



Committee: COUNCIL BUSINESS COMMITTEE

Date: THURSDAY, 16 JANUARY 2014

Venue: MORECAMBE TOWN HALL

Time: 6.00 P.M.

A G E N D A

1. **Apologies for Absence**

2. **Minutes**

Minutes of meeting held on 12th September 2013 (previously circulated).

3. **Items of Urgent Business Authorised by the Chairman**

4. **Declarations of Interest**

To receive declarations by members of interests in respect of items on this agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the council's register of interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the register or at the meeting).

Whilst not a legal requirement, in accordance with council procedure rule 10 and in the interests of clarity and transparency, members should declare any disclosable pecuniary interests which they have already declared in the register, at this point in the meeting.

In accordance with part B section 2 of the code of conduct, members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the code of conduct.

5. **Councillor Community Leadership Support Programme** (Pages 1 - 7)

6. **Meetings Timetable 2014-15** (Pages 8 - 12)

7. **Speaking at Planning and Highways Regulatory Committee Meetings** (Pages 13 - 24)

8. **Member Development Charter Level 1** (Pages 25 - 28)

9. **Appointments to Committees and Changes to Membership**

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Paul Aitchison (Chairman), Roger Mace (Vice-Chairman), Melanie Forrest, Janet Hall, Billy Hill, Geoff Knight and Vikki Price

(ii) Substitute Membership

Councillors Tony Anderson (Substitute), Roger Dennison (Substitute), Tim Hamilton-Cox (Substitute), Joan Jackson (Substitute), Ian Pattison (Substitute) and Emma Smith (Substitute)

(iii) Queries regarding this Agenda

Please contact Peter Baines, Democratic Services - 01524 582074 or email pbaines@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Members' Secretary, telephone 582170, or alternatively email memberservices@lancaster.gov.uk.

MARK CULLINAN,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER LA1 1PJ

Published on Wednesday 8th January 2014.

COUNCIL BUSINESS COMMITTEE**Councillor Community Leadership Support
Programme
16 January 2014****Report of Chief Officer (Governance)****PURPOSE OF REPORT**

To provide a progress update for Council Business Committee on the Councillor Community Leadership Support Programme and more detail on the Community Leadership Conference to be held in June 2014, as requested.

This report is public

RECOMMENDATIONS

- (1) To note the Councillor Community Leadership Support Programme progress to date.
- (2) To consider the content of the Community Leadership Conference and agree to only go ahead with a minimum of 25 registered councillors.
- (3) To consider the future level of support expected from officers considering the resource implications identified in the pilot.

1.0 Introduction

- 1.1 On 14 March 2013, this committee considered a report on the outcomes of the Keep it R.E.A.L (Responsive, Efficient, Accountable and Local) project.
- 1.2 Community Leadership is one of the four priorities in the Corporate Plan 2013/14. The Keep It Real project recognised the importance of the role of Ward Councillor, not only as an essential advisory service to constituents but in terms of local community leadership.
- 1.3 The role of Ward Councillor includes championing the interests of the ward and local people and working with the local voluntary sector, faith groups, resident and tenant groups, service providers and local businesses. This is particularly important at this time of austerity and chimes closely with the city council's Take Pride campaign, part of which aims to encourage communities and individuals to do their bit to support themselves and their communities.
- 1.4 The report considered by the Committee explained that one of the key themes from the Keep it REAL project was 'ward councillor support'.

2.0 Councillor Community Leadership Support Programme

2.1 In June 2013, Management Team received a Keep it REAL project update report, including feedback from Council Business Committee.

2.2 The report outlined that since the Council Business Committee meeting, Communications and Democratic Support had developed a work programme in order to further support members in their wards in the following areas:

a) In providing essential advisory service to constituents

b) Demonstrating community leadership

- championing the interests of the ward and local people
- working with the local voluntary sector, faith groups, resident and tenant groups, service providers and local businesses
- providing feedback to officers to support corporate customer insight of service need and delivery

c) Encouraging and supporting communities to volunteer/take responsibility for areas

Actions included:

Internal Councillor Support

- Review induction and training programme to reflect changing community leadership role of councillors including time management support.
- Review Elsie councillor pages in light of the Keep it REAL project learning eg add links to local leadership work books and updated communications toolkit.
- Review communications toolkit in light of the Keep it REAL project learning and re-launch.

Ward Councillor Support

- Officers work with a ward councillor and a part of their community to pilot a project to educate citizens in how they can affect a positive change for their area. For example on reducing dog fouling in an area.

Sharing knowledge and experience

- Examine ways to provide networking, knowledge/experience sharing opportunities to build better relationships between members to encourage working together eg annual councillor conference.
- Review the O&S shadowing system to help improve relationships and communication between Cabinet and other councillors.

3 Progress to date

3.1 Proposed Councillor Community Leadership Conference

A report was considered by Council Business Committee on 12 September 2013. The Committee resolved:

- (1) That a conference be held on community leadership in June 2014.
- (2) That a report be brought to a future meeting with detailed proposals for the conference.

In line with resolution (2) Appendix A outlines the proposed content of the Councillor Community Leadership Conference. Members are asked to consider the proposals.

It is recommended that relevant members of Management Team or Assistant Heads would speak at the conference and that the council's consultation and engagement officer would facilitate the workshop sessions. The Leader from Barnsley Council, Sir Stephen Houghton, has agreed to speak about his community leadership experience (subject to dates) as an LGA peer free of charge. The proposed exhibition will be co-ordinated by the consultation and engagement officer; however, it will be up to services to decide whether they would like to have a presence.

