



Democracy and Standards Committee

A meeting of the Democracy and Standards Committee will be held at the Jeffery Room, The Guildhall, Northampton on Wednesday 19 April 2023 at 6.00 pm

Agenda

1.	Apologies for Absence and Notification of Substitute Members
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 10) To confirm the Minutes of the meeting of the Committee held on 9 th March 2023.
4.	Chair's Announcements To receive communications from the Chair.
5.	Proposed amendments to the Constitution (Pages 11 - 32)
6.	Urgent Business The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.
7.	Exclusion of Press and Public In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is requested to resolve: "That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of

Schedule 12A to the Act of the descriptions against each item would be disclosed to them”

Catherine Whitehead
Proper Officer
11 April 2023

Democracy and Standards Committee Members:

Councillor Suresh Patel (Chair)

Councillor Andrew Grant (Vice-Chair)

Councillor Mike Warren

Councillor Daniel Cribbin

Councillor Danielle Stone

Councillor Jonathan Harris

Councillor Andrew Kilbride

Councillor Cecile Irving-Swift

Councillor Laura Stevenson

Information about this Agenda

Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to democraticservices@westnorthants.gov.uk prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

If a continuous fire alarm sounds you must evacuate the building via the nearest available fire exit. Members and visitors should proceed to the assembly area as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

If you have any queries about this agenda please contact Tracy Tiff & Marina Watkins via the following:

Tel: 01604 837408 & 01327 302236

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
One Angel Square
Angel Street
Northampton
NN1 1ED

This page is intentionally left blank



Democracy and Standards Committee

Minutes of a meeting of the Democracy and Standards Committee held at Jeffery Room, The Guildhall, Northampton on Thursday 9 March 2023 at 6.00 pm.

Present:

Councillor Suresh Patel (Chair)
 Councillor Andrew Grant (Vice-Chair)
 Councillor Mike Warren
 Councillor Daniel Cribbin
 Councillor Danielle Stone
 Councillor Andrew Kilbride

Substitute Members:

Councillor Sally Beardsworth (for Councillor Jonathan Harris)
 Councillor Nigel Hinch (for Councillor Laura Stevenson)

Also Present:

Councillor Phil Bignell
 Councillor Ian McCord

Apologies for Absence:

Councillor Jonathan Harris
 Councillor Cecile Irving-Swift
 Councillor Laura Stevenson

Officers:

Catherine Whitehead, Director of Legal and Democratic (Monitoring Officer)
 Paul Hanson - Head of Democratic and Elections
 Tracy Tiff, Deputy Democratic Services Manager
 Marina Watkins, Committee Officer

66. **Declarations of Interest**

None advised.

67. **Minutes**

RESOLVED:

That the Minutes of the Democracy and Standards Committee held on 12th January 2023 be approved and signed as a correct record.

68. **Chair's Announcements**

None advised.

69. Proposed changes to Committees

The Director of Legal and Democratic presented the report which had been deferred from the meeting of the committee held in January. It was pointed out that paragraph 6.4 was left from the previous report and should be ignored. The report detailed the recommendations from two external reviews in relation to the Council's governance arrangements. The Centre for Governance and Scrutiny (CfGS) carried out a review of the Council's scrutiny function, whilst the Planning Advisory Service (PAS) carried out a peer review of the Council's' planning service.

The proposal was to divide People Scrutiny Committee into two committees, with one covering adults and health and the other covering children and education. The three area planning committees would be replaced by two non-area committees.

Consideration was given to the report with the following points raised:

- The Chair of Strategic Planning advised that he was in favour of the reduction in the number of committees and that discussions had taken place with the Chairs of the Daventry and South Northants area committees
- Nine members on each of the local planning committees was too small and eleven was preferable
- The start time of each committee could be set at Council or left to each committee to decide
- The view was expressed that there had been little member consultation on the proposed changes
- Decisions should not be taken until the PAS report had been made public.
- Consideration would be given to the likely number of applications to be covered by each planning committee to balance the workload
- There were concerns regarding how the north and south of Northampton would be split as this could affect political representation in these areas
- Clarification was required on what applications are submitted to Strategic Planning Committee and which are referred to the local planning committees
- The PAS report recommended planning committees should have no substitutions as it was not generally considered good practice
- It was appreciated that no substitutes at all could potentially lead to an inquorate meeting if there were apologies and declarations of interest in an item, therefore two substitutions were recommended
- A large number of substitutions could result in the nature of a committee being altered for applications
- Discussion took pace regarding how the allocation of two substitutes could work with regards to political group representation.
- It was pointed out that the planning committees were quasi-judicial and should be non-political.

