. Committee performance and monitoring

Proposed Brent Planning Code of Practice - Headings 2018

1. Purpose of the Code
2. The Principles of Planning Decision Making
3. Bias and Predetermination
4. Accountability and Interests
5. Call – In Powers and Procedures
6. Development Proposals by Councillors, Officers and the Council
7. Approaches to Members of the Planning Committee - Lobbying
8. Discussions Between Members, and Meetings with Developers, including Pre – Application Meetings
9. Planning Committee Site Visits
10. Membership and Jurisdiction of the Planning Committee
11. Meeting of the Planning Committee
12. Member and Officer Relations
13. Training for Planning Committee
14. Review of the Code of Practice

C. PROPOSE CODE SECTIONS & COMPARISON TO OTHER LONDON COUNCILS

The following London LPAs have been examined via a web site assessment of the Constitution and any special Planning Protocol/Code of Practice:

Ealing, Harrow, Hammersmith & Fulham, Camden, Kensington & Chelsea and Westminster. These are all Brent's nearest neighbour's.

Findings:

Harrow and Camden's Code are comprehensive and detailed and set out conduct and operational standards

Hammersmith & Fulham and Ealing have similar Codes to Brent. They concentrate on conduct issues.

In terms of Kensington and Westminster, it is not obvious that either of these Boroughs have special Planning Codes of Practice, easily available on their web sites. Westminster does have a member's handbook – guidance document, (though not easily available on the web site). Both Authorities focus on simple rules relating to delegation and call in – and council – wide

codes based on the 7 standards of public life. This supports a code based “behaviour” rather than operations. This is similar to Brent, though Brent’s code is more considered and relates more to its local context.

Brent’s own recent proposed Code improvements, and changes to how Planning Committee is now managed, have demonstrated to this Review that the Borough’s Code now covers all essential elements as set out in the 2013 LGA/PAS “Probity in Planning” Guidance – the latest and best practice guidance. Although some other Borough’s Codes cover both conduct and Committee operational matters, (and are therefore larger), the Brent proposed Code, stands up well in comparison to the sample looked at.

D. KEY REVIEW ISSUES, LBB RESPONSE & REVIEW CONCLUSIONS

The Review proposed that LB Brent provided further clarification on 5 issues:

- **Section 4.2** Members explaining the reasons for making a comment at Planning Committee
- **Section 5 and 5.1** “Call – In” procedures
- **Section 6.1/2** Development proposals by Councillors & Officers
- **Section 7.1** “Key Lobbying Advice”
- **Code Sub Headings**

D.1 Section 4.2

Members explaining the reasons for making a comment at Planning Committee.

Members who comment at Committee must explain why they are commenting – setting out material planning reasons - and who they have had meetings with/been influenced by, if any.

Members who disagree with the officer recommendation must also explain the planning reasons behind their disagreement.

LB Brent to consider making this rule apply to both general Members and Committee Members, since this is the de facto situation now for Committee Members at Planning Committee. Currently the proposed code makes this rule only for...”a member who is not a Committee Member”.

LBB Response Section 4.2: When Committee Members opt to act in a representative (as opposed to a decision making) role, then they are subject to the same rules as other members.

Review Conclusion Section 4.2: Noted and supported.

D.2 Section 5 and 5.1 “Call – In” procedures

LB Brent is considering taking out altogether section 5 on “call – in”. Brent’s argument is sound – “call – in” procedures are rules, not behaviours. “Call – in” rules are set out in Part 5 of the Constitution – Planning Committee Terms of Reference (ToR), where “call – in” thresholds are set out.

Notwithstanding the above LB Brent should consider putting a “Call – In” section in to the Code to explain “call – in” behaviours and where the rules for Call in are (e.g. Part 5). This would support clarity, since “call – in” can be a contentious member/community issue. “Call – in” must be for legitimate planning reasons only; reasons must be set out in writing and put in the Committee report – and “call – in” members must attend Planning Committee and speak to only material planning issues.

