

5.4: PLANNING CODE OF CONDUCT

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5.4 PLANNING CODE OF CONDUCT

1. THE NEED FOR THIS CODE OF CONDUCT

- 1.1** A key purpose of the planning system is to control development in the public interest. However, planning is not an exact science, it relies on informed judgements made within a policy context and, in doing so, can affect the daily lives of everyone as well as the private interests of individuals, landowners and developers.
- 1.2** The planning process and the decisions, which flow from it, can therefore be highly contentious. This is heightened by the openness of the system, actively inviting public opinion before taking decisions.
- 1.3** Planning can affect land and property interests, particularly the financial value of land holdings. It can also affect, sometimes irrevocably, the quality of the environment, in which local residents live and work. Of all areas of local government the discharge of the planning function gives rise to the greatest number of difficulties and allegations of impropriety.
- 1.4** It is important, therefore, that Planning Authorities should make planning decisions affecting these interests, openly, impartially, with sound judgement and for justifiable reasons. Those reasons must have regard to the framework of legislation, national policy, development plans and local guidance.
- 1.5** There are already established codes of conduct to which elected members and officers must have regard. These include the Code of Conduct for North West Leicestershire (which is mandatory) and the Royal Town Planning Institute's Code of Professional Conduct. Officers who are members of the Royal Town Planning Institute are subject to the Code of Professional Conduct. The Institute may discipline them if they act in breach of the Code.

2. STATUS

- 2.1** Councillors must always comply with the Code of Conduct for Members. They must also comply with this Planning Code of Conduct which seeks to explain and supplement the Code of Conduct for the purposes of planning control. If a member does not comply with this Code of Conduct he or she may put the Council at risk of proceedings on the legality or maladministration of the related decision. He or she may also be at risk of being subject to a report made to the Audit and Governance Committee or Council in relation to any breach of the Code of Conduct.
- 2.2** This Code applies to all members and officers (not just to members of the Planning Committee) at all times when involving themselves in the planning process. It applies as equally to planning enforcement matters or site specific policy issues as it does to planning applications.

- 2.3** The Code is also designed to assist councillors in dealing with and recording approaches from developers and objectors and is intended to ensure propriety and transparency in the decision making process is preserved.

3. RELATIONSHIP BETWEEN COUNCILLORS AND OFFICERS

- 3.1** Councillors and officers have different but complementary roles. Both serve the public but councillors are responsible to the electorate, both as to representing their views and acting responsibly in terms of using resources and acting on the advice of officers where necessary. Officer advisors are responsible to the Council as a whole.
- 3.2** Good administration is dependent on a successful relationship between councillors and officer advisors, which can only be based upon mutual trust and understanding of each other's roles and responsibilities.

Councillors

- 3.3** Councillors set the Council's planning policy and determine planning applications and enforcement issues within the context of that policy. When elected members make a decision on a planning matter, they should always:
- act fairly and openly
 - approach each application with an open mind
 - carefully weigh up all relevant issues
 - determine each application on its own merits
 - avoid contacts with interested parties which might be taken to indicate that they were unduly influenced by one party or another
 - ensure that there are clear and substantial planning reasons for their decisions, and that those reasons are clearly stated.

Role of Officers

- 3.4** Where a matter is determined by members, the function of officers is to advise and assist members in matters of planning policy and in their determination of planning applications and enforcement issues by:
- providing impartial and professional advice
 - making sure that all the information necessary for the decision to be made is given

- providing a clear and accurate analysis of the issues
- setting applications and enforcement issues against broader development plan policies and all other material considerations
- giving a clear recommendation
- carrying out the decisions of councillors in the Planning Committee.

3.5 It is important that officers involved in the processing and determination of planning matters act in accordance with this Code of Conduct and their professional codes of conduct, primarily the Royal Town Planning Institute's Code of Professional Conduct. As a result, planning officers' views, opinions and recommendations should be presented on the basis of their overriding obligation of professional independence, which may on occasion be at odds with the views, opinions or decisions of the Planning Committee or its members.

3.6 Officers also determine planning applications, planning enforcement issues and other planning matters under delegated authority.

4. MEMBERSHIP OF THE PLANNING COMMITTEE

4.1 If a councillor's connections with the property and development industry (e.g. developers, advisors, estate agents, valuers, surveyors or related consultancies, etc) are such that he or she would frequently have to disclose an interest and refrain from taking part in the Planning Committee's business, or otherwise could not regularly carry out his or her duties, they should give urgent and careful consideration before seeking or accepting a seat on the Planning Committee.

