

Amendments:

General

“Members” changed to “councillors” through the document to provide consistency.

Introduction

Split into 2: Status and Introduction.

Status sets out that the code relates to the member & employee codes of conduct. Introduction focuses on the planning system.

Introduction tweaked to make it simpler to read. Removed references to structure plan and Regional Spatial Strategy, no longer part of the development plan. Reference to specific development plans removed as these change frequently.

In relation to delegated applications, added that applications can be referred to committee by ward councillors, councillors in adjacent wards where the application might have an impact, the Chair or Vice Chair of the Planning Committee or the Party Spokespersons.

Part A Principles

A.1 Gifts & Hospitality: Updated to refer to councillor & employee codes adopted on 30/1/2020.

A.2 Declarations of interest: Updated to refer to councillor code, decision tree & Chapter 7 of the Localism Act 2011 (criminal offence not to declare a disclosable pecuniary interest).

A.3, amended to advise councillors & officers should not act as agent, within Gloucester city, in line with Local Government Association advice. Text deleted as covered in the declaring interests flow chart.

A.6 Pre-applications, wording amended, to allow for ‘pre-disposition’ which is different to “pre-determination”.

A.10: Amended to requiring a note of telephone conversations regarding planning matters where practical rather than in all circumstances.

A.12 Amended to refer to current document retention policies

A16 Amended to reflect current arrangements, project manager usually attends meetings with developers, agents and landowners.

A17 Deleted, refers to a board member not being able to attend a meeting, unnecessary as all meetings are required to properly recorded and reported to the appropriate project board.

A24 Amended to allow planning officers to attend party political meetings with the prior permission of their Head of Service

A27 Amended to reflect current scheme of delegation for planning applications.

Part B Decision making

B.1 Text revised & simplified to improve clarity

B.3 Deleted, duplicates A.6

B4 (previously B5) Amended to state that the Council will comply with the Local Government (Access to Information) Act 1985 (as amended) in supplying agendas and reports to the Planning Committee and dealing with matters of urgency.

B5 Previously B.6 and B.7 Combined as both relate to officer reports.

B6 Previously B8. Shorter heading to provide clarity. Amended content to reflect guidance in the Local Government Association document 'Probity in Planning'.

B7. Previously B9. Amended wording so that it is consistent with other parts of the code, decisions to be based on planning policies and material planning considerations

B8 Previously B10. Wording amended to provide greater clarity as what might constitute pre-determination.

B9. Previously B12. Amended to clarify that councillors with a parish/town/county councillor role are not necessarily debarred from participating in the planning decision, provided have not already decided how they will vote on the matter

B15-19. Previously B18-B21. Amended to separate 'deferral' and 'committee site visits'. Amended to allow for site visits in advance of the planning committee and to refer to a protocol on planning committee site visits attached at Appendix A (this has already been drafted and used, following the Local Government Association planning committee peer review in 2017). Added matters that might justify a planning committee site visit.

B21 Public Speaking (previously B22). Small modifications to wording, to make it clearer that registered speakers need to have made a written representation on the application.

B25 Text for previous B25 deleted, requirement for public sessions as this is covered elsewhere in the code

B24 Previously B26 and relates to mingling with the public at committee. Amended wording to clarify that the concern is a perception of bias.

Part C Administrative Matters

C1 Amended to clarify that the determination of a planning application is a formal administrative process based on balancing competing interests and making an informed judgement against a local and national policy framework in the wider public interest.

Bibliography

Deleted as it not usual practice to include a bibliography for a councillors' code.

New Appendix

Site visit protocol attached at Appendix A. As mentioned under B18-B21, this protocol has been used since 2017, following the Local Government Association planning committee peer review. This protocol is intended to guide members of the Planning Committee when considering planning applications in deciding on whether site visits are appropriate and the procedure for arranging and carrying out site visits.