



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

STANDARDS COMMITTEE

REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES – MR CRAIG GRIFFITHS

9th September 2024

Matter for Decision

Wards Affected: All Wards

Planning Protocol for Elected Members

Purpose of the Report:

1. To update the Standards Committee in relation to the Neath Port Talbot Council Planning Protocol for Elected Members

Background:

2. The Planning Protocol is intended to guide the procedures by which Councillors ('Members') and Officers of the Council deal with planning matters and to set standards of probity and conduct expected of them. Neath Port Talbot Council will seek to adopt best practice in its administration of the planning process. It recognises that the public expects the Council to subscribe to the principles of fairness, consistency and objectivity.
3. Members of the Planning Committee have a key role in ensuring that these principles are followed and the Council has stated that the Planning system must be fair and open. Elected Members are critically important in arbitrating between competing arguments.

4. The Town and Country Planning system involves the Council taking decisions about private proposals for the development and use of land, but in the public interest.
5. Planning law requires that all planning applications be determined in accordance with the adopted development plan unless material planning considerations indicate otherwise.
6. The Council must also take account of representations made by members of the public, in as far as they relate to material planning considerations.
7. As the planning system affects people's lives and private interests it can be very contentious. It is therefore important that members of the public understand the system and has confidence in its integrity and transparency, and that Members and Officers avoid impropriety or even the suspicion of impropriety.
8. Members and Officers must not only ensure that their conduct accords with the Code of Conduct for Members and professional standards for officers (which cover such matters as declarations of interests, gifts and hospitality), but, when dealing with planning matters, also act in accordance with this Planning Protocol.
9. A breach of this code, while not usually amounting to a breach of criminal law, may adversely affect the standing and reputation of the Council. It could result in a decision being judicially reviewed and the planning permission being quashed by the Court or in a complaint of maladministration or an allegation of a breach of the Code of Conduct for Members being made to the Public Services Ombudsman for Wales.
10. If Members or Officers are in doubt about the application of this Code, they should seek advice from the Council's Monitoring Officer.

Financial Impacts:

11. No implications.

Integrated Impact Assessment:

12. An Integrated Impact Assessment is not required for this report.

Valleys Communities Impacts:

13. No implications

Workforce Impacts:

14. No implications

Legal Impacts:

15. The Council has adopted a Whistleblowing Policy in line with the requirements of the Public Interest Disclosure Act 1998.

Consultation:

16. There is no requirement for external consultation on this item

Recommendations:

17. That Members note the content of the Planning Protocol and provide any comments or recommendations for consideration as they consider appropriate.

Appendices:

18. Appendix 1 - Neath Port Talbot County Borough Council Planning Protocol

List of Background Papers:

19. None

Officer Contact:

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