



Membership of RTPs

Date of meeting 12 February 2016

Date of report 26 January 2016

Report by RTP Secretary/Assistant Chief Executive (Business Support)

1. Object of report

To appraise all members of recent developments relating to the membership of RTPs specifically where RTP members are also members of a Local Authority Planning Committee.

2. Background

The Scottish Government issued RTP Guidance on membership document states ...

“Nomination by local authorities of Councillor members is entirely a matter for the respective councils. However, there is likely to be benefit in appointing councillors with responsibility for transport (as an executive member or member of the relevant council committee) or a closely linked subject such as planning, economic development or the environment”.

In SPT’s case it is understood that as many as 11 of the 20 elected members are members of LA Planning Committees.

Clarification was recently sought by one RTP from the Standards Commission as to when should an RTP member declare to have an interest when considering a planning application in which there were strategic transport implications. All members are aware that they are duty bound to observe the Councillors Code of Conduct, and if a member of SPT, SPT’s member Code of Conduct.

3. Current Position

The Standards Commission has recently issued advice that membership of a particular body not provided for within the Councillors Code, including RTPs, is likely to constitute an interest and therefore, affects how Councillors should take part in any discussion or vote on any matter which is of a quasi-judicial or regulatory nature.

As a result the advice received is that when any planning matter has significant transport implications, the appropriate route to pass comment by RTP members would be via the RTP. When the planning matter is being considered by the Planning Committee, the RTP member should declare an interest as a member of the RTP and withdraw.

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While this latest guidance does create matters that require to be addressed both by the RTP and the respective local authorities in terms of governance and practicality, Scottish Government representatives have intimated that they will continue to seek a resolution to those issues.

Given this latest guidance it is also proposed to write to all 12 council Chief Executives highlighting this issue to ensure all elected members are fully briefed.

4. Recommendations

Members of the Partnership are recommended to:

- Note the latest guidance from Scottish Government
- Consider the implications should members also be members of the local authority Planning Committee,
- Note that a communication with all 12 local authority Chief Executives has been issued, and
- Further guidance from the Scottish Government to resolve the protocol and governance issued will be sought.

5. Consequences

Policy consequences	<i>None directly</i>
Legal consequences	<i>All members are required to follow the respective Codes of Conduct</i>
Financial consequences	<i>None</i>
Personnel consequences	<i>None</i>
Equalities consequences	<i>None</i>
Risk consequences	<i>None</i>

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