



Isle of Man
Government

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Department of Environment Food and Agriculture

Information Pack

Planning Committee
Membership

October 2015

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Part 1

Public Notice

You can play a role in your community

The Department of Environment Food and Agriculture (DEFA) invites applications from people interested in becoming members of the Planning Committee.

Planning decisions affect the economy, the environment and the interests of individuals, landowners and developers. Planning decisions must be made in a way that is fair and impartial.

If you have the knowledge and enthusiasm required for a public appointment, you may wish to be considered for the Planning Committee, which meets fortnightly.

An information pack, application form and details of the code of conduct for committee members and standing orders that support the committee's role can be viewed at www.gov.im/categories/planning-and-building-control/planning-applications/planning-committee-meetings/ or obtained by contacting DEFA on 685910.

Applications – marked 'Planning Committee' – should be posted to DEFA, Thie Slieau Whallian, Foxdale Road, St John's, IM4 3AS or emailed to planning@gov.im

The closing date for receipt of applications is Wednesday 28th October 2015 at 5pm.

Richard Lole
Chief Executive

Recruitment Process

The Department of Environment Food and Agriculture (DEFA) invites applications from people interested in becoming members of the Planning Committee.

How to Apply

Applicants should submit a completed application form which may be accompanied by a CV.

The application form allows applicants to detail their qualifications, skills and experience and provide any other information which they consider to be relevant to the position. The relevant skills and experience required for the position can be found at Part 4 of this Information Pack.

The application form is available on the Planning & Building Control Directorate's webpage <https://www.gov.im/membership/>

Alternatively, an application form can be requested by phoning the Planning & Building Control Administrative Team on 685890.

Please submit completed application forms to planning@gov.im or by post to:

Department of the Environment Food and Agriculture
The Slieau Whallian
Foxdale Road
St John's
IM4 3AS

Closing Date

The closing date for applications is 5.00pm on Wednesday, 28th October 2015.

Selection Process

All applications received will be assessed against the required criteria. Candidates who are shortlisted will be invited to attend an interview which will be held on **Friday, 13th November 2015**.

Further information

If you have any additional queries, please contact Mr Michael Gallagher (Director of Planning and Building Control) on 685903 or Miss Jennifer Chance (Head of Development Management) on 685153 (**Refer to Appendix 1**).

Corporate Governance

The seven principles underpinning public life

The Government Code details the seven principles of public life, which apply to any person holding a public appointment. The principles of public life are as follows:

- 1. Selflessness**
Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or other friends.
- 2. Integrity**
Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
- 3. Objectivity**
In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- 4. Accountability**
Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- 5. Openness**
Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- 6. Honesty**
Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- 7. Leadership**
Holders of public office should promote and support these principles by leadership and example.

All candidates who put themselves forward for public appointment must be able to demonstrate their commitment to the principles and values of public service. It is important that the candidate's commitment to the probity principle is tested and assessed at interview. One of the issues which might arise in relation to this is that of conflict of interest.

These seven values are reiterated in the Member of the Planning Committee Code of Conduct which is available to view in its entirety on the Department's website

Conflicts of Interest

For all public appointments there is a general code to follow as a core basis for handling conflicts of interest.

What is a conflict of interest?

Public Appointments require the highest standards of propriety, involving impartiality, integrity and objectivity, in relation to the stewardship of public funds and the oversight and management of all related activities. This means that any private, voluntary, charitable or political interest which might be material and relevant to the work of the Body concerned should be declared.

There is always the possibility for real or perceived conflicts of interest to arise. Both are a problem, as the perceived inference of a conflict may, on occasions, be as damaging as the existence of a real conflict.

It is important, therefore, that you consider your circumstances when applying for a public appointment and identify any potential conflicts of interest, whether real or perceived.

The integrity of the individual is not in question here. However, it is necessary for both the standing of the individual and the Body to which they are appointed that the public should have confidence in the independence and impartiality of appointees. Even a perceived conflict of interest on the part of a lay member can be extremely damaging to the Body's reputation and it is therefore essential that these are declared and explored in the same way as an actual conflict would be. The fact that a lay member acted impartially may be no defence against accusations of potential bias.

On any successful appointment the Code of Conduct, which members must embrace, requires all members to formally register their interests.

What should I do if I think I have a conflict of interest?

You will find a section on conflicts of interest in the application form for you to complete. This asks you to consider and declare whether or not you have a real, or perceived, conflict. If you are unsure if your circumstances constitute a possible conflict you should still complete this section in order to give the selection panel as much information as possible.