Councillor Stone proposed that the local planning committees have a membership of eleven, with substitution arrangements remaining the same as currently and the situation to be reviewed in six months. The proposition was seconded by Councillor Sally Beardsworth. On being put to the vote, the proposition was declared failed.

The Vice-Chair suggested that recommendations 3.1 a, b and c and h, l and j were approved, recommendation e) be approved in principle, subject to further consideration by the committee, with the remainder deferred until after the Cabinet meeting on 11th April.

The Chair advised that an additional meeting of the Democracy and Standards Committee would be arranged for April in order to consider the matter further.

RESOLVED:

That the Committee:

- i) Holds an additional meeting in April to further consider matters
- a) Noted the conclusions and recommendations within the report from the Centre for Governance and Scrutiny (CfGS) and the proposed guidance documents and notes which will be prepared to give effect to the recommendations.
- b) Approved the splitting of the People Scrutiny Committee to create two new Committees one for Adults and one for Children as set out in paragraph 5.9 below.
- c) Approved the reduction in the number of members of the Scrutiny Committee to 11 members per Committee.
- e) Recommended, in principal, the abolition of the existing three local area committees and establish two new Development Control Committees to work across the North of West Northants and the South of West Northants.
- h) Agreed that Planning Committees should be set up as webcast meetings, wherever webcast facilities are available.
- i) Agreed that across all committees site visits would be held where there are planning reasons for doing so and that site visits will be arranged by Democratic Services and Members will be accompanied by a Planning Officer on site.
- j) Agreed that the Planning Protocol be amended to reflect the above.

That the following items be deferred to the next meeting:

That the Committee

- d) Note the conclusions and recommendations of the report from the Planning Advisory Service (PAS) in relation to Planning Committees.
- f) To retain the Strategic Planning Committee and the Planning Policy Committee as currently structured.
- g) That each of the new Development Control Committees will have 9 members.

70. Updates to the Constitution

In response to questions the Director Legal and Democratic undertook to consider and provide clarification on the criteria to decide which applications are submitted to Strategic Planning Committee and which are referred to the local planning committees for the next review of the Constitution. With regards to a number of live applications, the Monitoring Officer would discuss the situation with the Assistant Director of Planning.

Following a discussion regarding the transparency of members allowances increases, the Director Legal and Democratic advised that the members' allowances

scheme allowed for indexed annual increases as agreed by the Independent Remuneration Panel. The scheme had been agreed by Council.

The issue of potential misuse of voting systems was raised. It was noted that this was difficult to police but misuse of the system could lead to Code of Conduct complaints. It was suggested that a note be added to the Constitution indicating that any misuse of the voting system could lead to action being taken.

RESOLVED:

That the Democracy and Standards Committee:

- a) Noted and approved the updates to the Constitution as set out in Section 5; and
- b) Recommended the updates to Council for approval.

71. Councillor Development Programme 2023 -2025 - Progress report

The Deputy Democratic Services Manager outlined the update report and reminded members to complete and return their questionnaires.

RESOLVED:

That the Democracy and Standards Committee:

- a) Noted the progress undertaken on developing a Councillor Training Programme for 2023/24.
- b) Noted that monthly all Councillor briefing sessions have been added to the Councillor meeting calendar in regular time slots and topics for each session included when agreed.
- c) Considered other potential opportunities to deliver and promote learning and development opportunities for Councillors.