Council Business Committee may also wish to suggest potential speakers and topics to be addressed.

Due to the proposed outside speaker and catering arrangements, it is recommended that a minimum of 25 registered councillors is required for the conference to go ahead.

3.2 Update on Agreed Council Business Committee Actions (as detailed in section 2)

- It was not possible to submit an item on working relationships between city councillors and members and officers of Lancashire County Council to the Three Tier Forum as at this time Lancashire County Council only accept agenda items from Forum Members, not via a Committee. This will be raised with the County Council.
- An investigation into councillor exit interviews has taken place.
- Time Management Training took place on 30 May 2013.

3.3 Update on other Councillor Community Leadership Programme Actions:

- Council Business Committee approved the 2013/14 Member Development Strategy on 27 June 2013. Community Leadership Training was held on 24 October 2013 (10 available places taken)
- Councillor Elsie pages are continuously being updated.
- The Councillor Communications Toolkit will be reviewed and updated (including learning from Councillor led community project pilot) in early 2014.
- Comments have been requested from relevant councillors on the O&S shadowing system.

3.4 Update on Councillor Led Community Project Pilot

The aims of this pilot project are to:

- support ward councillors' work with communities and address issues of community interest
- share the learning with other councillors who in turn can use this to run similar projects.

It is being piloted in Heysham North via one of the councilors involved throughout the Keep It Real project.

The pilot has consisted of officer support to help ward councillors:

- identify a potential project in their area
- organise two community meetings which aimed to bring key people together in their community to identify issues
- develop solutions and consider how they can make things happen in their area.

Support has included a number of officer meetings and community meeting design, facilitation and support, resulting in actions for councillors to identify key contacts, promote, invite people to the meetings and take agreed actions forward.

Two community meetings have taken place (30 October and 10 December) at West End Impact. A number of relevant officers were invited and briefed.

Outcomes to date include:

- Heysham North councillors supported to work with their community to address issues of community interest.
- Helped to raise awareness of the financial challenges that the council is facing, role of local councillors, role of community and various reporting channels.
- An agreed programme of activities including walk abouts, litter picks and a combating dog fouling event.
- Development of a potential community/councillor newsletter.
- Agreement from active members of the community to help deliver the programme of activities and newsletter.
- Residents agreed to take individual action eg take care of a piece of land
- A number of new local resident and organisation contacts for Members to engage and community with on community issues in future.

3.5 Resource implications and sharing learning

The consultation and engagement officer support has included various meetings with councillors, briefings and discussions with relevant officers, planning, designing and facilitation of two community meetings, distributing online invitations and posters, thank you's, writing up and online distribution of meeting notes and developing actions as a result of the community meetings. Other officer's support has included the creation of two posters, attending meetings and following up actions.

Offering this level of support to other councillors would have resource implications for a number of council officers which will need to be considered when deciding whether

this support could be offered to other councillors. The consultation and engagement officer's support for the councillor community led project will end in January 2014 (6 months support).

The learning from this pilot will be shared via the councillor newsletter and Community Leadership Conference, this will also be an opportunity for other councillors to share their experiences and learning. The Councillors Communications Toolkit will also be updated to support other councillors to carry out their own community discussions/projects.

4.0 Details of Consultation

- 4.1 The programme of work arises out of the Keep It Real project which included consultation with a range of councillors and has been developed and approved by Council Business Committee and Management Team.

5.0 Conclusion

- 5.1 The Councillor Community Leadership Support Programme is being taken forward and progress has been made in each area. Members are asked to consider the content of the Community Leadership Conference to be held in June 2014 and the level of support expected from officers considering the resource implications identified in the pilot.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

It is hoped that the Councillor Community Leadership Programme will have positive impact on ward communities as councillors will be provided with opportunities to gain relevant information, skills, experience and confidence to lead and work with their communities.

LEGAL IMPLICATIONS

There are no legal implications arising from this report.

FINANCIAL IMPLICATIONS

A key financial implication has been staff time to deliver the Councillor Community Leadership Support Programme to date, if it was decided to offer the same level of support to more councillors staffing implications would need to be assessed and any costs reported back to a future meeting.

The Councillor Conference will be financed from within the 2014/15 proposed Member Training & Development budget of £4,100 subject to budget Council)

OTHER RESOURCE IMPLICATIONS

Human Resources:

No known implication

Information Services:

No known implications

Property:

No known implications

Open Spaces:

No known implications

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Contact Officer: Jennifer Milligan
(Consultation and Engagement Officer)

Telephone: 01524 582268

E-mail: jmilligan@lancaster.gov.uk

Appendix A - Proposed Councillor Community Leadership Conference Content

- From 9.30am Registration, refreshments and exhibition viewing

(A potential exhibition on top community issues services with relevant officers and inspirational community leadership case studies)

- 10am Welcome and introductions
- 10.05am Setting the scene – what is community leadership (relevant skills), importance of community leadership in current financial situation etc.
- 10.15am Localism and planning issues including community rights
- 10.45am Questions
- 11am Invited inspirational speaker
- 11.15am Questions
- 11.30am Refreshments
- 11.45am Lancaster City Councillor led community projects including Sandylands pilot
- 12 noon Workshop session (move around at some point)

To focus on Members community leadership experiences and/or localism/planning issues, any required support and action.
- 1.30pm Thank you and close – Conference evaluation forms
- Networking lunch and exhibition viewing

COUNCIL BUSINESS COMMITTEE**Committee Timetable 2014/15
16th January 2014****Report of Chief Officer (Governance)****PURPOSE OF REPORT**

To approve the timetable of meetings for 2014/15.

