

**AGENDA ITEM No. 8**

**PEAK DISTRICT NATIONAL PARK AUTHORITY**

**NATIONAL PARK AUTHORITY MEETING**

**5 FEBRUARY 2010**

**CHIEF EXECUTIVE**

**PART A**

**1. POLICY ON TRAINING REQUIREMENTS FOR MEMBERS DETERMINING PLANNING MATTERS (A.111/JBD)**

**Purpose of the report**

1. Members of the Authority who are appointed to positions where they are able to make decisions on planning matters should not be debarred from doing so, but this must be balanced with public confidence in their ability to do so. This policy creates a framework which enables members to do this.

**Recommendations**

2. **1. That the policy on training requirements for members determining planning matters at Appendix 1 be adopted with effect from 1 April 2010.**

**How does this contribute to our policies and legal obligations?**

3. The public expect Members who determine planning applications to follow the general principles of public office but also that they are aware of matters that are relevant to planning. They are expected to bring a lay perspective to the professional advice from officers, but in order to do so they must be familiar with matters such as:

- National legislation and planning policy at local, regional and national level
- The application of National Park Authority planning policy in the decision making process
- The context of planning in the National Park and its communities
- The nature of material planning considerations and an appreciation of the matters which planning decisions should seek to affect
- Planning application, enforcement and development plan processes
- The role of officers and members in the planning process
- Procedures for and conduct of the Authority's meetings
- The way in which our public participation arrangements work
- The application of the Members' Code of Conduct to decision making on planning matters including declaration of interests
- Guidance on other personal conduct expectations of Members
- The Authority's Planning Protocol including being familiar with the issues relating to predetermination and bias

**Background**

4. Members considered an earlier version of this policy at the Authority in December and collectively felt it was insufficiently clear. The Authority requested that the policy be withdrawn and considered further by officers and by the Member Learning and Development Task Team. This has happened. The revised version of the

policy is at Appendix 1.

### **Proposals**

5. The policy at Appendix 1 reflects the expressed view of the Authority in December as interpreted by the Member Learning and Development Task Team. It is proposed that it be adopted with immediate effect.
6. Most members have attended a training course in this year, although there a small number of members who have not done so in 2009 and would, potentially, be debarred from taking part in planning after the adoption of this policy. These members were not aware of the policy and therefore it seems harsh to debar them from attending Planning Committee or the Authority when planning cases are decided for the remainder of this year. It is proposed that a 3<sup>rd</sup> training session be arranged before the end of April 2010 for those members who have not attended training in the last 12 months.
7. Members of the task Team wished it to be clear that a properly constituted planning induction pack and self-learning check-list would be sufficient to allow members to take part in planning decision-making. They also wanted all members to be sent the induction pack and that further work should be done by the Head of Planning Service in consultation with the Member learning and development task team to prepare this pack. The Head of Planning Service is currently looking at best practice material prepared by the Government's Improvement and Development Agency and other planning authorities. He has suggested the following is the basis of the induction pack:
  - Explanation of the planning system and the hierarchy of planning policy at national regional and local levels
  - Basic planning legislation .What can we control? Legal instruments at our disposal
  - The nature of material planning considerations and an appreciation of the matters which planning decisions should seek to affect
  - Planning application, enforcement and development plan processes
  - The planning policies which affect the national park
  - The role of officers and members in the planning process
  - Procedures for and conduct of the Authority's meetings
  - The way in which our public participation arrangements work
  - The application of the Members' Code of Conduct to decision making on planning matters including declaration of interests
  - Guidance on other personal conduct expectations of Members
  - The Authority's Planning Protocol including being familiar with the issues relating to predetermination and bias
  - Planning and Authority meeting procedures
  - An explanation of the structure of the Authority's Planning Service and roles and names of officers in it
8. Several members have raised concerns about matters that go beyond the scope of this report relating, for example, to the size and conduct of the Planning Committee and other matters relating to the Authority's governance. These issues will be considered more thoroughly in a more detailed review of the Authority's governance which will be started in the next few weeks, starting with a discussion at the Strategic Advisory Group on the same day as this Authority.

### **Are there any corporate implications members should be concerned about?**

9. **Financial:** Planning training will be provided within the existing Planning Service

budget.

10. **Risk Management:** The policy should be implemented in a way that balances the credibility of the Authority's decision-making procedures with the requirement to demonstrate that members have sufficient understanding of planning matters to carry out their role.
11. **Sustainability:** None
12. **Background papers** (not previously published)

None

**Appendices -**

Appendix 1 Policy on Training Requirements for Members Determining Planning Matters with effect 1 April 2010

**Report Author, Job Title and Publication Date**

Jim Dixon, Chief Executive, 28 January 2010