

<i>COMMITTEE</i>	STANDARDS COMMITTEE
<i>DATE</i>	PLANNING CODE OF CONDUCT
<i>TITLE OF REPORT</i>	TUESDAY, 15 JULY 2003
<i>RESPONSIBLE OFFICER</i>	Mark Bowen, assistant director, legal and contract services

1 PURPOSE OF REPORT

- 1.1 At its meeting on 18 March 2003 members considered the Code of Conduct for regulating the conduct of planning applications produced by the Association of Council Secretaries and Solicitors. Members expressed a preference that the model to be adopted by Medway should be less legalistic and in plain English and requested the Monitoring Officer present further examples of planning codes to the next Standards Committee for consideration.

2 RECOMMENDATION

- 2.1 That members instruct the Monitoring Officer to prepare a Medway Code of Conduct for consideration of planning matters for approval for consultation at the Standards Committee meeting on 24 September 2003

3 DECISION ISSUES

- 3.1 The Constitution requires the Standards Committee to advise on good practice.

4 MODEL PLANNING CODES OF CONDUCT

- 4.1 Following the last meeting the Monitoring Officer has been in discussion with Monitoring Officers at local authorities within Medway's region. The majority of those authorities have adopted a Planning Code of Conduct with the Association of Council Secretaries and Solicitors (ACSeS) version being the preferred model.
- 4.2 In accordance with members' instructions, copies of the codes of conduct which differ to some extent from the ACSeS code will be circulated separately to members of the committee.. These are:
- Code of Conduct for Dover
 - Code of Conduct for Kent County Council
 - Code of Conduct for London Borough of Newham
 - Code of Conduct for Shepway District Council

- 4.3 For completeness the ACSeS code of conduct previously circulated is at Appendix 5. Members will note that some of the codes of conduct roll up the role of members and officers and look at the planning process as a whole. Whilst this is an option, the role of the Standards Committee is to look at the conduct of members and, the Constitution does have a separate code of conduct for officers (which will shortly be renewed nationally) and officers' conduct is of course regulated by their contract of employment. Therefore, the proposal is at this stage that any code should be a guidance and best practice document for members only. This position can be reviewed.
- 4.4 With regard to the contents of the code of conduct then as a minimum it should include:
- The relationship to the members' code of conduct generally, including declarations of interest
 - Fettering of discretions/bias
 - Contact with applicants, developers, objectors, constituents, to include lobbying of councillors
 - Lobbying by councillors
 - Conduct at site visits
 - The decision making process
 - Training
 - Development proposals submitted by councillors and officers
 - Twin-hatted members

5 FINANCIAL AND LEGAL IMPLICATIONS

- 5.1 There are no financial implications arising directly from this report. The legal implications are contained in the report.