This report is public

RECOMMENDATIONS:

- 1. That the committee agrees the meetings timetable and times for the 2014/15 municipal year;**
- 2. That the committee considers whether to continue with Special Council meetings.**

1.0 Introduction

- 1.1 Council Business Committee has delegated authority to agree the annual timetable of Lancaster City Council meetings. The appended timetable is based on the decision made by Council, on Wednesday 11th December 2013, to reduce the number of meetings as follows:

- Council: from 10 to 8
- Cabinet: from 11 to 10
- Standards Committee: from 4 to 2
- Audit Committee: from 4 to 3
- Licensing Act Committee: from 6 to 2
- Budget and Performance Panel: from 9 to 5
- Council Business Committee: from 6 to 3
- Personnel Committee: from 4 to 2

- 1.2 It was agreed to maintain nine Overview and Scrutiny Committee meetings, whilst Planning and Highways Committee and Licensing Regulatory Committee are unchanged. Council also recommended that Joint Consultative Committee meetings be held on the same day as Personnel Committee, wherever possible.

- 1.3 In line with the general reduction in meetings, the committee may also like to consider whether to continue to hold Special Council meetings. It is within the terms of reference of this committee to set the agenda and arrangements for a 'special' Council meeting, to be held during the autumn. 'Special' Council meetings were introduced by Council in 2006, specifically for the following purposes:

- consideration of a single topic;
- hearing of an external speaker;
- meeting in assembly or forum;
- consideration of a local, regional or national issue; or
- any other purpose to be determined by Council Business Committee.

In practice, the Council has made this a biennial event in 2008; 2010 and 2012, partly to save costs and partly because a suitable topic did not present itself.

Should the Committee feel that Special Council Meetings should be discontinued, the matter would be referred to Council for a decision, as this would mean a change to the Terms of Reference of this Committee, set out in Part 3, Section 10 of the Constitution.

- 1.4 A Bank Holiday on Monday 5th May 2014 has caused a Planning and Highways Committee meeting to be moved to Tuesday 6th May 2014, likewise a Bank Holiday on Monday 26th May and Cabinet meeting on Tuesday 27th May have resulted in another Planning and Highways Committee meeting being held on Wednesday 28th May, at the usual time and place.
- 1.5 Members may wish to note that European Parliamentary elections will take place on Thursday 22nd May 2014, with Parliamentary, City Council and Parish Council elections taking place on Thursday 7th May 2015.
- 1.6 The committee start times and location details are given at Appendix A to this report, with the timetable at Appendix B.

2.0 Conclusion

- 2.1 Members are asked to approve the draft meetings timetable for the 2014/15 municipal year, and consider the future of Special Council meetings.

CONCLUSION OF IMPACT ASSESSMENT
--

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)
--

None.

LEGAL IMPLICATIONS

There are no legal implications arising from the report.
--

FINANCIAL IMPLICATIONS

It may be possible to make staff savings through the reduction in the number of meetings, although it should be recognised that this might not be possible if it became the practice for additional meetings to be convened as a matter of routine. For that reason, any potential staff savings cannot be quantified at this stage.

OTHER RESOURCE IMPLICATIONS**Human Resources:**

None.

Information Services:

None.

Property:

None.

Open Spaces:

None.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None.

Contact Officer: Peter Baines

Telephone: 01524 582 074

E-mail: pbaines@lancaster.gov.uk

Meeting Start times/venues 2014/15

(LTH = Lancaster Town Hall and MTH = Morecambe Town Hall).

Annual Council (ceremonial)	Ashton Hall, LTH	12 pm
Annual Council (business)	MTH	6 pm
Council	MTH	2 pm
Council Business Committee	MTH	6 pm
Cabinet	Alternating LTH, MTH	10 am
Overview and Scrutiny	MTH	6 pm
Budget and Performance	LTH	6.10 pm
Licensing Regulatory Committee	LTH	1 pm
Licensing Act Committee	LTH	2 pm
Planning & Highways Regulatory	LTH	10.30 am
Personnel Committee*	LTH	6.10 pm
JCC	LTH	2 pm
Audit Committee	MTH	6 pm
Standards Committee*	LTH	6.10 pm

The Appeals Committee is convened as and when necessary at LTH with no set day or time.

* These committees may begin earlier in the day where additional meetings are convened to hear specific cases.