72. Boundary Review - verbal update

The Deputy Democratic Services Manager advised that the recommendation had now been published by the Boundary Commission, which had recommended 75 members with a mix of 1, 2 and 3 member wards. Members' were able to feedback directly to the Commission.

The Director Legal and Democratic advised that communication would take place with parishes with regards to warding arrangements. The Council would now need to undertake a Community Governance review.

RESOLVED:

The Democracy and Standards Committee noted the verbal update on the boundary review

73. Review of Committee Work Programme 2023-24

Consideration was given to the Democracy and Standards Committee 2023-24 Work Programme.

It was noted that an additional meeting of the Committee would be scheduled for April.

RESOLVED:

That the Committee Work Programme is noted.

74. **Urgent Business**

None advised.

The meeting closed at 7.35 pm

Chair: _____

Date: _____

This page is intentionally left blank



WEST NORTHAMPTONSHIRE COUNCIL

Democracy and Standards Committee

19 April 2023

Report Title	Proposed Changes to Committees
Report Author	Catherine Whitehead catherine.whitehead@westnorthants.gov.uk

Contributors/Checkers/Approvers

Monitoring Officer	Catherine Whitehead	
Chief Finance Officer (S.151)	Martin Henry	
Communications	Becky Hutson	

List of Appendices

Appendix A – Report of the Planning Advisory Service

1. Purpose of Report

- 1.1 The purpose of this report is to receive the recommendations of the Planning Advisory Service's external review in relation to the Council's planning committee arrangements (Appendix A) and to make recommendations to Council in relation to proposed changes to the planning committee arrangements.

2. Executive Summary

- 2.1 The governance arrangements for West Northamptonshire Council were formally adopted by the West Northamptonshire Shadow Authority in March 2021 prior to vesting day. The committee structure of the Council was included within the Council's Constitution. A review of the Constitution was undertaken by the Democracy and Standards Committee in the autumn of 2021, reporting to Council in December 2021 but it did not make any changes to the Committee structure. Since that time, the Democracy and Standards Committee has considered several other suggested changes to the Constitution but the committee structure has remained the same.

- 2.2 This report has been drafted following publication of a report by the Planning Advisory Service (PAS), an external organisation brought in by the Council to review the operation of the Council's Planning Service, including its governance. A copy of the report is attached as Appendix A.11

Consultation has taken place with the Chairs of Planning Committees in relation to some of the conclusions of the report prepared by the PAS to make changes to the planning committees. This report does not consider the report produced by PAS generally, but rather focuses on the governance arrangements of planning committees specifically identified by PAS.

3. Recommendations

3.1 It is recommended that the Committee:

- a) Note the conclusions and recommendations of the report from the Planning Advisory Service (PAS) in relation to Planning Committees.
- b) Note the previous recommendation to abolish the existing three local area committees and establish two new Development Control Committees to work across the North of West Northants and the South of West Northants. The new committees will not be area committees.
- c) Following the previous recommendation to abolish the existing three local area committees and establish two new Development Control Committees, to recommend to Council the creation of two new Development Control Committees and to identify the area to be covered by each of the two committees (5.4).
- d) Recommend to Council that the Strategic Planning Committee and the Planning Policy Committee be retained as currently structured.
- e) Recommend to Council that each of the new Development Control Committees will have 9 members.
- f) Make a recommendation to Council as to the use of substitutes at Development Control Committees.
- g) Recommend to Council that each committee should meet on a monthly basis and propose a suitable time of day for each committee to meet.
- h) Recommend to Council any changes necessary to ensure that householder and minor applications only go to committee in exceptional circumstances and that there is a clear division between matters to be determined by Officers, the Development Control Committees and the Strategic Planning Committees (Paragraph 5.9).
- i) Agree that the Planning Protocol be amended to reflect the recommendations above.