If I declare a conflict, does this mean I will not be considered for appointment?

No – each case is considered on an individual basis. If you are shortlisted for interview, the panel will explore with you how far the conflict might affect your ability to contribute effectively and impartially on the Body and how this might be handled if you were to be appointed. For example, it may be possible to arrange for you to step out of meetings where an issue is discussed, in which you have an interest. However, if, following the discussion with you, the panel believes that the conflict is too great and would call into question the probity of the Body or the appointment, they can withdraw your application from the appointments process.

What happens if I do not declare a known conflict, which is then discovered by the Committee after my appointment?

Again, each case would be considered individually, but a view may be taken that by concealing a conflict of interest, you would be deemed to have breached the Seven Principles of Conduct Underpinning Public Life and your appointment terminated.

What happens if I do not realise a potential conflict exists?

This situation may arise where the applicant is not familiar with the broad range of work which a Body covers and therefore does not realise that a conflict might exist. In some cases the interview panel, with their wider knowledge of the Body, might consider that there is a potential conflict issue based on the information on employment and experience provided by the candidate in the application form. They will then explore this at interview with the candidate.

What happens if a conflict of interest arises after an appointment is made?

This could arise for two main reasons. The first is that the member's circumstances may change, for example, they may change jobs and in doing so, a conflict with their work on the Body becomes apparent. The second is where a member is unfamiliar with the range of the work of the body, but after appointment, it becomes clear that a conflict exists where none had been envisaged during the appointment process.

In both cases, the issue should be discussed with the Chairman and Chief Officer of the Body to decide whether or not the member can continue to carry out their role in an appropriate manner and each case is considered individually.

It may be that the conflict is such that it would be impractical for the Member to continue on the Body, if they would have to withdraw from a considerable amount of the Body's routine business. In such cases the member may be asked to stand down from the Body.

Areas where a conflict could arise

There are five main issues, which could lead to real, or apparent, conflicts of interest. These are:

- Relevant pecuniary or other interests outside the organization.
- Relationships with other parties/organisations which could lead to perceived or real split loyalties.
- Knowledge of emerging Government Policy could give unfair personal advantage to people with allied business interests – for example, access to privileged information or trade secrets.
- Perception of rewards for past contributions or favours.
- Membership of some societies or organizations.

Some examples of potential, real or perceived, conflicts of interest are:

- You are a director of a building supplies firm and the Body to which you are seeking appointment conducts regular procurement exercises for building materials.
- You could benefit personally from decisions taken by the Body.
- You are a manager in a voluntary organisation, whose funding applications are considered by the Body to which you are seeking appointment.
- The company or organisation for which you work or are associated with could benefit financially from decisions taken by the Body.

- Your company could have access to information which would give them a commercial advantage over their rivals.
- Your appointment could be viewed as a reward for past favours.
- Your appointment could be viewed as the 'old boy network' in operation. In other words, no one should use, or give the appearance of using, their public position to further their private interests. This is an area of particular importance, as it is of considerable concern to the public and receives a lot of media attention.

The above are examples only, so you should consider carefully your own circumstances to gauge whether or not a real or perceived conflict might exist.

Conflicts of interest specific to the role of Planning Committee Members is further detailed within the Code of Conduct which requires all members to 'register' their interests.

Further, any interests appropriate to any application that may be presented at a Committee Meeting must be declared prior to that matter being heard and the Member must leave the meeting during the consideration.

Part 2

Planning Committee - Introduction

The Planning Committee currently consists of five lay members and a political Chairperson.

Each member of the Committee may hold office for a term of five years beginning with the date on which he or she is appointed.

Although no formal qualifications are required to be a Member of the Planning Committee, the Department will be seeking to appoint candidates who can demonstrate a good standard of education together with experience gained either in the private, public or 'third' sector along with the ability to analyse and review complex and highly emotional issues.

A detailed person specification is detailed at Part 4 of this Information Pack.

Part 3 - Planning Committee – Role Profile

Overview of responsibilities of the Members

The Committee must comply with the requirements set down by Statute within:

The Town and Country Planning Act 1999
The Town and Country Planning (Development Procedure)(No2) Order 2013
Other subordinate legislation as may be appropriate

These are available to view at:

<https://www.gov.im/categories/planning-and-building-control/planning-building-control-library/planning-building-control-legislation/>

The Standing Orders (Planning Committee)
Code of Conduct for Members

These are available to view at

<https://www.gov.im/categories/planning-and-building-control/planning-applications/planning-committee-meetings/>

The number of meetings held per annum

Meetings of the Committee are held at the Ground Floor Meeting Room of Murray House, fortnightly and usually on a Monday. The meetings are held in public.