TIMETABLE 2014/2015

2014

2015

	May	June	July	August	September	October	November	December	January	February	March	April	May
Mon				1				1 Planning Site Visit					Mon
Tue			1	2 Cabinet LTH				2 Cabinet MTH					Tue
Wed			2 JCC Personnel	3	1			3 Overview & Scrutiny Committee				1	Wed
Thur	1		3 Member Briefing	4 Licensing Reg Member Briefing		2 Member Briefing		4 Licensing Act	1 Bank Holiday			2	Thur
Fri	2		4	5	3			5	2			3 Bank Holiday	Fri
Sat	3		5	6	4		1	6	3			4	Sat
Sun	4	1	6	7	5		2	7	4	1		5	Sun
Mon	5 Bank Holiday	2	7		8 Planning Site Visit	6 Planning Site Visit	3 Planning Site Visit	8 Planning	5 Planning	2 Planning	2 Planning	6 Bank Holiday	Mon
Tue	6 Planning	3	8		9 Budget and Performance Panel	7 Cabinet MTH	4 Cabinet LTH	9	6	3 JCC Personnel	3	7 Planning	Tue
Wed	7	4 Overview & Scrutiny Committee	9 Overview and Scrutiny Committee		10 Overview and Scrutiny Committee	8 Overview and Scrutiny Committee	5 Overview & Scrutiny Committee	10	7	4 Council	4 Budget Council	8	Wed
Thur	8	5 Licensing Reg Member Briefing	10		11	9	6 Council Business Committee	11	8 Licensing Reg	5 Member Briefing	5 Member Briefing	9	Thur
Fri	9 Annual Council	6	11		12	10	7	12	9	6	6	10	Fri
Sat	10	7	12		13	11	8	13	10	7	7	11	Sat
Sun	11	8	13		14	12	9	14	11	8	8	12	Sun
Mon	12 Business Council	9	14 Planning Site Visit	15 Planning		13 Planning	10 Planning	15	12	9	9	13	Mon
Tue	13	10	15		16	14	11 Budget & Performance Panel	16	13	10	10	14	Tue
Wed	14	11	16 Council		17 Audit	15	12	17 Council	14	11	11	15 Council	Wed
Thur	15	12 Standards	17 Licensing Reg		18	16 Licensing Reg	13 Member Briefing Licensing Reg	18	15 Member Briefing	12 Licensing Reg	12 Council Business Committee	16	Thur
Fri	16	13	18		19	17	14	19	16	13	13	17	Fri
Sat	17	14	19		20	18	15	20	17	14	14	18	Sat
Sun	18	15	20		21	19	16	21	18	15	15	19	Sun
Mon	19 Planning Site Visit	16 Planning Site Visit	21 Planning	18 Planning	22	20	17	22	19	16	16	20	Mon
Tue	20	17	22 Budget and Performance Panel	19	23	21	18	23	20 Cabinet LTH	17 Cabinet MTH	17	21	Tue
Wed	21	18 Audit	23	20	24 Special Council	22 Council	19	24	21 Audit	18	18	22	Wed
Thur	22 ELECTION	19	24	21	25	23	20	25 Bank Holiday	22 Standards	19	19	23	Thur
Fri	23	20	25	22	26	24	21	26 Bank Holiday	23	20	20	24	Fri
Sat	24	21	26	23	27	25	22	27	24	21	21	25	Sat
Sun	25	22	27	24	28	26	23	28	25	22	22	26	Sun
Mon	26 Bank Holiday	23 Planning	28	25 Bank Holiday	29	27	24	29 Planning Site Visit	26 Planning Site Visit	23 Planning Site Visit	23	27 Planning Site Visit	Mon
Tue	27 Cabinet MTH	24 Cabinet LTH	29 Cabinet MTH	26	30	28	25	30	27 Budget & Perf Panel - MTH	24 Budget and Performance Panel	24 Cabinet LTH	28	Tue
Wed	28 Planning	25	30	27		29	26	31	28 Overview and Scrutiny Committee	25 Overview and Scrutiny Committee	25	29 Overview and Scrutiny Committee	Wed
Thur	29 Licensing Act	26 Council Bus Com	31	28		30	27		29	26	26 Licensing Reg	30	Thur
Fri	30	27		29		31	28		30	27	27		Fri
Sat	31	28		30			29		31	28	28		Sat
Sun		29		31			30				29		Sun
Mon		30									30 Planning Site Visit		Mon
Tue										31			Tue

COUNCIL BUSINESS COMMITTEE

**Speaking at Planning and Highways Regulatory
Committee Meetings
16 January 2014**

Report of the Monitoring Officer

PURPOSE OF REPORT

For the Committee to consider approving new Procedure Rules regarding the public participation scheme for inclusion in the Council's Constitution and revised wording for the Constitution regarding Ward Councillors speaking at meetings.

This report is public

RECOMMENDATIONS

- (1) That the Committee approves a new Part 4, Section 9 for the Council's Constitution, as shown at Appendix B, setting out procedure rules for the Public Participation Scheme at Planning and Highways Regulatory Committee meetings.
- (2) That officers be asked to replace the current guidance for the public on the Council's website with the revised document, shown at Appendix A.
- (3) That the Committee approves a change to Council procedure Rule 27.2 as set out in paragraph 2 and Appendix C of this report.

1.0 Introduction

- 1.1 A public participation scheme for the Planning and Highways Regulatory Committee has been running successfully for some time. The scheme has never been incorporated into the Council's Constitution but has been set out in guidelines on the Council's website and in a leaflet distributed by Democratic Services. Public participation schemes for other Council bodies (Council, Cabinet and Licensing Regulatory) are all set out in the Council's Constitution and it would seem appropriate to also include the scheme for Planning and Highways.
- 1.2 On 9 December 2013 the Planning and Highways Regulatory Committee considered a revised guidance document for the public explaining the public participation scheme. The Committee asked for some minor amendments to be made to the document before recommending to this Committee that the guidance be adapted for inclusion in the procedure rules in Part 4 of the Council's Constitution. The guidance document, revised in line with the

comments of the Planning and Highways Regulatory Committee, is attached at Appendix A for Members' information.

- 1.3 The Committee also recommended that Council procedure rule 27.2 be amended as set out in Appendix C of this report for the reasons explained in paragraph 2, below.
- 1.4 Since the guidance leaflet was considered by the Planning and Highways Regulatory Committee one further minor change has been made to the last paragraph on page 2. This is to make clear to the public that they must inform Democratic Services of their intention to speak for or against an application, to reflect and clarify current practice.

