



STRATEGIC PLANNING COMMITTEE

Monday, 07 March 2022

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| Subject | Member Training on Planning |
| Report of | Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management |
| Supporting Officer | Philip Ridley Head of Planning and Coastal Management 01394 444432 philip.ridley@eastsoffolk.gov.uk |

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| Is the report Open or Exempt? | OPEN |
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| Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information. | Not applicable |
| Wards Affected: | All Wards |

Purpose and high-level overview

Purpose of Report:

For Members of the Planning Committees to review their training programme and consider options for future training and development to ensure they can fully contribute to delivering sound planning decisions.

Options:

None.

Recommendation/s:

That the contents of the report be noted.

Corporate Impact Assessment

Governance:

Not applicable.

ESC policies and strategies that directly apply to the proposal:

Not applicable.

Environmental:

Not applicable.

Equalities and Diversity:

Not applicable.

Financial:

Not applicable.

Human Resources:

Not applicable.

ICT:

Not applicable.

Legal:

Not applicable.

Risk:

Not applicable.

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| External Consultees: | None |
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Strategic Plan Priorities

| Select the priorities of the Strategic Plan which are supported by this proposal: (Select only one primary and as many secondary as appropriate) | | Primary priority | Secondary priorities |
|---|--|-------------------------------------|-------------------------------------|
| T01 | Growing our Economy | | |
| P01 | Build the right environment for East Suffolk | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| P02 | Attract and stimulate inward investment | <input type="checkbox"/> | <input type="checkbox"/> |
| P03 | Maximise and grow the unique selling points of East Suffolk | <input type="checkbox"/> | <input type="checkbox"/> |
| P04 | Business partnerships | <input type="checkbox"/> | <input type="checkbox"/> |
| P05 | Support and deliver infrastructure | <input type="checkbox"/> | <input type="checkbox"/> |
| T02 | Enabling our Communities | | |
| P06 | Community Partnerships | <input type="checkbox"/> | <input type="checkbox"/> |
| P07 | Taking positive action on what matters most | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| P08 | Maximising health, well-being and safety in our District | <input type="checkbox"/> | <input type="checkbox"/> |
| P09 | Community Pride | <input type="checkbox"/> | <input type="checkbox"/> |
| T03 | Maintaining Financial Sustainability | | |
| P10 | Organisational design and streamlining services | <input type="checkbox"/> | <input type="checkbox"/> |
| P11 | Making best use of and investing in our assets | <input type="checkbox"/> | <input type="checkbox"/> |
| P12 | Being commercially astute | <input type="checkbox"/> | <input type="checkbox"/> |
| P13 | Optimising our financial investments and grant opportunities | <input type="checkbox"/> | <input type="checkbox"/> |
| P14 | Review service delivery with partners | <input type="checkbox"/> | <input type="checkbox"/> |
| T04 | Delivering Digital Transformation | | |
| P15 | Digital by default | <input type="checkbox"/> | <input type="checkbox"/> |
| P16 | Lean and efficient streamlined services | <input type="checkbox"/> | <input type="checkbox"/> |
| P17 | Effective use of data | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| P18 | Skills and training | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| P19 | District-wide digital infrastructure | <input type="checkbox"/> | <input type="checkbox"/> |
| T05 | Caring for our Environment | | |
| P20 | Lead by example | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| P21 | Minimise waste, reuse materials, increase recycling | <input type="checkbox"/> | <input type="checkbox"/> |
| P22 | Renewable energy | <input type="checkbox"/> | <input type="checkbox"/> |
| P23 | Protection, education and influence | <input type="checkbox"/> | <input type="checkbox"/> |
| XXX | Governance | | |
| XXX | How ESC governs itself as an authority | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| How does this proposal support the priorities selected? | | | |
| To ensure we have well trained Members to enable the Council to fulfil its planning functions. | | | |

