

## **Standards Committee**

**2 November 2020**

### **Merger of Planning and Rights of Way Committees: Code of Conduct Revisions**

#### **Report by Director of Law and Assurance**

**Electoral division: Not applicable**

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### **Summary**

The Governance Committee is recommending to the County Council on 6 November 2020 that the Planning and Rights of Way Committees be merged. It asked the Director of Law and Assurance to prepare the necessary constitutional documents. One such document is the Code of Practice in Probity in Planning and Rights of Way.

### **Recommendations**

- (1) That the proposed revisions to Part 5, Section 3 of the Constitution as outlined in the appendix be supported for submission to the County Council for approval on 6 November 2020.
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### **Proposal**

#### **1 Background and context**

- 1.1 The Governance Committee is recommending to the County Council that the Planning and Rights of Way Committees be merged. It asked the Director of Law and Assurance to prepare the necessary constitutional documents to enable the merger to take effect.
- 1.2 One document that requires revision is part of the Council's Code of Conduct, Part 5, Section 3 of the Constitution – Code of Practice in Probity in Planning. As part of the Code of Conduct, it is within the Standards Committee's remit to consider changes to this document and to make recommendations to the County Council.

#### **2 Proposal details**

- 2.1 The proposed changes to Part 5, Section 3 of the Constitution are set out in the appendix to the report. Most of the changes indicated within the document are minor in nature, to reflect the proposal that a single Planning and Rights of Way Committee considers both functions in future.
- 2.2 One substantive addition is proposed in section 8, which is to include specific advice to members about rights of way site visits, which are usually undertaken

individually by members. There is no proposed change to the method of individual members visiting rights of way, but guidance is included on lobbying.

- 2.3 Officers have concluded that the existing sections 10 and 13 should be recommended for deletion, as they refer to former practices which have not actually been carried out for some time - regular reporting on planning permissions and the keeping of a telephone log. The Council is no longer resourced to provide these tasks, so it is recommended that they be deleted altogether and that the remaining sections be renumbered accordingly.
- 2.4 As the Council meets four days after this Committee, it is proposed that the outcome of this Committee's consideration of the item will be reported to Council before it is asked to agree the merger of the Planning and Rights of Way Committees.

### **3 Other options considered (and reasons for not proposing)**

- 3.1 This Committee is only asked to consider the proposed changes to Part 5, Section 3 of the Constitution as a consequence of the Governance Committee's decision.

### **4 Consultation, engagement and advice**

- 4.1 Not applicable.

### **5 Finance**

- 5.1 There are no budget consequences.

### **6 Risk implications and mitigations**

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
Poor decision-making due to members acquiring new responsibilities and practice arrangements.	Training will be provided for all members of a new merged committee.  Officers would continue to prepare reports on the distinct items, containing relevant advice to help the committee to make sound decisions.

### **7 Policy alignment and compliance**

- 7.1 Not applicable.

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**Appendix** – Proposed revisions to Part5, Section 3 of the Constitution

**Background papers** - None