2.0 Ward Members Registering to Speak

- 2.1 The Constitution currently requires Ward Members wishing to speak about a planning application to give notice but it does not require them to state whether they wish to speak for or against the application. Applicants are only entitled to speak if there is a speaker registered to speak against their application; therefore officers need to know in advance of the meeting who will be speaking and whether they intend to speak for or against, or to make points which are neutral.
- 2.2 It is proposed that paragraph 27.2 of the Council Procedure Rules be amended to address this issue and for Ward Members to declare whether they intend to speak for or against an application at the time of registering to speak. The current and proposed wording is shown at Appendix C.

3.0 Proposal Details

- 3.1 It is proposed to insert a new section into the Council's Constitution setting out the procedure rules for public participation at Planning and Highways Regulatory Committee meeting. A draft of the new Part 4, Section 9 is shown at Appendix B.
- 3.2 It is further proposed to amend paragraph 27.2 of the Council Procedure Rules as shown at appendix C.

4.0 Options analysis

	Option 1: To approve the change to the Constitution detailed in this report and at Appendices B and C.	Option 2: Not to approve the change to the Constitution detailed in this report and at Appendices B and C.
Advantages	(Re: Appendix B) Would record the procedures for public participation in the Council's Constitution, bring the Planning and Highways Regulatory Committee's scheme in line with other bodies of Council. (Re: Appendix C) Would assist Democratic Services to advise applicants of their right to speak when a Ward Member has registered to speak against their application.	None identified.

	Would also apply the same rules to Ward Members as to the public, in the interests of fairness.	
Dis-advantages	None identified.	(Re: Appendix B) Would not clarify the procedure for officers and Members to refer to in case of query. (Re: Appendix C) The status quo allows Ward Members to register to speak without stating whether they intend to speak for or against. This is unfair to applicants.
Risks	None identified.	Reputational – feedback shows that the public expect the rules of any public speaking scheme to be clear and fair.

4.0 Conclusion

- 4.1 The Committee is asked to approve the changes set out in this report and recommended by the Planning and Highways Regulatory Committee.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

LEGAL IMPLICATIONS

There are no legal implications as a result of this report. It would be appropriate to insert a section into the Council's Constitution setting out the rules of public participation at Planning meetings, in line with the rules already in the Constitution about public participation at other Council bodies.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report. Democratic Services print the public guidance leaflet as and when required and from within existing printing budgets; there are no stocks of the current leaflet held that would need to be discarded.

OTHER RESOURCE IMPLICATIONS

Human Resources; Information Services; Property; Open Spaces: None

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None

Contact Officer: Debbie Chambers

Telephone: 01524582057

E-mail: dchambers@lancaster.gov.uk

PARTICIPATION AT PLANNING AND HIGHWAYS REGULATORY COMMITTEE

General Information

The City Council's Planning and Highways Regulatory Committee consists of 15 locally-elected councillors. The Committee meets on a monthly basis to determine major or controversial planning applications. These meetings take place at 10.30am on a Monday at Lancaster Town Hall, unless otherwise stated. Dates of the meetings are available on the Council's website, www.lancaster.gov.uk

Speaking at Committee

The Council allows members of the public and Ward Councillors the right to address the Committee prior to consideration of a planning application. However, a Planning Committee is a quasi-judicial process and there is a strict procedure that must be adhered to in all cases.

The Committee has to deal with a lengthy and complex range of issues so there is a need for public speaking to be informative but succinct in order that the business on the agenda can be completed on the day.

Registering to Speak

Notice of the wish to speak at Committee must be registered with Democratic Services in writing, by telephone or by email before **Noon on the Thursday** before the Committee meets. The address to register is Democratic Services, Town Hall, Dalton Square, Lancaster, LA1 1PJ, or via 01524 582132, or via publicspeaking@lancaster.gov.uk

All requests to speak must include the person's name, their address and contact telephone number, and the planning application that they wish to comment on.

To Comment on a Planning Application in Writing

To make separate written representations on any planning application, please see:

<http://www.lancaster.gov.uk/planning/>

And select the option to 'Comment on a Planning Application'.

Alternatively your written comments can be submitted by quoting the Application Reference Number and sent to either:

dmcconsultation@lancaster.gov.uk or via

Development Management

PO Box 4

Town Hall

Dalton Square

Lancaster

LA1 1QR

Rules Regarding the Registration of Speakers

To help with progress and avoid repetition, only one speaker is permitted per address/household/group. Speakers will be allowed a maximum of 3 minutes each. There can be no exceptions.

In the event that the speaker is unable to address the Committee following registration, there is no opportunity for a replacement speaker on the day of the Committee.

Speakers must identify (at the registration stage) if they are speaking on behalf of a group.

It is the responsibility of any person wishing to speak to find out the date that the Committee is due to consider the application. Up-to-date information on the progress of a planning application can be found on the Council's website. Late requests to speak will not be considered. Similarly, whilst the Council will endeavour to advise applicants and/or their agents when a request has been received to speak on their application, the final responsibility always rests with the applicant to find this out. They can do so by contacting Democratic Services (see previous page for contact details).

The applicant, agent or representative (i.e. any person who is representing the applicant on any element of the planning application) may not register to address the Committee unless it is in response to an objecting speaker. This is because the applicant has an opportunity to advance their case via the documents submitted as part of the planning

application (and in the event of a refusal of planning permission, at any subsequent planning appeal).

When registering to speak, members of the public must state whether they intend to speak in opposition to a proposal, or in support, or whether they wish to remain neutral and highlight points for consideration.

The opportunity to address the Committee is restricted to an oral opportunity only; no presentational aids (including documents, plans or photographs) can be circulated at the Committee. (Any documents, plans or photographs should only be sent to the relevant Planning Officer as part of your written response to the public consultation, within the consultation timeframe). The content of the speech must not constitute a personal attack upon any person.

