

Report to: **Development Management and Licensing Committee**

Date: **14 August 2018**

Title: **AMENDMENTS TO THE PUBLIC PARTICIPATION SCHEME FOR DEVELOPMENT MANAGEMENT**

Portfolio Area: **Support Services**

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: **After Council 25 September 2018**

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RECOMMENDATION

That the Committee RECOMMENDS to Council that the proposed amendments to the Development Management and Licensing Committee Public Participation Scheme be approved, as set out in Appendix 1.

1. Executive summary

- 1.1 This report seeks to make amendments to the Public Participation Scheme for Development Management, in light of General Data Protection Regulations.

2. Background

- 2.1 Members will be aware of the new Data Protection Regulations that came into effect from 25 May 2018.

- 2.2 As a result of the new regulations, the Council is reviewing how it uses personal data. One of the areas where people are identified is in the published minutes of Development Management and Licensing Committee meetings, where registered speakers are listed.
- 2.3 Officers are of the view that registered speakers should be named in the minutes, however, the current public participation scheme does not clearly advise the public that names of speakers will be published.
- 2.4 To ensure the Council complies with processing data lawfully, fairly and in a transparent manner, the public participation scheme should be amended so that members of the public who are considering putting themselves forward as speakers are aware that their names will be published in the minutes and therefore in the public domain. They should also be informed that the Council is likely to archive these records and their name will not automatically be removed from the record at a later date.
- 2.5 Whilst amending the public participation scheme in light of GDPR, officers propose a further amendment to the scheme that reinforces the point to speakers that papers are not to be circulated at the meeting.
- 2.6 The revised public participation scheme (with proposed amendments illustrated in red font) is set out at Appendix 1 for approval.

3. Options available and consideration of risk

- 3.1 The proposed amendments to the public participation scheme will firstly ensure that the Council follows current data protection good practice and remove the risk of challenge, and secondly will formalise the rule that papers cannot be circulated to Committee Members at the Committee meeting.

4. Implications

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| Legal/Governance | | The Council has a public participation scheme that sets out the rules in terms of public speaking at the Development Management Committee. The Council must comply with the Data Protection Acts (1998 and 2018) and the GDPR. |
| Financial | | There are no additional financial implications directly related to this report |
| Risk | | There are no additional risks directly related to this report. |
| Comprehensive Impact Assessment Implications | | |
| Equality and Diversity | | There are no equality and diversity implications directly related to this report. |

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| Safeguarding | | There are no safeguarding implications directly related to this report. |
| Community Safety, Crime and Disorder | | There are no community safety or crime and disorder implications directly related to this report. |
| Health, Safety and Wellbeing | | There are no health, safety and wellbeing implications directly related to this report. |
| Other implications | | N/A |

Supporting Information

Appendices:

A – Proposed Public Participation Scheme