LBB Response Section 5: The new terms of reference of the Planning Committee (Full Council January 2018), include clear and robust call- in criteria. Members will be made aware and reminded of these criteria.

Review Conclusion Section 5: Noted and supported.

D.3 Section 6.1 & 6.3 Development proposals by Councillors and by the Council

As the current proposals for the Code stand, LB Brent only propose setting out behaviour standards for applications from members and the Council.

LB Brent should consider an additional section for “officer applications” – a “**Section 6.2 Development proposals by Officers**”.

In existing Sections 6.1 and 6.3, LB Brent indicates that some applications “might be able to be delegated to officers for decision”, including some member applications. Normally all member, officer and Council applications would go to Committee to support full transparency. Brent should review again and make sure that only very minor applications by the Council can be delegated, with appropriate officer clearance, but perhaps all member and officer applications should go to Committee.

LBB Response Section 6: After careful consideration, LBB feels there is no overriding justification for automatically referring these applications to Committee in all cases. The rules provide a discretionary system to support

both flexibility and proportionate safeguards, including “sign off” by Head of Planning or a Strategic Director if schemes are to be delegated.

Review Conclusion Section 6: Noted and supported.

D.4 Section 7.1 “Key Lobbying Advice”

The Review supports Brent’s proposals.

LB Brent to also consider including further explanatory detail – e.g. ...” lobbying is normal in both politics and in planning decisions. However, lobbying must not result in a member of Planning Committee having a closed mind at the point of decision making, otherwise that member must withdraw from any Committee decision making role”.

LBB Response Section 7: Newly approved guidance makes clear the importance of decision making with an open mind. Members will be made aware and reminded of this context.

Review Conclusion Section 7: Noted and supported.

D.5 Introduce “sub – heading” titles for all paragraphs in the Code

This will provide better clarity, overall context and will support easy updating/changes in the future.

LBB Response Section 7: As the Code is reviewed and updated, the suggestion of more detailed sub headings can be considered.

Review Conclusion Section 7: Noted and supported

E. PROPOSED NEW BRENT CONTENTS LIST

Please note the Brent proposed structure remains along with all the proposed paragraphs. The Review is simply proposing that each paragraph is given a “describing sub – heading”, under each of the 14 main sections.

- 1 Purpose of the Code

- 1.1 Member and Officer Code of Conduct Background
 - 1.2 Code Values: Impartial, Transparent, Accountable, Integrity, Objective and Proper Planning Matters
 - 1.3 Risks of Failing to Abide by the Code
 - 1.4 Monitoring Officer and Service Officers are available to help
- 2 The Principles of Planning Decision Making
- 2.1 Public Interest, Plan led and Based on Material Planning Considerations
 - 2.2 Planning – a Formal Administrative Process
 - 2.3 Natural Justice
 - 2.4 Human Rights
- 3 Bias and Predetermination
- 3.1 Bias and Appearance of Bias
 - 3.2 Predetermination and Predisposition – keep an “open mind”
 - 3.3 “Indicating a View” as long as long as it is not a “Final View”, which must only be reached at Planning Committee after hearing all sides and Evidence
 - 3.4 A decision maker should not have a “closed mind”
- 4 Accountability and Interests
- 4.1 A Planning Committee Member must have no other personal or business interests in town planning
 - 4.2 Declaring the reason behind making a comment at Planning Committee
 - 4.3 Personal Interest
 - 4.4 Prejudicial Interest
 - 4.5 Disclosable Pecuniary Interest (DPI)
 - 4.6 Registering a Disclosable Pecuniary Interest (DPI) on a Planning Matter
 - 4.7 Implications of Failing to Comply with DPI rules
 - 4.8 “Call – in” to Planning Committee and Member Interests
 - 4.9 Member Interest Guidance - Associations and Prejudicial Interests
 - 4.10 Member Interest Guidance - Member Register of Contacts and the Monitoring Officer
 - 4.11 Officer Interest Guidance – Inappropriate Involvement
 - 4.12 Officer Interest Guidance – Other Paid Work
 - 4.13 Officer Interest Guidance – RTPPI Code
- 5 Call – In Powers and Procedures
- 5.1 Member “Call – In” rights and powers
- 6 Development Proposals by Councillors, Officers and the Council