5. DECISION MAKING

5.1 Members should only consider the material planning merits of an application in determining whether or not to grant planning permission. Members should give no weight to non-planning related matters that may be raised by members of the public, other councillors or third parties.

5.2 Planning applications are considered in line with the policies set out at National level in development plans, and adopted supplementary planning documents. Applications must be determined in accordance with policy unless material considerations indicate otherwise. Officers' reports and verbal presentations by officers at the Planning Committee set out the level of compliance of each application with relevant development plans.

5.3 If a decision of the Planning Committee is seen to be made other than on material planning grounds it could be open to legal challenge, and if a planning inspector or court deems the decision to be flawed, it may be

overturned with possible adverse implications for the Council both in terms of cost and reputation.

6. BEFORE A MATTER COMES TO THE PLANNING COMMITTEE

Lobbying and Contact with the Public, Developers/Agents, Advisors, etc

- 6.1** Lobbying is a normal and acceptable part of the planning process. However, lobbying can, unless care and common sense are exercised by all parties, lead to the impartiality of a councillor being called into question. Lobbying could be by applicants, agents, other advisors, objectors, councillors and other interested parties. Lobbying can be verbal or by the circulation of letters or documents.
- 6.2** The information provided by lobbyists and others is likely to represent an incomplete picture of the relevant considerations governing a planning matter. The views of consultees, neighbours and the assessment of the case by the planning officer all need to be considered before a member of Planning Committee is in a position to make a balanced judgement on the merits of the particular planning matter.
- 6.3** Lobbyists may on occasion want to discuss a proposed development with a member before a planning application is determined. However, Planning Committee members are under an obligation to determine matters on their planning merits. That means that they must not make up their minds before receiving and reading any officer report or before hearing any debate on the matter out of which new information may arise.
- 6.4** If a Planning Committee member states his or her unequivocal support for, or opposition to, a proposal before the matter is formally considered at the relevant meeting, he or she will be seen to have a “closed mind” on the issue and so not be prepared to determine it fairly on its merits.
- 6.5** Planning Committee members should:
- ensure that they do not decide in advance of the relevant meeting of Planning Committee whether they support or oppose a proposal – keep an “open mind”.
 - if asked for advice in relation to any planning matter usually restrict their response to giving procedural advice only
 - remember that their overriding duty is to the whole community not just to the people in their ward/local area and, taking account of the need to make decisions impartially, not improperly favour or appear to favour any person, company, group or locality

- pass on details of any verbal lobbying and/or any correspondence on a particular application to the relevant planning officer
 - direct lobbyists or objectors to the relevant planning officer, who will include reference to their opinions, where relevant, in his or her report.
- 6.6** A member of the Planning Committee, when attending public meetings, should take great care to maintain his or her impartiality by listening to all points of view expressed at the meeting and should not state a conclusive view on any pre-application proposals or submitted planning application. To do so prejudices a member's impartiality.
- 6.7** If a member feels that they have been exposed to undue or excessive lobbying they should inform the Monitoring Officer. If they no longer retain an open mind on the matter and so feel that their impartiality has been compromised, they will need to declare the nature of it and withdraw from the decision making process.
- 6.8** There may be circumstances when a member of the Planning Committee decides that they want to act as a representative of their electoral area, reporting and advocating the views of their constituents (subject to their obligations in relation to Disclosable Pecuniary Interests and wider obligations under the Code). In those circumstances, they should not seek to participate in consideration of the application by the Planning Committee nor in any vote on the matter. They should seek the consent of the Chair of Planning Committee to represent the constituents' views to the meeting.
- The Council's Monitoring Officer will give advice on whether a Disclosable Pecuniary Interest need to be declared in cases of doubt.
- 6.9** Members of the Planning Committee, or other members addressing the Committee, shall declare, prior to that address or submission any lobbying which they have been subject to in connection with the matter under consideration.
- 6.10** Where, before the meeting of the Planning Committee, a member receives relevant information about an application which is not contained in the planning officer's report on the application, they should immediately advise the Director of Services so that the information can be confirmed and if appropriate a supplementary report prepared.

Pre and Post Application Discussions

- 6.11** Discussions with interested parties can be beneficial to the progress of planning applications. Meetings should normally be at officer level, although they may exceptionally also include members. At all such meetings, whether or not they involve members:
- A note of the discussion will be taken and placed on the file and notes will also be made of telephone discussions/conferences and of any

strategic or contentious issues. Planning files are open to public inspection.