4. Reason for Recommendations

- a) To address and respond to the recommendations of the PAS review.
- b) To support the Council as Local Planning Authority in delivering its statutory duty to determine planning applications

5. Report Background

Report

- 5.1 The Planning Advisory Service prepared a report following a review of the Planning Service. This is a broad review looking at the whole service not just the governance arrangements. The report has been presented to Cabinet on 11th April 2023 together with an action plan, however the report does include conclusions and recommendations in relation to the governance

arrangements. A copy of the report is appended to this document. In relation to the governance of planning committees the summary findings state:

Summary:

- 5.2 Three area planning committees consider planning applications that are not delegated to officers to determine. Our analysis shows that there is not enough business to warrant three area committees.

Recommendations:

- 5.3 Analyse existing committee decisions and activity to inform a review of the scheme of delegation and the number of committees to provide a committee structure and process fit for a unitary council to:

- a) improve culture and practice of planning committees to reduce the risk to the council including eliminating the use of substitute members on planning committees
- b) ensure that householder and minor applications only go to committee in exceptional circumstances
- c) trial a significantly reduced number of committees with a proportionate geographical spread (based on workload).

- 5.4 The recommendations propose a trial of a reduction in committees. It is suggested the number of committees could be reduced from one Strategic Planning Committee and three area committees to one Strategic Planning Committee and two other committees covering distinct geographical areas, to be determined according to the need to balance the workload of each of these committees. Further details about this proposal will be shared with the Committee at the meeting at which this item is to be considered.

- 5.5 It is suggested that the Committee consider practical matters such as the timing and location of meetings. It is suggested that each committee should meet monthly and convene at the same time. The Committee is invited to consider this issue and make a recommendation to Council accordingly.

- 5.6 The Committee is invited to consider the number of seats on each committee and make a recommendation to Council accordingly. A figure of 9 has been suggested. The indicative balance of each committee would be as follows:

Conservative:	6
Labour :	2
Liberal Democrat or Independent:	1

It should be noted that the statutory requirements relating to political balance calculations require the overall number of seats on committees to be allocated on a proportionate basis and this takes precedence over the requirement to allocate the seats on each committee proportionately. This can result in small variations on committees in order to achieve the former objective.

- 5.7 The Committee's attention is drawn to the recommendation from the PAS report that suggests the Council should "improve culture and practice of planning committees to reduce the risk to the council including eliminating the use of substitute members on planning committees". It is suggested that the Committee consider this issue prior to making a recommendation to Council. Should the Committee be minded to retain substitutes, it is suggested that substitutes be drawn from the other planning committees and that no other substitutions be permitted for planning committees unless in the opinion of the Monitoring Officer an individual item is likely to be inquorate.
- 5.8 The Committee's attention is also drawn to the recommendation that householder and minor applications only go to committee in exceptional circumstances. This is reflective of a concern that the scale of applications considered by committees should be proportionate and appropriate. There is a concern that committees are dealing with small-scale applications and there is an over-use of call-in to the current area committees. Currently the threshold for applications to be referred to Strategic Planning Committee is:
- i. Large-scale major developments defined (by the Government's planning application statistical returns) as those of 200 houses (or 4 hectares) or more; or
 - ii. commercial developments of 10,000 square metres (or 2 hectares) or more; or
 - iii. strategically important developments (as identified by the Assistant Director – Growth and Investment, following consultation with the Chair of the Local Planning Committee for the area in which the development is proposed).
- 5.9 Following consideration of this issue it is suggested that the Committee consider recommending the following threshold for Strategic Planning Committee to Council for adoption:
- i. Residential applications of 201+ units
 - ii. Non-residential applications of 4+ hectares
- 5.10 The Committee is invited to consider this issue in light of the fact that other mechanisms exist that Members may use as alternatives to calling-in a decision to committee, such as negotiating conditions prior to a delegated determination. It is recommended that the Committee consider how this recommendation can best be implemented to ensure that:
- 5.10.1 Householder and minor applications only go to committee in exceptional circumstances; and
- 5.10.2 There is an appropriate and clear division between matters to be determined by the Development Control Committee and the Strategic Planning Committee.
- 5.11 It was previously agreed that all of the development control planning committees should be webcast as soon as the facility is available to enable this to happen. It is hoped webcasting will be available shortly after the Council's Annual Meeting in May.
- 5.12 The report makes a number of other recommendations and to give effect to these a further review of the Planning Protocol will take place to determine whether changes are required in the light of the report of the Planning Advisory Service. Further training may also be offered to members of the new committees which should be mandatory to ensure a consistent approach across the three new committees.