- 6.1 Development proposals submitted by Councillors
- 6.2 Development proposals submitted by Officers
- 6.3 Development proposals submitted by the Council

7 Approaches to Members of the Planning Committee - Lobbying

- 7.1 Key Lobbying Guidance
- 7.2 Advice to Members when Lobbying is inappropriate
- 7.3 Appropriate Lobbying
- 7.4 No Inappropriate Lobbying of Officers

8 Discussions between members and meetings with developers/representatives

- 8.1 Member Guidance on Discussing Planning Matters
- 8.2 Cabinet Member Guidance on Discussing Planning Matters
- 8.3 Member Guidance on Pre - Application Discussions

9 Planning Committee Site Visits

- 9.1 Main Purpose of a Member Site Visit
- 9.2 Who decides if the Planning Committee should go on a Site Visit?
- 9.3 Member Guidance for Committee Site Visits

10 Membership and Jurisdiction of the Planning Committee

- 10.1 Maintain a Ward Member for each ward who is not on Planning Committee to provide the public with a lobbying/engagement contact
- 10.2 Committee Briefings
- 10.3 Access to Information Guidance

11 Meetings of the Planning Committee

- 11.1 Planning Committee Guidance on Assessing Information for Decisions
- 11.2 Planning Committee should only consider authorised information for Decisions which have been assessed by Officer's and the Chair
- 11.3 Decisions Contrary to the Officers' Recommendation
- 11.4 Discussion and Questions and Answers at Committee should always be carried out with respect for all participants
- 11.5 Planning Committee members should not engage with any third parties at Committee
- 11.6 Discussion and Questions and Answers at Committee should only refer to material planning matters
- 11.7 Planning Committee Voting Guidance
- 11.8 Planning Officer Case Presentation Guidance

12 Member and Officer Relations

- 12.1 Member Complaints Procedure
- 12.2 Officer Support Procedure
- 12.3 Pressure on Officers to influence case recommendations is not acceptable

13 Training for Planning Committee

- 13.1 Member Planning Committee Training is Mandatory
- 13.2 New Planning Committee Members
- 13.3 Special Member Planning Committee Training

14 Review of this Code of Practice

- 14.1 Timetable and Purpose

F. REVIEW COMMENTARY ON BRENT PROPOSED CHANGES TO THE CODE

Not all sections of the Proposed Code are commented on by the Review – only those sections that the LB Brent propose to change – and proposed sections on which the Review seeks clarification.

The COMMENTARY format identifies the main and sub – heading name and number. Then there is a summary of Brent changes, (“Key Changes Proposed by Brent”) and a “Review Comment”

Please also see Appendix 1 which contains the LB Brent Code including its Review Comments and proposed paragraph sub headings.

LB Brent is proposing 30 changes to Code paragraphs. This Review supports all these except 5, on which further consideration and clarification is requested.

These are:

Section 4.2 Members explaining the reasons for making a comment at Planning Committee, including when proposing a contrary motion/decision to the officer recommendation. Comment and reasons to be material planning matters.

Section 5 and 5.1 “Call – In” procedures

Section 6.1 Development proposals by Councillors

Section 6.2 Development proposals by Officers

Section 7.1 “Key Lobbying Advice”

1. Purpose of this Code

1.1 Member and Officer Code of Conduct Background

- Key Changes Proposed by Brent:
 - Members “must” follow the code
 - Officers should also follow the code as well as HR policies and terms of employment
 - The code contains further detailed guidance for members
- Review Comments:
 - Changes are supported

2. The Principles of Planning Decision Making

2.1 Public Interest, Plan Led and Based on Material Planning Considerations

- Key Changes Proposed by Brent
 - Clarity on Plan Led and policy framework
 - Members of Planning Committee should not be directed by party politics
- Review Comments:
 - Changes are supported