- It will be made clear that no commitments can be made which could bind or otherwise compromise the Planning Committee or any member of it. It will also be made clear that not all relevant information may be to hand, nor may formal consultation with interested parties have been completed.
- Members should only receive information and should not be drawn into negotiations - this should be left to officers so the Council position is co-ordinated. This specifically includes the basis, terms, purposes or financial quantum of any agreement for developer contribution.

6.12 In all discussions members should follow the Council's Members' Code of Conduct and refuse hospitality or gifts (apart from minor refreshments). If such an offer is made it must be reported to the Monitoring Officer. Officers and elected members must behave in such a manner as to avoid giving the impression that they are open to such offers. See paragraph 11 for further explanation of gifts and hospitality.

6.13 Members of Planning Committee should consider the Members' Code of Conduct before having social contacts with developers, their agents or advisors, particularly when applications are being submitted and evaluated and/or when controversial decisions are in prospect.

6.14 A member of the Planning Committee or any other councillor should not approach, persuade or pressurise an applicant for planning permission, or their agent or advisor, to make changes to a current or proposed application or to offer financial or other contributions.

Use of Political "Whips"

6.15 Members should determine all planning applications on their merits and should not take into account any consideration, other than a material planning consideration and which they are not prepared to identify in open Committee.

6.16 It is not appropriate for any party group to instruct its members, whether individually or in a political group meeting prior to a Planning Committee to vote in a particular manner on an application or to apply or threaten to apply any sanction to any member who voted contrary to the group's collective view.

6.17 Where such a whip has been applied, members should declare it in exactly the same manner as they would declare any other attempt at lobbying.

Access to Planning Officers/Offices

- 6.18** Officers are required to manage Council services in accordance with the policy and instructions adopted by councillors through formal Cabinet or Committee decisions. Like all other officers of the Council, planning officers are appointed to serve the Council as a whole and not any political group.
- 6.19** Any member wishing to discuss a particular planning matter with a planning officer should make an appointment with the relevant officer through formal reception arrangements (reception desk or Director/Service Head's PA).
- 6.20** The Council is expected to make a decision on all applications within eight or thirteen weeks of submission depending on the nature of the application. Every effort is made to meet these deadlines although it is not always possible, particularly for applications, which are to be considered by the Planning Committee. Applications are always included on the agenda of the first available Planning Committee agenda after completion of the officer's report so that a decision can be taken in the shortest possible time.
- 6.21** Councillors should not put pressure on officers to forward a particular recommendation nor ask officers to delay the determination or assessment of planning matters for their own personal or political convenience or following lobbying by applicants, agents/advisors or other interested parties.
- 6.22** A councillor with a Disclosable Pecuniary Interest in a planning application may not ask for it to be called-in under the procedure for the time being in force in Part 3 of the Constitution.

7. AT THE PLANNING COMMITTEE

Disclosable Non-Pecuniary and Pecuniary Interests

- 7.1** The Code of Conduct for Members and the Council's Member/Officer Protocol gives advice on interests.
- 7.2** Where interests arise, the member must declare these in accordance with the Code and the Planning Code of Conduct.
- 7.3** Where a member has declared a Disclosable Pecuniary Interest at Planning Committee meeting, the member must leave the meeting.
- 7.4** Where a member has a Disclosable Non-Pecuniary Interest at Planning Committee meeting, they may remain in the meeting, speak and vote on the matter unless to do so would compromise any other obligations set out in the Code.
- 7.5** It is important that all councillors are familiar with the Code of Conduct for members. Where in relation to any item any councillor has a Disclosable Interest in an application (as defined in the Code), the member is advised to declare the interest at the earliest opportunity in the declaration of interests section of the Planning Committee agenda, or at any time subsequently in

accordance with the mandatory requirements of the Code of Conduct, or as soon as practicable when the interest becomes apparent.

- 7.6** Where a member is in any doubt about whether they have an interest, they should always seek the advice of the Council's Monitoring Officer or legal advisor at the meeting, disclosing all material facts. Whenever possible, advice should be taken before meetings. Ultimately however, the duty to declare and the decision as to whether an interest should be disclosed rests with the elected member concerned.
- 7.7** A ward councillor who is also a member of the Planning Committee and who wishes to address the Group as a representative of their ward reporting and advocating the views of the constituents about a proposed development in his or her ward should comply with the requirements of paragraph 6.8 above.