Whilst there is no limit on the number of speakers per item, it is often the case that large numbers of speakers repeat points that have already been made. This often does not help the case - the volume of speakers does not influence a planning decision, it is the material planning considerations being debated that are important. Therefore where a large group of speakers have registered to speak on an application, they will be encouraged to nominate a spokesperson to avoid such repetition.

Ward Councillors are also subject to the same registration requirements and speaking timescale. This is in the interests of fairness to all parties involved in the planning application and to avoid undue influence on the Committee. At the registration stage, Ward Councillors should declare on whose behalf they are speaking (i.e. their own, on behalf of their Ward; or on behalf of residents) and whether they are speaking in opposition, in support, or are neutral to the planning application.

If planning permission is refused, or if planning conditions are imposed upon the applicant and the applicant believes them to be inappropriate, then the applicant has the right to appeal against the Council's decision.

Any appeal is made to the Government's Planning Inspectorate and is not heard by the Council. If an appeal arises then anyone who has made written representation to the planning application will usually be notified.

If a planning application is approved, then there is no third-party right of appeal, although all decisions are capable of challenge in the High Court by way of Judicial Review.

Further Information

To register to speak at Planning and Highways Regulatory Committee, contact:

Democratic Services
Town Hall
Dalton Square
Lancaster LA1 1PJ

Telephone: 01524 582132

Email: publicspeaking@lancaster.gov.uk

Procedure on Committee Day

It is the responsibility of the person wishing to speak to ensure that they are available at the start of the Committee Meeting. Items cannot be held in abeyance for the late arrival of speakers. Please also be aware that the Order of Business does not necessarily follow the numerical order it may first appear on the Committee Agenda, and will usually be ordered to enable the applications that are subject to public speaking to be taken at the beginning of the meeting.

On arrival the speaker should make themselves known to the Democratic Services Officer at least 15 minutes before the Committee is due to start. Speakers should refrain from separate discussions with Elected Members or with other Officers, as this can be open to misinterpretation by observers.

Once the meeting has started, the Chairman will ask the speaker to come forward and prepare to address the Committee. During this time a Planning Officer will briefly introduce the item.

Following this introduction the speaker will then be invited to speak for their 3 minutes. At 2½ minutes the speaker will be advised that there are 30 seconds left, and that they should begin to bring matters to a close. All speaking is expected to be concluded within the 3-minute timescale. When the speaker has finished, they will be asked to return to the public gallery.

The order of public speaking shall be:

- (i) Objectors,
- (ii) Supporters,
- (iii) Applicant/agent/representative (only where an objector has registered to speak), and,

All speakers are advised that any defamatory statements made in public against Elected Members or Officers of the Council will be noted. If those statements are without substance, then separate action may be taken against the speaker in question.

All speakers are advised that they should limit their comments to **material planning considerations**. The table below is for guidance only and is not exhaustive:

Material Planning Considerations

- National and local planning policies;
- Design, appearance and layout;
- Visual impact and impact upon the character of an area;
- Impacts upon privacy/daylight/sunlight;
- Highway and traffic considerations;
- Environmental impacts such as noise or odour;
- Ecological matters;
- Economic and social impacts;
- Compatibility with other land uses.

Matters which are Not Material Planning Considerations

- Land ownership;
- Private rights, agreements or restrictive covenants that lie outside the planning system (e.g. property deeds);
- Loss of a view;
- Impact upon house price(s);
- Commercial competition.

Post-Committee

(iv) Ward Councillor(s).

Once speaking has been concluded, the Officers will present the item. Other Officers, notably the Council's Senior Solicitor and specialist Officers (such as Environmental Health) may be in attendance at the meeting and may advise Members regarding relevant matters.

Elected Members may then ask questions. A motion will be proposed and seconded to approve or refuse the application, and debate will follow. In extreme circumstances, the motion may be to defer the application or to delegate responsibility for the final decision back to the Chief Officer (Regeneration and Planning).

A vote will then be taken whether to agree to the motion being proposed. If the motion is unsuccessful, a subsequent motion must then be proposed, seconded and voted upon. At the conclusion of the voting process, the Chairman will advise everybody regarding the outcome of the vote.

Following the conclusion of the item, speakers (or observers who had not registered to speak) may leave the Meeting unless they wish to observe other planning applications. If they leave then they should do so discreetly so as not to delay the consideration of other applications.

In the event of a long agenda, members of the public are advised that the Committee will usually adjourn for lunch for a period of approximately 30 minutes.

Deferral of Applications

In the event that a planning application is recommended for deferral before the item is presented (for example, to allow a site visit to take place), the Chairman will ask those people wishing to speak whether they wish to exercise their speaking

rights at the current Committee Meeting, or whether they wish to defer their right to speak until the application is brought back before the Committee again. This is because the same speakers cannot address the Committee twice on a single planning application.

In the event that a planning application is deferred after the item is presented (and after having heard the speakers, which may include the applicant/agent/applicant's representative speaking in response to any objections), speakers who have not previously addressed the Committee will be allowed to speak when the deferred planning application is brought back to the Committee. If this is the case, then the applicant/applicant's agent, or the applicant's representative will have a further right of response to the new objecting speakers.

Conduct at Committee

No person, other than the Elected Members on the Committee and the Officers in attendance, are permitted to participate in questioning or debate. Members of the public can observe the proceedings but cannot ask questions or participate in the debate and they can only address the meeting as set out above.

Similarly, Elected Members and Officers will not engage in cross-examination of members of the public who address the Committee.