6. Issues and Choices

6.1 The issues and choices are set out in Section 5.

7. Implications (including financial implications)

7.1 Resources and Financial

7.1.1 There are no financial implications arising directly as a result of the Constitution review process other than minor changes to member allowances. The proposals would allow the increased cost of the Scrutiny Chairman to be offset by the reduction in the number of Planning Committee Chairmen, which results in a cost neutral proposal.

7.2 Legal

7.3 The Council is the Local Planning Authority for West Northamptonshire and has a quasi-judicial statutory responsibility to determine planning applications. This is carried out through a combination of delegations to officers and decisions by Planning Committees. These committees have to carry out this responsibility with regard to the Council's wider duties under the Human Rights Act 1998 in relation to a fair hearing and more widely in relation to the Council's public law decision making responsibilities. The proposals enable the Council to meet its statutory responsibilities as a local planning authority.

7.4 Risk

7.4.1 There are no significant risks arising from this report. Reviewing the governance arrangements helps to reduce any risks that could arise as a result of the arrangements not supporting lawful decision making and the delivery of Council services.

7.5 Consultation

7.5.1 This report will be referred to Council for a decision before being agreed. There has been no wider public consultation in relation to this report which is in response to the recommendations of the PAS review.

7.6 Consideration by Overview and Scrutiny

7.6.1 Not applicable to this report.

7.7 Climate Impact

7.7.1 There is no significant climate impact to consider in relation to the recommendation.

7.8 Community Impact

7.8.1 There will be a need for Planning Committees to take place further away from the area of residents in some cases, however these changes are offset by the webcasting of meetings to enable more residents to attend remotely.

8. Background Papers

PAS Report

Planning Peer Review

West Northamptonshire Council

Draft feedback report

November 2022

Contents

1.	Executive summary.....	3
2.	Recommendations	5
3.	Background and scope of the peer review.....	7
4.	Context and overarching messages	8
5.	Vision and leadership.....	9
6.	Performance and management	11
7.	Community and partnership engagement.....	13
8.	Achieving outcomes	15
9.	Implementation, next steps and further support.....	16

1. Executive summary

1. This report summarises the findings of a Planning Service peer review of West Northamptonshire Council, organised by the Local Government Association (LGA) with the Planning Advisory Service (PAS) and carried out by its trained peers.
2. West Northamptonshire has faced significant challenges dealing with local government reorganisation and the Covid pandemic at the same time. Reorganisation has been delayed and the service remains partially inward looking, waiting to find out what happens next. The planning service is in the midst of significant internal change. Staff we met feel unsupported and the service is not focussed on its customers or on the outcomes it wants to deliver. We understand that a new permanent Assistant Director for Planning will be joining the council in January and will be a useful catalyst to shape a new, fit for purpose, unitary planning service.
3. Planning services are delivered in broadly the same way as they were before local government reorganisation. This continued legacy working doesn't provide a good message for residents, employees or stakeholders about now being part of one council. Work is underway to harmonise the service.
4. Whilst we found some strong working relationships between officers and councillors, we also found some worrying officer member relationships and have raised concerns about some conduct we observed.
5. We found very strong buy-in from senior political and officer leadership across the council for significant improvements to the planning service. There is an emerging vision for the service but there is no sense of ownership for its delivery. We found a disconnect and lack of visibility between senior leaders and teams in the planning service.
6. A joint plan alongside three local plans from the predecessor councils sets the spatial policy direction for the council. Work has started on producing a single local plan for the area and there is some recent discussion about a change in policy approach. But the planning service fails to take full advantage of place shaping in West Northamptonshire and there is a lack of focus on schemes that are important corporately.
7. We found a good understanding of what needs to change to move from the existing predecessor council planning services into one new planning service for the new unitary council, and six improvement workstreams (supported by corporate transformation resources as well as planning team resources) have been set up. We didn't hear much about involving, developing and supporting people and we think this is an opportunity for some quick wins that could be addressed through the people and culture workstream.
8. Three area planning committees consider planning applications that are not delegated to officers to determine. Our analysis shows that there is not enough business to warrant three area committees. The way the committees operate varies, and are not always welcoming again sending poor signals about a single new unitary council. We observed some worrying culture and practice in one of the committees that we attended which we have referred to the council's Monitoring Officer for consideration. The practice that we saw we consider could potentially pose a significant risk to the council in terms of reputation, and also in terms of potential financial costs.
9. Whilst the service has some understanding of performance, it is not comprehensive enough to be relied on nor to inform what appropriate resourcing levels for the service should be.
10. We found a lack of customer focus and poor communication from parts of the planning service. Town and parish councils are extremely unhappy with the planning service. However, strategic partners and the development sector are broadly supportive and understanding of the challenges currently facing the planning service.

