



City of Westminster Standards Committee

Meeting or Decision Maker:	Standards Committee
Date:	12 July 2019
Classification:	General Release
Title:	Local Government Ethical Standards – Probity in Planning Decision Making
Report of:	Tasnim Shawkat, Monitoring Officer

1. Executive Summary

1.1 This report provides an update to the Standards Committee on the actions taken by the Council following the independent review of Westminster's planning service by the Planning Advisory Service (PAS) and the review of ethical standards in public life by the Committee on Standards in Public Life (CSPL).

2. Recommendations

- 2.1 To note the updated guidance for members involved in planning decision making.
- 2.2 To make any comments and recommendations for changes to the current draft guidance.

3. Background

- 3.1 The Leader, Cllr Aiken, commissioned an independent review of the planning system in Westminster. A report setting out the findings of the review was presented to Cabinet on 25 October 2018.
- 3.2 Cabinet made several recommendations based on the findings of the review. One of the key themes was to improve the openness and transparency of the planning system. In January 2019 the Council introduced a procedure for "public speaking rights" at Planning sub-committee meetings. The meetings are to be recorded and the coverage to be available post meetings. IT are working to provide live streaming of planning sub committees in the autumn.
- 3.3 The independent review did not find any impropriety or failure to follow guidelines and protocols regarding hospitality. The practice of accepting hospitality from planning applicants, in some instances, was found to be excessive and unnecessary.
- 3.4 The CSPL review highlighted that planning is an area of decision making where a small number of councillors can have a significant impact on the financial interests

of specific individuals or firms. The review states that Councillors involved in planning decisions should generally not accept overly frequent or overly generous hospitality and should always ensure that acceptance of such hospitality does not constitute a conflict of interest.

- 3.5 The review recommended that local authorities establish a register of gifts and hospitality to record gifts and hospitality received over a value of £50 or totalling £100 over a year from a single source.
- 3.6 The Monitoring Officer presented a report to the Standards Committee on 6 December 2018 in relation to gifts and hospitality following a complaint against a member of the Council which attracted significant attention particularly in the context of the Council's planning function.
- 3.7 Westminster's Code of Conduct already requires members to register gifts, hospitality and benefits with a value of more than £25.
- 3.8 The register is published on the Council's website and is continually updated.
- 3.9 The Monitoring Officer is presenting a separate report to the Standards Committee on the implementation of the recommendations of the CSPL review. This proposes an amendment to the Code of Conduct to include the principles members should bear in mind when considering whether to accept gifts and hospitality i.e. purpose, proportionality and avoidance of a conflict of interest. It is further proposed that a definition of the principles is included in the Code of Conduct.
- 3.10 At the Standards meeting on 6 December 2018 the Monitoring Officer informed Members that guidance would be drafted for officers and members involved in the planning process in relation to meeting land owners, applicants, agents and community stakeholders. A pre-application guide for officers and members has already been prepared.
- 3.11 A draft revised guide for members in relation to planning was presented to the Planning and City Development (PCD) meeting on 20 June 2019. A copy of this guide is appended to this report (Appendix One). The purpose of the guide is to create a more transparent and robust town planning decision function. The guide outlines best practice for Members of Planning Committees across a range of issues including, but not limited to, standards of conduct and probity in decision making.
- 3.12 Members are asked to consider the contents of the guide and to provide any comments. At its meeting on 20 June PCD agreed to delegate publication of the final version of the guide to the Director of Place Shaping and Town Planning, following consultation with the Director of Law and Chair of the PCD committee.

4. Financial Implications

- 4.1 There are no financial implications for this report.

5. Legal Implications

- 5.1 There are no legal implications arising from this report.

If you have any queries about this Report or wish to inspect any of the Background Papers please contact:

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BACKGROUND PAPERS:

<https://committees.westminster.gov.uk/documents/s30109/6%20-%20Gifts%20and%20Hospitality.pdf> (Report to Standards Committee 06.12.18, gifts and hospitality)

<https://committees.westminster.gov.uk/documents/s33055/PCD%20Committee%20June%202019%20-%20Planning%20Review%20FINAL%20VERSION%20120619.pdf> (report to PCD 20.06.19, Guide for Planning Members)

APPENDIX 1

Guidance for Planning Members

<https://committees.westminster.gov.uk/documents/s33050/Updated%20Members%20Handbook%20-%20PCD%20Draft.pdf>