Whilst it is understood that planning cases can raise strong emotions, interruptions during the process, or any other disruptive behaviour may lead to the individual(s) being requested to leave the Meeting. If such behaviour occurs and the public speaking has not been completed, the Council reserves the right to suspend the public speaking scheme for the duration of the item in question.

Part 4, Section 9

Planning and Highways Regulatory Committee Procedure Rules

1. RIGHTS OF THE PUBLIC TO SPEAK AT PLANNING AND HIGHWAYS REGULATORY COMMITTEE

- (a) Members of the public are permitted to address the Committee prior to consideration of a planning application.
- (b) Notice of the wish to speak must be registered with Governance (Democratic Services) in writing, by email or by telephone before 12 noon two working days before the Committee meets. As the Committee generally meets on Monday, this will normally be noon on the Thursday before the meeting.
- (c) When registering to speak, members of the public must state whether they intend to speak in opposition to a proposal, or in support, or whether they wish to remain neutral and highlight points for consideration.
- (d) Planning applicants, their agents or representatives may not register to address the Committee unless it is in response to an objecting speaker.
- (e) It is the responsibility of the person wishing to speak to ascertain the date that the Committee will consider the application that they wish to speak on. This information can be obtained from the Planning pages on the Council's website or by contacting Governance (Democratic Services). Similarly, whilst the Council will endeavour to advise applicants and/or their agents when a request has been received to speak on their application, the final responsibility always rests with the applicant to find this out. They can do this by contacting Governance (Democratic Services).
- (f) Late requests to speak at Committee will not be considered.
- (g) Any request to speak must include the person's name, address and contact telephone number, together with details of the planning application that they wish to speak on. The opportunity to address the Committee is restricted to an oral opportunity only; no presentational aids (including documents, plans or photographs) may be circulated to the Committee. The content of the speech must not constitute a personal attack upon any person and should be limited to material planning considerations only.
- (h) Only one speaker is permitted per household, address, or group. In instances where there are a number of persons with similar views they will be encouraged to elect a spokesperson to speak on their behalf to avoid undue repetition of similar points.
- (i) Persons who have registered to speak should be in attendance 15 minutes prior to the commencement of the meeting to enable a list of

speakers present to be passed to the Chairman. Items cannot be held in abeyance for the late arrival of speakers.

- (j) Governance (Democratic Services), having received notice from persons wishing to speak will usually re-order the agenda to enable items with public participation to be considered early in the meeting.
- (k) There is no maximum limit on the number of speakers per application, however there is a limit of a maximum of three minutes per speaker.
- (l) The order of public speaking shall be:
 - (i) Objectors
 - (ii) Supporters
 - (iii) Applicants/agent/representative (only where an objector has registered to speak)
- (m) Councillors and officers will not engage in cross-examination of public speakers.
- (n) Once the public speakers have spoken on an item of business, the Committee will debate the item and make a decision, and there will be no further contributions from the public during this process. In rare circumstances, the decision may be to defer the application or to delegate responsibility for the final decision back to the Chief Officer (Regeneration and Planning).

Deferral of Applications

- (o) Speakers may not address the Committee twice on a single planning application. Therefore, in the event that a planning application is recommended for deferral before the item is presented (for a site visit, for example) the Chairman will ask those wishing to speak if they wish to speak at the current Committee meeting or if they wish to defer their right to speak until the application is brought before the Committee again.
- (p) Where a planning application is deferred after the item is presented and the registered speakers have all been heard, which may include the applicant, applicant's agent or applicant's representative, speakers who have not previously addressed the Committee will be permitted to speak when the deferred application is brought back to the Committee. In these instances, the applicant, applicant's agent or applicant's representative will have a further right of response to any new objecting speakers.

APPENDIX C

Council Procedure Rule 27.2

CURRENT WORDING:

- 27.2 Where the Planning and Highways Regulatory Committee or the Licensing Regulatory Committee is considering an individual application, any Member who represents the ward to which the application relates may address the relevant Committee to express views in favour or against the application; for a maximum of three minutes in the case of the Planning and Highways Regulatory Committee. Ward Members must give the appropriate notice under the Planning Public Participation Scheme to enable applicants to address the Committee also.

PROPOSED REVISED WORDING:

- 27.2 Where the Planning and Highways Regulatory Committee or the Licensing Regulatory Committee is considering an individual application, any Member who represents the ward to which the application relates may address the relevant Committee to express views in favour or against the application; for a maximum of three minutes in the case of the Planning and Highways Regulatory Committee. Ward Members wishing to speak at Planning and Highways Regulatory Committee must register with Democratic Services before noon on the Thursday before the Committee meets and must state on whose behalf they are speaking (i.e. their own; on behalf of their ward or on behalf of residents) and whether they intend to speak in opposition or support or are neutral to the planning application.

COUNCIL BUSINESS COMMITTEE**Member Development Charter Level 1****16 January 2014****Report of Chief Officer (Governance)****PURPOSE OF REPORT**

To inform the Committee that the Council's Member Development Charter Level 1 has been successfully reviewed and to report the recommendations of the North West Employers Organisation (NWEO) for further improvement.

