



**AGENDA ITEM: 6.**

**PLANNING COMMITTEE:  
3<sup>RD</sup> SEPTEMBER 2009**

**STANDARDS COMMITTEE:  
AUTUMN 2009**

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**Report of: Council Secretary and Solicitor**

**Contact for further information: Mr. M.E. Jones ( Ext. 5025)  
(E-mail: matthew.jones@westlancs.gov.uk)**

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**SUBJECT: PROBITY IN PLANNING**

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Borough wide interest

**1.0 PURPOSE OF THE REPORT**

1.1 To advise Members of the publication by the Local Government Association of an update to its guidance note "Probity in Planning".

**2.0 RECOMMENDATION TO THE PLANNING COMMITTEE AND STANDARDS COMMITTEE**

2.1 That Members note the contents of the Local Government Association's update to its guidance note "Probity in Planning".

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**3.0 BACKGROUND**

3.1 Planning has a positive and proactive role to play at the heart of local government. Good planning stimulates growth and promotes innovation. In the view of the Local Government Association (LGA) planning decisions involve balancing:

- the needs and interests of individual constituents and the community, with
- the need to maintain an ethic of impartial decision making on what can be highly controversial proposals.

3.2. The challenge of achieving the balance between these dual roles led the LGA to issue its original "Probity in Planning" guidance note in 1997. Since that time a comprehensive ethical framework for local government was introduced by the Local Government Act 2000. Subsequently, a revised Members' Code of Conduct was adopted by the Council in May 2007. In West Lancashire this ethical framework is further supported by the Council's Planning Code of Good Practice, first adopted in 2003 and updated in April 2008.

- 3.3. The LGA's 2009 update to its "Probity in Planning" guidance note refreshes its earlier advice on achieving the correct balance, in the light of changes to the ethical framework.
- 3.4. Whilst the advice is designed primarily for officers and members involved in plan making and development decisions, it will also assist scrutiny and standards committees dealing with planning matters. The advice note sets out guidance with regard to issues such as declaration of interests, predetermination and bias, lobbying, public speaking at committee and site visits.

#### **4.0 PROPOSALS**

- 4.1 The updated guidance note amplifies and consolidates existing guidance. As such, I do not propose that any changes are made to our current practice but would recommend that members read carefully the revised guidance to help to ensure that the highest standards of propriety are maintained in West Lancashire.

#### **5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

- 5.1 By having regard to the updated guidance note "Probity in Planning" members and officers can help to continue to ensure the highest level of ethical behaviour in the planning process, ensure that the wider public interest is served and that the social/economic/environmental objectives of the Council's planning policies are delivered.

#### **6.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 6.1 There are no financial and resource implications arising from this report.

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#### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

#### **Equality Impact Assessment**

A sound ethical framework helps to ensure that planning decisions are made without bias or favour and hence without any adverse impact on equality in relation to the Equality Target Groups.

#### **Appendices**

Appendix 1 –LGA's updated guidance note "Probity in Planning".