Pre-Determination and Bias

- 7.8** Councillors and Planning Committee members in particular, must avoid bias and predetermination, as:
- They need to take account of the expectation that a planning application will be processed and determined in an open and fair matter.
 - They must not make, or be seen to make a final decision until they have taken all the necessary information into account and this will be when the matter is presented at Planning committee – they must keep an “open mind”,
- 7.9** So, members should not compromise their ability to participate in planning decision making at the Council by making up their minds, or by clearly appearing to have made up their minds (e.g. by declaring their views in advance particularly in relation to an external interest or lobby group), on how they will vote on any planning matter prior to formal consideration of the matter at the District level and before hearing the officer's presentation and evidence and arguments on both sides. Planning Committee members' role at the District level is as a detached decision maker; NOT the advocate or representative of an applicant or those opposing an application.
- 7.10** If members compromise themselves in this way and then take part in the decision they will put the Council at risk of a finding of maladministration and of legal proceedings on the grounds of there being a danger of bias or pre-determination or a failure to take into account all of the factors enabling the proposal to be considered on its merits.
- 7.11** For this reason members of the Planning Committee should be very cautious about joining or participating in organisations which seek to organise or alter public opinion on the issue of a proposed development, as this may preclude

them from participating in the determination of the subsequent planning matter.

- 7.12** However, members may often form an initial view, (a “pre-disposition”) about a planning matter early on in its passage through the planning process, whether or not they have been lobbied. Provided a Planning Committee member does not decide that they have already made up their mind before voting at Planning Committee, or acted in such a way that gives this impression, the member can still take part in the determination at Planning Committee.

Dual-hatted Members and Members on Other Bodies

- 7.13** Planning Committee members who are members of parish or town councils may find they are expected to express a view at a parish or town council meeting, or vote on whether or not the parish or town council should object or comment on a proposal from that parish or town council’s point of view.

They may then have to consider the same matter as a District Council member if it is determined by the Planning Committee.

- 7.14** Members are also appointed to outside public bodies or internal boards or groups, who may then act as consultees or interested parties and are of course permitted to join interest groups which reflect areas of interest such as a local civic society, CPRE, etc.

- 7.15** Where members have dual parish/town and District Council membership, or are members of other consultee bodies or interested parties, they may find themselves having to vote differently on a matter when they consider it at District level, having heard the technical and legal background from officers.

- 7.16** This is not inconsistency, but the consequence of having to fulfil totally separate and different roles.

- 7.17** Where members have dual parish/town council/District Council membership or sit on consultee bodies and issues come up for discussion at different levels, members can take part at the lower/consultee level provided that they have not already made up their mind on the matter and are not biased, and they:

- (a) make it clear at the lower level that their views are expressed on the limited information before them;
- (b) they will reserve their judgement and independence to make up their own mind on each separate proposal, based on their overriding duty to the whole community and not just to the people in that area ward or parish, as and when it comes before the District and when they have heard all of the relevant information; and

- (c) they will not in any way commit themselves as to how they or others may vote when the proposal comes before the Planning Committee at District level.
- 7.18** Membership of a parish or town council, consultee body or pressure group (and participation in its debates and votes) will not constitute a Disclosable Interest in a matter within its area or upon which it may or may not have commented on when it is considered at District level unless:
- (a) The business of being considered substantially affects the wellbeing or financial standing or purpose of the relevant body.
 - (b) The member or the body has taken a leading role in supporting or opposing the matter, within the area or elsewhere.
- 7.19** In (a) or (b) above a member is likely to have a Disclosable Pecuniary Interest where the business relates to the financial position of the body or a planning application or matter made by or relating to it.
- 7.20** However, members must give the above careful consideration, and remain bound by the other parts of the Members' Code of Conduct and this Code in relation to the matter.
- 7.21** Members who are a trustee or company director of a body whose matter is under consideration and where appointed by the Council should always disclose this as a Disclosable Pecuniary Interest where any financial benefit may accrue.

Note: The above advice represents a pragmatic approach to the participation of dual-hatted members in planning matters. As members are aware, the risk under the Code of Conduct and declaration of interests rests with the individual member. For that reason, members are further advised to consider the facts of each case before making a decision on their level of participation. This is particularly important in controversial/high profile matters and/or where the member may play a prominent role in the determination at District level. If a member is in doubt they are reminded to seek advice from the Monitoring Officer at an early stage.

