



**Leeds**  
CITY COUNCIL

|             |                   |
|-------------|-------------------|
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**Report of the Chief Democratic Services Officer**

**Member Management Committee**

**Date: 30<sup>th</sup> October 2007**

**Subject: Plans and Licensing Panels – Compulsory Training**

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**Electoral Wards Affected:**

☐ Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

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**Executive Summary**

This report clarifies those training elements which are compulsory and, by outlining the general content and format of this training attempts to reassure Members that the training is relevant.

In addition the report updates Members on the current situation with regards attendance and bookings for compulsory training for Plans and Licensing Panel Members

Finally the report seeks an endorsement from the Member Management Committee for officers to amend inconsistencies in the current wording within the Constitution around Regulatory Panel training and present a report for approval to the Standards Committee.

## **1.0 Purpose of report**

1.1 The purpose of this report is to:

- Clarify those training elements which are compulsory and, by outlining the general content and format of this training to reassure Members that the training is relevant.
- To set out arrangements for the management of none attendance of compulsory training
- Update Members on the current situation with regards attendance and bookings for compulsory training for Plans and Licensing Panel Members
- Seek an endorsement from the Member Management Committee for officers to amend inconsistencies in the current wording within the Constitution around Regulatory Panel training and present a report for approval to the Standards Committee.

## **2.0 Background**

- 2.1 On 29th June 2006 the Member Management Committee endorsed the proposal to make annual training for all regulatory panel members compulsory. Whilst there is no statutory requirement to undertake training, the Council has, through its own rules and procedures, determined that Members who sit on Plans and Licensing Panels should undertake compulsory training.
- 2.2 This is embodied in the Council's own Code of Practice for the Determination of Planning Matters (approved by the Council's Standards Committee on 11<sup>th</sup> April 2007 ) which addresses training at section 17 and states that Members will be required to attend mandatory training.
- 2.3 Part 5 (l) Code of Practice for Determining Licensing Matters states that Members making licensing decisions will be required to attend a training session each year to receive guidance in relation to licensing legislation, regulations and procedures and on declaration of personal or prejudicial interests.

## **3.0 Main Issues**

### Compulsory Training and Content

3.1 Members have determined that the following training is compulsory:-

**Introduction to Planning** – A 'one off' session and compulsory for all Members to attend *before* being able to sit on a Plans Panel. Content includes a full introduction to town and country planning and planning procedures in Leeds.

**Planning Update** – All Plans Panel Members are required to receive an update every municipal year. This annual session will update Plans Panel Members on new planning policy, new statutory provisions, important new planning case law and emerging issues relevant to the role of the decision maker on planning applications. The session will not regurgitate previous training. The forthcoming sessions will cover implications and issues arising from the Planning White Paper and Housing Green Paper, sustainable construction and climate change issues and provide an

update on national planning policy statements (PPSs). The length and format of the session will be determined by the amount of new information required to be given to Members.

**Licensing Legislation update** – All Licensing and Regulatory Panel Members and Licensing Committee Members are required to receive an update every municipal year. The content is specifically designed not to repeat areas already familiar to the experienced councillor. The length and format of the session will be determined by the amount of new information required to be given to Members.

**Governance and Conduct** – All Plans Panel, Licensing and Regulatory Panel and Licensing Committee Members are required to receive an update every municipal year. The content includes looking at the implications of any new case law including judicial review, together with ombudsman or standards decisions and any new national guidance issued since the last training session. The length and format of the session will be determined by the amount of new information required to be given to Members.

(Not to be confused with the recent training on the New Member Code of Conduct, which, whilst *not* compulsory is strongly recommended by the Monitoring Officer).

- 3.2 Committee is also reminded that Member of the Licensing and Regulatory Panel and the Plans Panel may substitute for each other but only if they have completed the relevant training sessions. Licensing Committee is separate to the Regulatory Panels and no substitution arrangements apply to this committee.

#### Current wording within the Constitution

- 3.3 The requirement to attend training is detailed in the Constitution, specifically

#### **Part 5(j) Code of Practice for Members Responsible for Determining Planning Applications**

*Members serving on Plans Panel must attend two training sessions each and every year: a Planning Update session, to receive guidance in relation to regulations and procedures and a Governance and Conduct session for training on declaration of personal and prejudicial interests.*

and

#### **Part 5 (l) Code of Practice for Determining Licensing Matters**

*Members making licensing decisions will be required to attend a training session each year to receive guidance in relation to licensing legislation, regulations and procedures and on declaration of personal or prejudicial interests.*

- 3.4 Members will note an element of inconsistency in the terms used to describe the training. It is recommended therefore that a report is submitted to the Standards Committee proposing alternative wording which would make clear the training required and its broad content. Revised wording is presented as Appendix 1.

## **4.0 Implications For Council Policy And Governance**

- 4.1 As the role of Members is complex and demanding, dedicated learning and development strategies which support Members and help them to lead the organisation are essential requirements for any Council.
- 4.2 Member development is recognised under Corporate Assessment as a key means of building capacity in local government.

## 5.0 Legal And Resource Implications

- 5.1 Compulsory training was introduced in the 2006/07 municipal year. Because it was introduced mid year none attendance did not result in any action from the Whips. However there was still a drive to ensure Members received the necessary training. The table below shows the number of training sessions arranged and the number of Members required to attend against actual attendance.