Background and Justification for Recommendation

| 1 | Background facts |
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| 1.1 | <p>The Council places significant importance in having trained and informed Councillors to enable them to contribute to the work of the Council they represent. This is set out in the Member Development Strategy 2019-23. The forward to this document states the <i>“Council wishes to ensure that all Members, including any Co-opted Members, have the necessary skills and knowledge to best serve their community. This is very important, at a time of ongoing changes in local government, as we support our communities in dealing with the COVID-19 pandemic.”</i></p> |
| 1.2 | <p>The Council’s Constitution at Paragraphs 3.15 and 3.16 Part 2 Functions and Responsibilities states only Members (and substitutes) who have undertaken the appropriate training in accordance with the Code of Good Practice/Guidance for Members - Planning and Rights of Way may be appointed to any of the planning committees.</p> |
| 1.3 | <p>The Code of Good Practice/Guidance Planning and Rights of Way in the Constitution states in relation to training at Section 11</p> <p>11 TRAINING</p> <p><i>11.1 To facilitate the effective working of the planning system, all Members of the Council are expected to undertake training in the principles of the planning system, rights of way and the procedures followed by the Council in determining applications. The precise contents of this training will be determined from time to time by Officers in consultation with Members.</i></p> <p><i>11.2 The Suffolk Public Rights of Way website provides details on rights of way principles and legislation, particularly as relevant to the Council’s rights of way role and is updated regularly.</i></p> <p><i>11.3 Members of the Planning Committee will be expected to have undertaken training on current planning and rights of way procedures and the principles of the planning system. When significant changes to the planning system or policy applicable to the District occurs updated information or training as appropriate will be provided to all Members of the Planning Committee – information / training which all Members of the Council will be invited to benefit from if they so wish.</i></p> <p><i>11.4 A programme of training will be available each year, covering issues of current importance as well as updating knowledge. From time to time, specialist training will be provided to cover particular topics or to look at matters in greater depth.</i></p> <p><i>11.5 Members who have not participated in appropriate training cannot be Members of the Planning Committee. Only in the most exceptional cases when there are no trained Members available and a Planning Committee meeting would be potentially inquorate, should a Member who has not received training take part in making a decision on a planning or rights of way application. A record of Member training in planning will be maintained.</i></p> <p><i>11.6 As part of the annual monitoring role of the Strategic Planning Committee, the training and provision of information undertaken and provided each year will be reviewed.</i></p> |
| 1.4 | <p>This report confirms that all Members, and Substitutes of the planning committees have had the required training, and sets out the context of that training, and identifies a need for a discussion on options for the year ahead to maintain the</p> |

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| | quality of the decision making of the planning functions, and in particular, the planning committees, going forward. |
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| 2 Current position | |
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| 2.1 | The planning system in England is complex. Local Planning Authorities are tasked with both preparing the Development Plan that applications will be assessed against and making planning decisions. The National Planning Policy Framework must be taken into account in preparing the Development Plan and is a material consideration in planning decisions. |
| 2.2 | The determination of a planning application is a formal administrative process involving: <ul style="list-style-type: none"> • the application of national and local planning policies • reference to legislation, case law and rules of procedure • rights of appeal and an expectation that local planning authority will act transparently, reasonably and fairly. |
| 2.3 | Planning decisions are based on balancing competing interests and making an informed judgement against the local and national policy framework in the wider public interest. The government is also currently seeking to review the planning system and is rightly emphasising the need for high quality design, as well as enhancing our biodiversity contributions. Planning affects people's lives and land and property interests, particularly the financial value of landholdings, and the quality of their settings. Opposing views are often strongly held by those involved. |
| 2.4 | Whilst Councillors must take account of these views, they should not favour any person, company, group or locality, or appear to be doing so. Decisions need to be taken in the wider public interest on what can often be controversial proposals. It is therefore, against this background that the Council needs to have trained and informed Councillors to ensure the Council is operating an effective planning system and the communities have confidence in it too. |
| 2.5 | East Suffolk Council was formed in 2019 and training on planning matters was included as part of the corporate programme for all Councillors to support Members of the new Council. |
| 2.6 | Since that original training programme, the current pandemic has had a significant impact on the ability to have in place a more structured approach for ongoing training on planning issues. However, it is positive to note that all Councillors, who are either a Member of one of the Planning Committees, or an identified substitute, have undertaken the generic planning training that is provided for all councillors, either through the 2019 programme, or through the updates provided for new Members, or those who have subsequently requested it. |
| 2.7 | It should also be noted that during the last two years in addition to the generic planning training there have been separate sessions on Rights of Way, CIL and Local Plan preparation. The detailed log of this training, and who attended, is kept by the Democratic Services team. It should be noted that there are still some members of the Council who have not received any of the arranged generic planning training. |
| 2.8 | This generic training, which has been provided to members in recent training sessions, has been recorded and is now available by video and can therefore be more easily shared. Recently this has been used to train new Members who were elected in by-elections and a 1 hour follow up meeting with the Planning Manager has been provided to cover any remaining questions or learning needs. The use of |