Councillors who are not Members of the Committee

- 7.22** Councillors who are not on the Planning Committee may make written representations to the Director of Services about a planning application in the same way that any other interested person may do so and may address the Planning Committee provided it would not constitute a Disclosable Pecuniary Interest or amount to a breach of any other obligations of the Code ie, seeking to unduly influence the outcome of a planning application. For the avoidance of doubt where that interest is a Disclosable Pecuniary Interest, they are not

permitted to participate in the planning process in their official capacity as a Councillor.

- 7.23** When a councillor who is not a member of the Planning Committee speaks at a meeting they shall disclose at the earliest opportunity any Disclosable Interest, the fact that they have been in contact with the applicant, agent, advisor or an interested party if this is the case, and make it clear whether they are speaking on behalf of such persons or any other particular interest. A councillor who has a Disclosable Non-Pecuniary Interest in a matter may attend a meeting of the Planning Committee at which that application is considered in order to speak, make representations, answer questions or give evidence in accordance with the Code of Conduct.
- 7.24** Any councillor who is not on the Planning Committee but who is at one of its meetings should sit separately from the Group, so as to demonstrate clearly that they are not taking part in the discussion, consideration or vote.
- 7.25** They should not communicate in any way with members of the Planning Committee or pass papers or documents to them before or during the meeting.

Members' Conduct at the Planning Committee

- 7.26** Members of the Planning Committee should minimise their involvement in planning applications, related consents, processes, and/or discussions or negotiations about planning obligations, prior to consideration by the Committee so that they are in an unfettered position to take all decisions at the meeting with an open mind and in relation to the facts, material planning considerations and officer advice.
- 7.27** The Planning Committee adopts quasi-judicial principles in its proceedings and so members must not only act fairly, but must be seen to act fairly.
- 7.28** The Planning Committee is held in public and applicants, their agents, advisors, authorised representatives of town/parish council or meeting or objectors can address the meeting in accordance with the Procedures for Public Speaking for the time being adopted by the Planning Committee.
- 7.29** Where a member has a Disclosable Pecuniary Interest, they are not permitted to remain in the meeting where that matter is to be discussed. They must leave immediately upon declaring irrespective of the rights of the ordinary public.
- 7.30** During consideration of an application, members should not speak or communicate with applicants, agents, advisors or, objectors or other interested parties other than through the Chair of the Committee.

- 7.31** Members' questioning of speakers should be designed so as to clarify arguments and views and care should be taken not to express a view or show bias.
- 7.32** Members should not take part in a determination of a matter or vote on an application if they have not been present for whatever reason throughout the consideration of the item at that meeting of the Planning Committee.

Decisions Against Officer Advice

- 7.33** If the Planning Committee resolves to depart from the advice and recommendations of the planning officer an indication of the material planning reasons for that decision must be entered into the minutes of the relevant meeting.
- 7.34** Before taking such a decision members must take advice from officers at the meeting as to the implications of the decision they propose to take and consider the cost and challenge implications which could ensue for the Council.

Recording of Officers who are Present at Meetings of the Planning Committee

- 7.35** The Planning Committee minutes will record which officers are present at Committee meetings as well as including explicit provision for the declaration of an officer's interest.

8. MEMBERS' SITE VISITS

- 8.1** Officers visit all sites prior to preparation of their reports. Plans and photographs are available before and during each Planning Committee meeting.
- 8.2** The Planning Committee may ask the Director of Services to organise informal site visits to any of the application sites to be considered by the Planning Committee. These are for members to familiarise themselves with the application site and its surroundings.
- 8.3** However, there may be exceptional circumstances where the Planning Committee resolve that an item cannot be considered unless a formal site visit has taken place as it is essential for members to view the site to more clearly understand amenity or similar issues.
- 8.4** A Council officer should always be present at a Planning Committee members' site visit. Councillors who are not members of the Planning Committee should not attend site visits.

- 8.5** During members' site visits, members, along with the accompanying officers, should carry out the inspection in one group. The Chair, or senior officer present, should ensure that applicants, agents, advisors, or objectors do not attend. Site visits are not public meetings and there should be no discussion with third parties on site visits.
- 8.6** Members should refrain from making comments on the merits or otherwise of the application. No decisions should be taken or suggested at a site visit.
- 8.7** Applications should not be deferred to enable a formal site visit to take place unless reasons for the site visit are agreed by the Planning Committee and minuted. Where an application has been deferred for a formal site visit, it can only take place if it is quorate. Only members who have attended the formal site visit can then take part in the subsequent determination of the application.
- 8.8** Where premises are the subject of or affected by any planning application, Planning Committee members should only attend at those premises in the course of a site visit arranged in accordance with this Code.