**Municipal year 2006/07**

| <b>Module</b>                      | <b>Introduction to Planning</b>    | <b>Planning Update</b> | <b>Governance and Conduct</b> | <b>Gambling Act</b> |
|------------------------------------|------------------------------------|------------------------|-------------------------------|---------------------|
| <b>Number of sessions arranged</b> | 2 sessions                         | 3 sessions             | 6 sessions                    | 1 session           |
| <b>Number Required to attend</b>   | None as no new Members to Planning | 30                     | 43                            | 15                  |
| <b>Number who did not attend</b>   | N/A                                | 3                      | 5                             | 6                   |

- 5.2 The table below shows the number of training sessions arranged for *this* municipal year (2007/08) and how many councilors from each political group have attended or booked to attend each session. Attendance of the compulsory sessions is monitored by officers within Member Development and reported to the Whips monthly.

| <b>Module</b>                      | <b>Introduction to Planning</b> | <b>Planning update</b>  | <b>Governance and Conduct</b> | <b>Gambling Act<sup>1</sup></b>    |
|------------------------------------|---------------------------------|-------------------------|-------------------------------|------------------------------------|
| <b>Number of sessions arranged</b> | 1 session (May 07)              | 2 sessions (Oct/Nov 07) | 2 sessions (Oct/Nov 07)       | 2 sessions (June & to be arranged) |
| <b>Labour</b>                      |                                 |                         |                               |                                    |
| Required to attend                 | 0                               | 10                      | 17                            | 7                                  |
| Attended or booked                 | 0                               | 8                       | 13                            | 5                                  |
| <b>Conservative</b>                |                                 |                         |                               |                                    |
| Required to attend                 | 1                               | 6                       | 9                             | 3                                  |
| Attended or booked                 | 1                               | 5                       | 8                             | 3                                  |
| <b>Liberal Democrat</b>            |                                 |                         |                               |                                    |
| Required to attend                 | 1                               | 6                       | 9                             | 4                                  |
| Attended or booked                 | 1                               | 4                       | 7                             | 4                                  |
| <b>Green</b>                       |                                 |                         |                               |                                    |
| Required to attend                 | 0                               | 1                       | 2                             | 0                                  |
| Attended or booked                 | 0                               | 1                       | 2                             | 0                                  |
| <b>Morley Borough Independent</b>  |                                 |                         |                               |                                    |
| Required to attend                 | 0                               | 1                       | 2                             | 1                                  |
| Attended or booked                 | 0                               | 1                       | 1                             | 0                                  |
| <b>TOTAL</b>                       |                                 |                         |                               |                                    |
| Required to attend                 | 2                               | 24                      | 39                            | 15                                 |
| Attended or booked                 | 2                               | 18                      | 28                            | 13                                 |

NB: Substitutes on regulatory panels are also required to attend the necessary training. They have not been included in these statistics.

- 5.3 On current evidence the above table suggests attendance this year will be good. However Members may wish to reflect on whether more sessions need to be arranged in order to avoid the situation of a Member being unable to sit on a Regulatory Panel due to the failure to undertake compulsory training.
- 5.4 Any additional sessions will have revenue consequences. Planning training is undertaken by external trainers. Each session costs in the region of £2.5K. This is funded by the Department. All other training is carried out 'in-house' with the consequential staffing cost implications.
- 6.0 Recommendations**
- 6.1 Member Management Committee is asked to;
- (i) Note the current list of compulsory training and its content
  - (ii) Note current attendance and booking figures for compulsory training modules and consider whether further training sessions are required.
  - (iii) Endorse the revised wording shown in Appendix 1 for inclusion in the Code of Practice for Members Responsible for Determining Planning Applications and the Code of Practice for Determining Licensing Matters, and to instruct

<sup>1</sup> This session only relates to Licensing Committee Members. There has been no specific compulsory training for Licensing and Regulatory Panel Members this municipal year.

officers to make appropriate recommendations to the Standards Committee.

## Proposed Revisions to Constitution

### ARTICLE 8 – REGULATORY PANELS

Additional text

#### 8.3 **LICENSING & REGULATORY PANEL MEMBERSHIP**

- 8.3.1 *Members of the Licensing and Regulatory Panel must complete all compulsory training and shall not sit as a Member of the Panel unless such training has been undertaken in accordance with the Council's prescribed training programme*

### ARTICLE 8A – LICENSING ARRANGEMENTS

Additional paragraph

#### 8.2 **THE LICENSING COMMITTEE**

- 8.2.7 *Members of the Licensing Committee must complete all compulsory training and shall not sit as a Member of the Committee unless such training has been undertaken in accordance with the Council's prescribed training programme*

### CODE OF PRACTICE FOR MEMBERS RESPONSIBLE FOR DETERMINING PLANNING APPLICATIONS

Part 5(j) to read

*Members serving on Plans Panel must receive training each and every year in relation to Planning updates and Governance and Conduct.*

### CODE OF PRACTICE FOR DETERMINING LICENSING MATTERS

Part 5 (l) to read

*Members making licensing decisions must receive training each and every year in relation to licensing updates and Governance and Conduct.*