11. The council is in a strong position to demonstrate ability to deliver housing (as measured by a healthy 5-year land supply). Predecessor councils have a track record of delivery and the area is attractive to investment. But planning performance is not strong, is deteriorating and the backlog of underdetermined applications is increasing.
12. Planning income is high and appears to cover the costs of the planning service but information and data related to this from the predecessor councils is inconsistent resulting meaning that West Northamptonshire Council doesn't have an overall picture of financial contributions through the community infrastructure levy (CIL) and S106. This is significant for communities that may be missing out on infrastructure improvements and creates risk.

2. Recommendations

13. The following table summarises the key recommendations from the peer review team:

1	<p>Improve the way the planning teams are managed and led to build a stronger sense of shared purpose and start to agree and develop good:</p> <ul style="list-style-type: none"> • people management practices; • customer focus; and • behaviours and culture <p>for the new planning service.</p>
2	<p>Analyse existing committee decisions and activity to inform a review the scheme of delegation and the number of committees to provide a committee structure and process fit for a unitary council to:</p> <ul style="list-style-type: none"> • improve culture and practice of planning committees to reduce the risk to the council including eliminating the use of substitute members on planning committees • ensure that householder and minor applications only go to committee in exceptional circumstances • trial a significantly reduced number of committees with a proportionate geographical spread (based on workload)
3	<p>Implement the planning service restructure as quickly as possible after the new Director is in post.</p>
4	<p>Develop a workforce development plan for the service to include succession planning, training programmes for “growing your own” and introduce linked career grade role.</p>
5	<p>Implement a robust service performance management framework to provide the data and information necessary to understand how the service is performing and inform what resources are needed.</p>
6	<p>Consider opportunities for more planning training and development for town and parish councils, in conjunction with West Northamptonshire members and officers to include:</p> <ul style="list-style-type: none"> • how the planning system works; • some illustrative specific planning applications with explanations around reasons for decisions; • some illustrative specific enforcement cases with explanations around reasons for action or not; and • some assessment of overturns and appeals showing lessons learnt.
7	<p>Develop a comprehensive approach, capitalising on the opportunities of a new unitary council, to involving and engaging involve internal and external stakeholders to work together to develop the new local plan.</p>
8	<p>Introduce a forum that engages with agents and customers to help shape the service and hear and address concerns.</p>
9	<p>Carry out process “quick wins” including:</p> <ul style="list-style-type: none"> • validation –guidance to staff on acceptable technical support documents • consultation – reduce unnecessary consultation with internal and external stakeholders • triage incoming applications for quick decisions
10	<p>Carry out management “quick wins” including:</p> <ul style="list-style-type: none"> • senior manager attending team meetings to agreed frequency; • introduction of regular planning service newsletters/emails; and • regular one to ones for all staff

	<ul style="list-style-type: none">• prepare and implement an action plan to address staff survey results in consultation with staff.
11	Engage with PAS to benefit from their current support offer on improving the governance of developer contributions.
12	Consider working with PAS to establish realistic project management arrangements for progressing the council's new local plan.