2.2 Planning is a Formal Administrative Process

- Key Changes Proposed by Brent
 - Planning is a “formal administrative process”, not quasi - judicial
- Review Comments:
 - Changes are supported

3. Bias and Predetermination

3.1 Bias and Appearance of Bias

- Key Changes Proposed by Brent:
 - Planning Committee members to be and appear to be “fair minded”
 - Must not come to planning decisions with a “closed mind”.
- Review Comments:
 - Changes are supported

3.2 Predetermination and Predisposition – keep an “open mind”

- Key Changes Proposed by Brent:
 - Clarity on what predetermination and predisposition means.
- Review Comments:
 - Changes are supported

4. Accountability and Interests

4.1 Planning Committee Member must have no other personal or business interests in town planning

- Key Changes Proposed by Brent:
 - Clarity on what predetermination and predisposition means.
 - Removing a controversial rule that “members who do not support Council planning policies should not be on Planning Committee”
- Review Comments:
 - Changes are supported

4.2 Declaring the reason behind making a comment at Planning Committee

- Key Changes Proposed by Brent:
 - **Members who comment at Committee must explain why they are commenting – setting out material planning reasons - and who they have had meetings with/been influenced by, if any.**
 - **Members/Committee Members who disagree with the officer recommendation must also explain the planning reasons behind their disagreement.**
- Review Comments:
 - **Changes are supported.**
 - **In addition, LB Brent to consider making this rule apply to both general Members and Committee Members, since this is the de facto situation now for Committee Members at Planning Committee. Currently the proposed code makes this rule only for...”a member who is not a Committee Member”.**

4.3 Personal Interest

- Key Changes Proposed by Brent:
 - Clarity on speaking and vote rights
- Review Comments:
 - Changes are supported

4.8 “Call – In” to Planning Committee and Member Interests

- Key Changes Proposed by Brent:
 - If a member has a prejudicial or disclosable pecuniary interest, the member may not “call – in” the applications to Committee or request a site visit.
- Review Comments:
 - Changes are supported

4.11 Officer Interest Guidance – Inappropriate Involvement

- Key Changes Proposed by Brent:
 - Public Register on declarations of interest “will” be available for inspection.
- Review Comments:
 - Changes are supported

4.13 Officer Interest Guidance – RTPPI Code

- Key Changes Proposed by Brent:
 - Officers must abide by RTPPI advice on ethics and professional standards
- Review Comments:
 - Changes are supported

5. Call – In Powers and Procedures

5.1 Member “Call – In” procedures

- Key Changes Proposed by Brent:

- Call – in powers **are proposed to be removed from the Code**. Rightly Brent sees these as “rules and not behaviours”. They are set out in Part 5 of the Constitution Planning Committee ToR.
- **Review Comments:**
 - **LB Brent to consider including a section on “Call – In” even if it is being withdrawn from the Code.**
 - **LB Brent should consider putting a “Call – In” section in to the Code to explain “call – in” behaviours and where the rules for Call in are (e.g. Part 5). This would support clarity, since “call – in” can be a contentious member/community issue. “Call – in” must be for legitimate planning reasons only; reasons must be set out in writing and put in the Committee report – and “call – in” members must attend Planning Committee and speak to only material planning issues.**

6. Development Proposals Submitted by Councillors, Officers and the Council

6.1 Development proposals submitted by Councillors

- **Key Changes Proposed by Brent:**
 - **LB Brent Code makes provision for “some Cllr applications to be delegated to officers for decision”.**
- **Review Comments:**
 - **Review with LB Brent officers.** In LPAs it is normal for all planning applications by councillors, officers and the Council to go to a public Planning Committee for decision for the reason of proper transparency. Brent to review and consider supporting some minor Council applications being able to be delegated – but all officer and member applications going to Committee.

