

## APPENDIX 2 – TABLE OF CHANGES TO CODE OF GOOD PRACTICE FOR PLANNING

Table of Proposed changes to Code of Good Practice for Planning

<b>Key</b>	
Minor amendment	
Key proposal	

<b>Section</b>	
	<b>Contents</b>
	Insert a section on Section 25 of the Localism Act. Remove section on Site Visits (this is covered in the Planning Committee Terms of Reference)
<b>1</b>	<b>Introduction</b>
1.1 to 1.4	Minor amendments to add clarification the Code of Good Practice also cover rights of way, commons and village green related matters Addition of bullet points to clarify the risks of legal challenges to decisions
1.5	<u>Minor amendment regarding the financial and other consequences arising for applicants, landowners and other interested parties, who may be affected by planning and other matters.</u>
1.6 to 1.8	Minor text amendments for clarification.
<b>3</b>	<b>Declaring Interests</b>
3.1	Removal of references to personal and prejudicial interests and replace with Disclosable Pecuniary Interests, Other Registrable Interests and/or Non-Registrable Interests to harmonise with Part H2 - Members Code of Conduct in the Constitution
3.2 to 3.6	Removal of Paragraphs 3.2 to 3.6 and Replaced with new headings: <b>Disclosable Pecuniary Interest</b> (new paragraphs 3.2 to 3.9) <b>Other Registerable Interests</b> (new paragraphs 3.10 to 3.11) <b>Non-Registrable Interests ‘directly relating to’ financial interests or well-being</b> (new paragraph 3.12) <b>Non-Registerable Interests ‘affecting’ financial interests or well-being</b> (new paragraphs 3.13 to 3.17)
<b>4</b>	<b>The Integrity of the decision making process/Lobbying</b>
4.1	Minor text amendments to clarify ‘planning applications’ to ‘matters’

## APPENDIX 2 – TABLE OF CHANGES TO CODE OF GOOD PRACTICE FOR PLANNING

4.2 to 4.8	Minor text amendments to change ‘Ward’ to Division’ Member and remove references to planning decisions and planning applications.
4.4	Additional clarification to Members if approached for advice by an interested party.
<b>5</b>	<b>Discussions with developers <u>or applicants on planning applications</u></b>
5.2	Minor addition to title to add <b><u>or applicants on planning applications</u></b>  No other change proposed to this section.
<b>6</b>	<b>Predetermination and Bias</b>
6.1 to 6.3	Minor amendments to add rights of way, commons and village green related matters. Minor text amendments to change ‘Ward’ to Division’ Member and remove references to planning decisions and planning applications.
<b>7</b>	<b>Predetermination and Predisposition</b>
7.1 to 7.5	Minor text amendments to remove references to planning decisions and planning applications and change to ‘matters’.
<b>8</b>	<b>Bias</b>
	Minor text amendments to remove references to planning decisions and planning applications and change to ‘matters’.
<b>9</b>	<b>Section 25 of the Localism Act 2011</b>
9.1 to 9.5	New Section 25(2) of the Localism Act 2011 provides that a decision maker is not to be taken to have had, or to have appeared to have had, a closed mind when making a decision
<b>10</b>	<b>Dual-hatted Members</b>
10.1 to 10.4	Minor text amendments to remove references to planning decisions and planning applications and change to ‘matters’.
<b>11</b>	<b>Applications by Members, Officers and the Council, Delegation to Officers and Exceptions to Delegated Powers</b>
	Removal of reference to ‘personal and prejudicial’ interests and minor text amendments to remove references to planning decisions and planning applications and change to ‘matters’.
<b>12</b>	<b>Members and decision making</b>
	Addition to opening sentence that: Members are required to <u>have regard to all relevant considerations when arriving at a decision on a matter.</u>
a) e)	Minor text amendment to refer to planning applications Minor text amendment to refer to planning applications
<b>13</b>	<b>Training</b>
13.1	Minor amendment to clarify that Members will receive relevant training on planning, rights of way and town and village green matters.

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13.2	Removal of reference to Service Director - Economy, Employment and Planning and replace with ' <u>relevant Director</u> '
<b>14</b>	<b>Complaints and Record Keeping</b>
14.1	Minor amendment to change 'planning application file' to 'case file'
14.2	Removal of reference to Service Director - Economy, Employment and Planning and replace with ' <u>relevant Director</u> '
<b>15</b>	<b>Role of Officers</b>
	Minor text amendments
<b>16</b>	<b>Planning Decisions Contrary to Officer Recommendation and/or Development Plan</b>
	No changes proposed
<b>17</b>	<b>Consequences of Failure to Comply with the Planning Code</b>
	Minor text amendments to remove references to planning decisions and planning applications and change to 'matters'.