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| | video recording to enable members to undertake training when convenient is also being put in place. It should also be noted that with the recording of all Committee Meetings, these too can be used for training purposes and the use of Zoom and MS Teams will make it easier to instigate training opportunities. |
| 2.9 | Training does take place in many forms in addition to the generic planning training referred to in Para 2.2 above. Each meeting of the Strategic Planning Committee has standard items including a report on the resolution of appeal decisions and whether there are any learning points or trends to note. Each year this committee also has a report on the review of Complaints the service has received (including those considered by the Local Government and Social care Ombudsman), the Annual Monitoring Report and other aspects of the service, all of which enable members to be updated on current best practice and whether the planning system at the Council is helping to deliver the council's objectives. Members will also recall that after the occasional Strategic Planning Committee the Chairman has asked for a short briefing on issues which officers have provided. |
| 2.10 | In addition, the work of the Local Plan Working Group, chaired by the Cabinet Member for Planning and Coastal Management reviews emerging documents and policy proposals the Council is considering taking forward, as part of the formal process, which includes the reasoning for producing such documents and their intended outcomes. All this provides an opportunity for Members to question the background and the reasoning for potential courses of action which all informs and strengthens the knowledge and understanding of the planning functions. |
| 2.11 | The Planning Service also provides training for Town and Parish Councils, as well as Agents/Developers, to which District Councillors are also invited. The Planning Team are now also producing a bi-monthly newsletter for these groups which also goes to District councillors, updating on relevant planning topics as required. The Council's website also has a wealth of planning related topics for review, as well as access to all documents. |
| 2.12 | Since the formation of East Suffolk Council and having regard to the Member Development Strategy and the requirements of the Constitution, following discussion with the Head of Planning and Coastal Management, it is considered that the training provided for councillors has been satisfactory, but it has been restricted over the last two years by the pandemic. |
| 2.13 | Further to the member training highlighted, Officers have collectively developed a successful programme of officer training and knowledge sharing through regular "Lunch and Learn" sessions. This has involved training within the team, from other council teams and from external stakeholders. We have now collected a substantial resource of presentations and can utilise these for future member training material too. |

3 How to address current situation

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| 3.1 | Having regard to the conclusions in 2.12 above it is considered that with restrictions because of the pandemic easing, there is an opportunity to put in place a programme of specific training and development events in addition to those on-going meetings referred to in Section 2 above. This should include putting in place specific training events, the topics for which could be identified for consideration by Members of this Committee. It is also considered that it is essential that a site visit programme be identified to consider learning points from developments that have been finished. |
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| 3.2 | These options can be delivered, primarily by the team, especially with the current recruitment of additional colleagues into the Specialist Services team, but if required external support could be brought in. There is also the opportunity for sending Members on external training events organised by the profession, or the Local Government Association. However, it is not clear whether these types of events will be re-establishing themselves in the short term. There are a number of training opportunities which will arise from the future adoption of Supplementary Planning Documents. Officers will make the Cabinet Member aware when any become available. |
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| 4 Reason/s for recommendation | |
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| 4.1 | To note the contents of this Report and confirm that the training undertaken by the Members and Substitutes of the Planning Committees meets the requirements of the Code of Good Practice/Guidance for Members - Planning and Rights of Way in the Constitution. |
| 4.2 | Following receipt of suggestions received from the Members of this Committee the Head of Planning and Coastal Management, in discussion with the Cabinet Member for Planning and Coastal Management, creates a programme of training events for the municipal year 2022/23. |

Appendices

| Appendices: |
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| None. |

| Background reference papers: |
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| None. |