3. Background and scope of the peer review

14. Peer reviews are managed and delivered by the sector for the sector. They are tailored to meet the individual council's needs and designed to complement and add value to a council's own performance and improvement focus. They help planning services review what they are trying to achieve; how they are going about it; what they are achieving; and what they need to improve.
15. West Northamptonshire is a new unitary council, formed in April 2021, serving residents and businesses in the areas of Daventry, Northampton and South Northamptonshire. It has replaced Daventry District Council, Northampton Borough Council and South Northamptonshire Council, and now delivers all the services which were previously provided by these councils as well as the services previously provided by Northamptonshire County Council in the area.
16. PAS has carried out a planning peer review in both North Northamptonshire and West Northamptonshire – the two new unitary councils covering the previous Northamptonshire area.
17. An over-arching objective of the peer review at West Northamptonshire is to support the council to deliver a comprehensive report of the current status of the planning service to assist the new permanent manager when they arrive in January 2023.
18. The peer review involved an assessment of the council's planning function against a framework which explores five main themes. These are:
 - **Vision and leadership:** the council's leadership and corporate engagement of the planning service in this.
 - **Performance management:** effective use of skills and resources to achieve value for money and continuous improvement of the planning service, including in decision making on proposals, and whether the service is adequately resourced.
 - **Community engagement:** how the authority understands its community leadership role, especially in terms of the accessibility, customer focus and transparency of the planning process
 - **Partnership engagement:** how the service works in partnership with other stakeholders to balance priorities and resources, address differing views and deliver shared ambitions.
 - **Achieving outcomes:** the achievements of the planning service within the available resources and the planning services role as a facilitator to change in the area.
19. Peer reviews are delivered by experienced elected councillor and officer peers. The make-up of the peer team reflected the focus of the peer review and peers were selected based on their relevant expertise. The peers were:
 - **Conservative peer:** Philip Broadhead (Deputy leader and portfolio holder for growth & regeneration BCP)
 - **Labour peer:** Labour peer: Bryony Rudkin (Deputy leader Ipswich Borough Council)
 - **Lead officer:** Tracy Darke (Shropshire)
 - **Officer:** Liz Hobden (Brighton and Hove)
 - **Peer review manager:** Bridget Downton

4. Context and overarching messages

20. West Northamptonshire Council was formed in April 2021 following a reorganisation of four councils in the area. This is a significant change and was happening at the time that the Covid Pandemic struck. This was an incredibly challenging time for the council – dealing with not one, but two, major changes at once.
21. Planning services are still delivered in broadly the same way as they were before local government reorganisation but with the introduction of a strategic planning committee and a policy committee in addition to the three area planning committees that operate in each of the former district / borough council areas. Working practices and cultures in the three predecessor geographies are very different. This continued legacy working is impacting on performance and it doesn't provide a good message for residents, employees or stakeholders about now being part of one council. Work is underway to harmonise the service, but progress has been slow.
22. In May 2022 a consultation exercise was launched relating to the restructure and relocation of the planning service. The restructure was not progressed and the intention is to consult on another restructure at the end of November 2022. Because of this protracted restructure period, we found that morale was very low with the majority of staff that we met at the time of our visit. Employees that we met, whilst very aware for the need for change were feeling unsupported and “done to”.
23. The combination of dealing with local government reorganisation and Covid at the same time, along with where the service is in relation to its restructure and relocation, has resulted in a planning service that is very inward looking. It is not currently influential in shaping a sense of place in West Northamptonshire. The service is not focussed on its customers or on outcomes for local people. Communications are weak for colleagues, customers and stakeholders.
24. We understand that a new, permanent, Assistant Director for Planning will be joining the council in January and an early priority will be to build a strong planning leadership team. They will be a useful catalyst to shape a new, fit for purpose, unitary planning service.
25. Whilst we found some strong working relationships between officers and councillors, we also found some worrying officer member relationships and have raised concerns about some conduct we observed.