The Department provides the administration and support to the members within the staff of its Planning and Building Control Directorate.

Approximate duration of each meeting

Committee meetings usually commence at 10am and will typically finish around 1pm. However, the agenda may be such that additional time may be necessary and the meetings may extend into a second 'sitting' in the afternoon, the Department will endeavour to provide advance notice if it considers that a second sitting may be required.

Further meetings may be required in order to conduct site visits. Site visits are arranged as necessary and in accordance with the availability of members.

In addition, and as part of ongoing training and support, members are required to attend extraordinary quarterly review meetings allowing Members the opportunity to discuss policy and procedures with staff of the Directorate. These meetings do not relate to specific planning applications.

Preparation time required prior to meetings

A pack containing an agenda, minutes of the previous meeting and any papers to be discussed is circulated in the week prior to the Committee meeting. The amount of preparation time is difficult to quantify as it is dependent on the subject matter of the agenda, however it is likely to take a number of hours in both reading the papers, and gaining site familiarity.

Quorum

Practice requires quorate to make decisions of no less than three members present.

Specialist skills, experience or qualifications

There is no specific requirement that members of the Committee possess any particular skillset, experience or qualification.

However, it is desirable that candidates should have:

- Some knowledge of the Island
- Experience of working in groups or a professional background

Members must be able and willing to devote time to preparation in advance of the scheduled meetings, which may include reading time and research in order to be fully prepared for the meetings.

Recruitment Policy Statement

It is the Department's policy to promote equal opportunities. Procedures in relation to recruitments form part of this commitment. The Department seeks to select the most suitable person for the Committee. The Department's selection processes are undertaken without discrimination and regardless of disability, gender, ethnic background or religious beliefs.

Remuneration

The members of the Commission are currently remunerated in accordance with the Payment of Members Expenses Act 1989, and the Attendance Allowances Order 2008. The Attendance Allowances Order specifies a rate of £78.00 per sitting.

The following travel allowance is also paid, in accordance with the 'Travelling Allowances Order 2014' –

Motor Vehicle	50p per mile
Motorcycle	26p per mile

Part 4 - Planning Committee – Person Specification

Qualifications

Although no specific qualifications are required, it would be beneficial for candidates to have a background in a profession or employment which may proffer advice to the other members

Experience

- It would be desirable for candidates to have experience of interpreting and applying legislation and policy
- It would be beneficial for candidates to have previous experience in holding positions of responsibility and accountability
- Experience in mediation and dispute resolution would be advantageous

Knowledge and skills

- Good local knowledge; including an appreciation of Manx history, geography and appreciation and knowledge of local social issues.
- A high level of interpersonal skills is required to enable members to contribute to meetings and to communicate with others and staff.
- Determination skills, decisiveness, logic, ability to justify argument with sound judgment.
- Appreciation of public interest issues and consumer viewpoint.
- A good understanding of Government and/or business and the factors that influence them.
- Ability to communicate and comprehend issues expediently.
- Ability to analyse and review complex issues, weigh-up conflicting opinions and identify appropriate actions.
- An understanding of the importance of the seven principles of public life.
- Basic IT skills, sufficient to receive and respond to emails and attached documents.

Personal Qualities

- Members of the Committee need to be mindful that their remit is to make decisions on applications for planning approval and registered building consent only. In doing so, you must be able to demonstrate that you can consider individual applications on their own merits within the wider context of planning policy and legislation seeking to support sustainable economic growth, whilst protecting the countryside, enhancing the quality of the natural and built environment, supporting regeneration, social and environmental sustainability and enhancing the quality of design.
- The ability to develop good working relationships at Committee level, together with the ability to maintain the respect of the public.
- The highest standards of integrity and honesty in full compliance with the seven principles of public life.
- Consistent and transparent exercise of judgment and the ability to work to high standards of professionalism.

Circumstances/Interests

The ability to commit to attend meetings and candidates must be able and willing to devote time to prepare in advance of the scheduled meetings, including research and reading.

Appendix 1 - contact

For further information relating to the position of Planning Committee member, please contact:

Director of Planning and Building Control

Mr Michael Gallagher
Director of Planning and Building Control
DEFA
First Floor
Murray House,
Mount Havelock
Douglas

Tel 685903

Email Michael.Gallagher@gov.im

or

Miss Jennifer Chance
Head of Development Management
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