This report is public

RECOMMENDATIONS

- (1) That the Committee notes that the Council's Member Development Charter Level 1 has been successfully retained following a review by NWEO.**
- (2) That consideration is given to the recommendations made by the NWEO assessor and the approaches suggested in this report.**

1.0 Introduction

- 1.1 The Member Development Charter is an award which recognises local authorities that demonstrate a strong commitment to member development. The Charter helps to build elected member capacity by improving skills, knowledge and experience. It was developed by Local Government Improvement and Development (formerly the IDeA) and the nine regional employers organisations and is administered in this region by the North West Employers Organisation (NWEO).
- 1.2 NWEO awarded Level One Charter accreditation to Lancaster City Council in 2008. In 2012, the Council's Charter status was due for review and over the last 18 months, officers and Councillors have been gathering evidence to submit to NWEO in support of retaining the accreditation. On 6 September 2013 Councillor Alan Dean of Liverpool City Council and Sharon Senior, of NWEO visited Lancaster Town Hall to conduct interviews with the Leader of the Council, the Chairman of Council Business Committee, several randomly selected Members, the Chief Executive and the officers in Democratic Services with responsibility for delivering Member Development. The purpose of the visit was to verify the information submitted by the Council in support of its application to retain the Charter.

- 1.3 The NWEO Regional Development Committee met on 25 September 2013 and endorsed the assessor's recommendation to award Level One Charter accreditation to the Council again. However, the Committee felt that whilst the specific criteria of the Charter Standard were met it also wanted to highlight a number of areas for continuous improvement. The Council has been asked to work towards improving these areas over the next 12 months when NWEO assessors will review the situation again.

2.0 Assessors' Recommendations

- 2.1 The areas for development are set out in the assessor's recommendations below:
- (a) To agree a forward plan with the Chairman of Council Business Committee to inform the future developments
 - (b) To establish an evaluation framework to ensure that the evaluation of Member Development is reported into Council Business Committee
 - (c) To share an analysis of all training needs resulting from PDPs with Council Business Committee to help formulate the yearly plan
 - (d) To encourage Members to challenge current provision, particularly where needs are carried forward and have not been developed
 - (e) To develop a plan to increase the participation in the Personal Development Plan (PDP) process year on year and to engage a wider number of Members in the process
 - (f) To introduce member development as an agenda item at Cabinet or political group meetings to ensure Member Development is discussed at a strategic level
 - (g) To consider ways in which Members could be involved in developing the future strategy and leading on current practice; such as a Member Development Working Group that focuses solely on Member Development and reports to Council Business Committee
 - (h) Develop the role of Champion to include a remit for driving forward Member Development.

3.0 Meeting with NWEO and Way Forward

- 3.1 On 28 October, Sharon Senior, the NWEO Development Advisor who undertook the assessment visit, and Kelli Pickford, NWEO Director, Learning and Improvement, met with the Chairman of Council Business Committee, the Chief Executive and the Democratic Services Manager to discuss the assessors' recommendations and how these might be taken forward. The emphasis was clearly on increasing Councillors' involvement in planning, challenging and delivering their own training. The assessors will be expecting a Member-led approach to be firmly embedded at Lancaster City Council over the next 12 months.
- 3.2 During the meeting, various suggestions were discussed to address the recommendations. These have been further considered since the meeting

and suggestions are set out below for the Committee to consider.

- (a) For the Senior Democratic Support Officer to liaise with the Chairman of Council Business Committee in agreeing a plan to inform future plans for Member Development (this relates to (a) above.)
- (b) For Member Development to be a standing item at future meetings of Council Business Committee, reporting on:
 - evaluations of training;
 - analysis of training needs based on PDP results;
 - formulation of a yearly training plan;
 - development of the Member Development Strategy

and all other aspects of Member Development to ensure that Councillors on this Committee are fully involved in the process and feel they have a forum to challenge current provision. (This relates to (b) to (e) and (g) above.)

- (c) For the Democratic Services Manager to request that political group leaders and administrators consider assessors' recommendation (f) about including Member Development as a topic for group meetings and feed back any comments or suggestions.
- (d) Recommendation (h) would be a decision for full council and the Democratic Services Manager could draft a report requesting that the role of Member Development Champion be considered in the light of the Charter review comments.

4.0 Options Analysis including Risk Assessment

	Option 1: To address all or some of the recommendations in the report	Option 2: Not to address the recommendations in the report
Advantages	Fits with the good practice required for maintaining the Charter Level 1 and would provide a clear Member steer on the Member Development processes and procedures and the breadth and range of training on offer (within budgetary constraints).	None identified except savings of officer and Member time spent working together to continuously improve the Member Development offer.
Disadvantages	Some of the recommendations have a cost. The example given in (g), of setting up a new Working Group would not be feasible given that the Council is currently looking at cost cutting measures. However, there are other ways of tackling that issue which would be cost neutral.	Would not improve the Member Development offer at Lancaster City Council in the ways suggested. If continuous improvement is not in evidence, the standard of Member Development would fall below that required for Charter Level 1 Status.

Risks	Lack of Member engagement or willingness to challenge current provision; participate in the training needs analysis/PDP process or appoint a Champion.	Reputational – possibly losing Charter Level 1 status.
-------	--	--

4.0 Conclusion

The Committee is asked to note the content of this report; to discuss the suggestions set out in paragraph 3 of this report and make decisions on how best to address the NWEO assessor's recommendations.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

LEGAL IMPLICATIONS

Charter status is optional and not a legal requirement.

FINANCIAL IMPLICATIONS

Member development training activities are managed by Democratic Services and either provided “in-house” or met from within the annual member training budget allocated by Council (£4,100 in 2014/15, subject to approval as part of the budget process).

OTHER RESOURCE IMPLICATIONS

Human Resources: None

Information Services: None

Property: None

Open Spaces: None

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None

Contact Officer: Debbie Chambers

Telephone: 01524 582057

E-mail: dchambers@lancaster.gov.uk