9. DEVELOPMENT PROPOSALS SUBMITTED BY OR INVOLVING COUNCILLORS AND OFFICIALS IN THEIR PRIVATE CAPACITY

- 9.1** Planning proposals submitted to their own Authority by councillors and officials in their private capacity or in which they are involved can give rise to suspicions of impropriety. Such proposals can take a variety of forms including planning applications and development plan proposals. It is, of course, perfectly legitimate for such proposals to be submitted. However, it is vital that they are handled in a way, which gives no grounds for accusations of favouritism, bias, or maladministration.
- 9.2** Officers whether or not they are members of the Royal Town Planning Institute (RTPI) should also have regard to and be guided by the RTPI's Code of Professional Conduct.
- 9.3** Should a member or officer submit their own proposal to the Authority in their private capacity they serve they must take no part in its processing. While they may properly seek pre-application advice from officers in exactly the same way as any other application, they must avoid all contact, whether direct or indirect, with members of the Planning Committee concerning the application. They can still represent their views to the Council, and seek to influence the decision in ways that are not improper. This could include:
- (a) making written representations in the member or officer's private capacity;
 - (b) using a professional representative on their behalf;
 - (c) arranging for another member of the Authority to present the views of a member's constituent subject to that member's Code of Conduct obligations.

- 9.4** For the sake of transparency in decision making, all planning applications submitted by:

a serving member or officer of the Council shall be determined by the Planning Committee. The Director of Services will notify the Monitoring Officer as soon as the application is received.

In addition, reasonable steps will be taken to ensure that applications submitted by:

- a person who has served as a member or officer of the Council in the five year period before the application was submitted; or
- their respective co-habiting partners

shall be determined by the Planning Committee.

- 9.5** Members of the Planning Committee must consider whether the nature of any relationship with the member (and/or officer) submitting the planning application requires that they make a declaration of interest and if necessary also withdraw from taking part in the determination of the application where the interest is a Disclosable Pecuniary Interest or is likely to breach some other obligation under the Code of Conduct.
- 9.6** No planning officer of the Council shall engage, other than on behalf of the Council, in any work on any town planning or related matter for which the Council is the local planning authority.
- 9.7** Members of Planning Committee should not act as agents or submit planning applications for other parties or voluntary bodies. To do so would give rise to the suspicion that the member was not impartial or may influence other members in the decision making process.
- 9.8** Any member who is a planning or similar agent will not be appointed to the Planning Committee.
- 9.9** Non Planning Committee members who act as agents (or advisors) for people pursuing a planning matter within the Authority must play no part in the decision making process for that proposal and must not seek to otherwise improperly influence the decision making process.
- 9.10** There may be occasions where the Council is the applicant for planning permission. Any councillor who was a party to the decision to apply for planning permission or who has previously expressed a view on the application shall not participate in the determination of the application by the Planning Committee.

10. TRAINING

- 10.1** Members may not participate in decision making at meetings dealing with planning matters unless they have attended the mandatory planning training sessions prescribed by the Council. To do so without adequate training in planning law and practice would render the Council vulnerable to a claim for maladministration.
- 10.2** They should endeavour to attend any other specialised training sessions provided, since these will be designed to extend their knowledge of planning law, regulations, procedures, codes of practice and development plans, which will assist them in carrying out their role properly and effectively.
- 10.3** Follow up training may also be regularly offered on probity and ethical issues, as may be required to reflect changes in legislation.

11. GIFTS AND HOSPITALITY

- 11.1** Councillors must not accept gifts or hospitality which is offered to them in their capacity or connected to their official duties as a member (other than minor refreshments) from anyone with an interest in a planning matter and must notify the Council's Monitoring Officer in writing of all such offers of hospitality, whether or not accepted, including the name of the person or body that made such offer. (This is in addition to the general requirements of the Code of Conduct to register gifts and hospitality received which exceed £25.00 in value.)

12. GENERAL

- 12.1** This Code applies to all councillors and Council officers involved in the discharge of the Council's planning functions. It is a public document freely available on request from the Council's Monitoring Officer.