

Southend-on-Sea Borough Council

**Agenda
Item No.**

5

**Report of Chief Executive & Town Clerk
To**

The Standards Committee

on

25 April 2005

Report prepared by: A Wallace

Informal Local Code of Conduct for Councillors and Officers Dealing with Planning Matters

Part I Agenda Item

1. Purpose of Report

- 1.1 To report the publication of revised guidance by the Local Government Association concerning member engagement in planning matters and to consider the implications for the Informal Local Code of Conduct for Councillors and Officers Dealing with Planning Matters

2. Recommendation

- 2.1 To invite the views of the Standards Committee and the Director of Technical & Environmental Services on the issues raised by the revised guidance and to prepare a revised Local Code for consideration at the next meeting of the Standards Committee.

3. Background

- 3.1 The Constitution of the Council, Part 5 (c) sets out the Informal Local Code of Conduct for Councillors and Officers Dealing with Planning Matters (the Local Code) that was adopted by the Council. The Local Code, with one addition was drawn exclusively from the guidance published in 2002 by the Local Government Association (LGA) entitled "Probity in Planning".
- 3.2 In 2004 the Office of Deputy Prime Minister commissioned a review entitled "Skills for Sustainable Communities", commonly known as the Egan Review. The Egan review recognised that Members have an important role to play concerning opportunities for developing creative relationships, outlining local concerns and identifying areas for negotiation on major applications, whilst recognising that this process needs to take place within a legitimate and robust framework, acknowledging the fine line between an objective interest and an a prejudicial one. The Egan review contemplated that the local authority associations would develop appropriate guidance on these issues.
- 3.3 As a result of the Egan review, the LGA has recently published revised guidance notes concerning member engagement in planning matters which are attached at Appendix 1. The LGA offers the guidance to assist in the development of local codes and draws attention in particular to the benefits of pre-application discussions and the probity issues raised by lobbying.
- 3.4 The Constitution, Part 2 Article 9 provides that one of the roles and functions of the Standards Committee is to advise the Council on the adoption or revision of the members' Code of Conduct. It is also considered appropriate for the Committee to consider revisions to the Local Code.

4. Background papers

- 4.1 None.

5. Appendices

- 5.1 Appendix A - 'Member engagement in planning matters' [LGA].