6.2 Development proposals submitted by Officers

- **Key Changes Proposed by Brent:**
 - **No section of “applications by officers”**
- **Review Comments:**
 - **LB Brent to consider including a section on application by officers**

7. Approaches to Members of the Planning Committee - Lobbying

7.1 Key Lobbying Guidance

- **Key Changes Proposed by Brent:**
 - Make clear what “inappropriate lobbying” is and its impact on decision making rights.
- **Review Comments:**
 - **Support proposed Brent changes.**
 - **LB Brent to consider further explaining in the Code, that “lobbying is normal in both politics and in planning decisions. However, lobbying must not result in a member of Planning Committee having a closed mind at the point of decision making, otherwise that member must withdraw from any role Committee decision making role”.**

8. Discussions between members and meetings with developers/representatives

8.1 Member Guidance on Discussing Planning Matters

- **Key Changes Proposed by Brent:**
 - Discussion on planning matters in political groups is of course allowed – but Planning Committee Members must approach decision making duties with an open mind and must not be influenced by party politics
- **Review Comments:**
 - Changes are supported

8.2 Cabinet Member Guidance on Discussing Planning Matters

- **Key Changes Proposed by Brent:**
 - Cabinet Members may engage in a wide range of meetings. In doing this they must respect the general and planning codes of conduct and not seek to improperly influence planning decisions
- **Review Comments:**
 - Changes are supported

8.3 Member Guidance on Pre – Application Discussions

- Key Changes Proposed by Brent:
 - Member attendance at pre – app meetings must be accompanied by an officer and a meeting not taken
- Review Comments:
 - Changes are supported

9. Planning Committee Site Visits

9.1 Main Purpose of Member Site Visits

- Key Changes Proposed by Brent:
 - Clarity of the design and impact of the proposed development, when submitted material is unclear.
- Review Comments:
 - Changes are supported

9.2 Who Decides if the Planning Committee should go on a Site Visit?

- Key Changes Proposed by Brent:
 - Head of Planning and the Committee Chair.
- Review Comments:
 - Changes are supported

9.3 Member Guidance when on a Committee Site Visit

- Key Changes Proposed by Brent:
 - More detailed guidance to avoid bias and the appearance of bias.
- Review Comments:
 - Changes are supported

10. Membership and Jurisdiction of the Planning Committee

- Key Changes Proposed by Brent:
 - None
- Review Comments:

- None

11. Meetings of the Planning Committee

11.1 Planning Committee Guidance on Assessing Information for Decisions

- Key Changes Proposed by Brent:
 - Members to have sufficient information to make a decision
- Review Comments:
 - Changes are supported

11.2 Planning Committee should only consider authorised information for Decisions, which have been assessed by Officers and the Chair

- Key Changes Proposed by Brent:
 - Information presented at Committee must have been assessed by Officers first
- Review Comments:
 - Changes are supported

11.3 Decisions Contrary to the Officers' Recommendation

- Key Changes Proposed by Brent:
 - Before a “contrary” decision is made Officer and Legal advice must be listened to.
 - Members who disagree with the officer recommendation must also explain their planning reasons for disagreeing.
- Review Comments:
 - Changes are supported

11.4 Discussion and Questions and Answers at Committee should always be carried out with respect for all participants

- Key Changes Proposed by Brent:
 - No abuse – only Respect
- Review Comments:
 - Changes are supported

11.6 Discussion and Questions and Answers at Committee should only refer to material planning matters

- Key Changes Proposed by Brent:
 - Planning matters relevant to the planning application only.
- Review Comments:
 - Changes are supported

11.7 Planning Committee Voting Guidance

- Key Changes Proposed by Brent:
 - Committee members must be present for the whole debate to be able to vote on an item
- Review Comments:
 - Changes are supported

12. Member and Officer Relations

- Key Changes Proposed by Brent:
 - None
- Review Comments:
 - None

13. Training for Planning Committee

13.1 Member Planning Committee Training is Mandatory

- Key Changes Proposed by Brent:
 - Training is critical and will be updated from time to time
- Review Comments:
 - Changes are supported

14. Review of the Code of Practice

14.1 Timetable and Purpose

- Key Changes Proposed by Brent:
 - Clarity on timetable and purpose
- Review Comments:
 - Changes are supported