5. Vision and leadership

26. We found very strong buy in from senior political and officer leadership across the council for the need for significant improvements to the planning service. It appears to be an organisation that is open, honest and self-aware. Everyone we met at West Northamptonshire Council recognised the need for changes and improvements in the planning service.
27. At the beginning of our visit, the interim Assistant Director shared a presentation with us that included a slide setting out the planning service vision. This had been shared with all planning employees in a presentation a couple of weeks before we arrived. We found that some colleagues recognise that there is a vision for the planning service from some senior leaders, but this was not universal. This is not surprising given that it was so recent and teams had not been extensively involved in developing the vision. We found a lack of buy in from staff in relation to the deliverability of the vision, particularly in relation to pace and where they fitted.
28. Senior officer leadership in planning is not as visible as it could be. Changes in senior roles in the planning service, including interim managers in senior roles have contributed to a lack of a sense of belonging and ownership across the people in the teams that we met. We found some strong support for colleagues within teams but there was a disconnect between senior management and the teams. We also found a lack of support for team members from senior managers. For example, there were no managers from the planning service at one of the planning committees that we attended. Had there been some senior representation at that particular meeting, it may have prevented a conflict arising between councillors and an officer. We have raised these concerns with the Monitoring Officer.
29. Whilst we found a universal recognition of the need for improvement, we did not find any shared sense of ownership for the delivery of these improvements. We found a willingness to be involved in change and there is some employee involvement in the current service improvement work. But we found some employees, including relatively senior professional officers, who felt it wasn't their job to deliver the necessary changes. We also heard from senior managers that they recognised the need for change but felt that it was difficult to get buy in from across the service in the current circumstances. This disconnect and lack of ownership will hamper delivery of the change that is needed unless a more united sense of purpose is nurtured.
30. There was a lack of clarity about some significant decisions for staff which left people feeling unsupported. For example, planning staff are due to be relocated to a single location in Towcester. The portfolio holder for planning very clearly articulated a compelling rationale and told us that she had shared this with staff. But it was shared some time ago at a meeting where the initial restructure proposals were rolled out so it is likely that the planning teams would not have been focussed on it at the time.
31. In terms of the spatial vision for the area, this is set out in a joint plan, developed before local government reorganisation, alongside three local plans from the predecessor councils that remain extant. Some other policies have been aligned such as the enforcement policy and the scheme of delegation.
32. Work has started on producing a single local plan for the area including some very recent suggestions about a change in policy approach. We were told about an opportunity the council is exploring to reconsider the approach to the local plan to place stronger emphasis on developing and rejuvenating the existing town centres and surrounding urban areas. This is in its infancy and has yet to be discussed broadly across the council. There is a real opportunity now to start to better engage right across the council and with external stakeholders in the development of a new local plan for West Northamptonshire. Internal and external partners are keen to collaborate on this work. One of the advantages of being a new

unitary council is that it should be easier for that cross-service collaboration to deliver a spatial plan that properly reflects and contributes to the council's corporate priorities.

33. Whilst on site, we attended each of the three area planning committees and found a wide variety of approaches – some good and some bad. We found some very poor practice which we reported to the council's head of legal services who has a role in ensuring good governance and conduct. This included potential breaches of both the member code of conduct and the member / officer Protocol which governs the relationship between officers and members and works on the basis of mutual trust and respect. These concerns have been referred to the Monitoring Officer. Councillors on planning committees must come to committee with an open mind on each application, listen to the presentation and debates and then come to a view before taking part in a vote. If they are unable to do this and have a very strong view, from which they know they will not be swayed, ahead of the meeting, then they should not take part in the decision making for that application. Since our site visit, further evidence has come to light to indicate significant culture and practice issues related to this particular committee. We have raised these issues with the council's Monitoring Officer for consideration and investigation of any potential breaches of the members code of conduct.
34. We also heard about instances of officers discussing issues with councillors that are not appropriate. The relationship between councillors and officers should be a professional, mutually respectful one but it is not a friendship. We heard about officers discussing matters with councillors that should have been discussed with either their own line manager, human resources, or via formal processes such as grievance, whistleblowing or an exit interview process.

6. Performance and management

35. We found a good understanding of what needs to change to deliver one planning service and arrangements have been put in place to deliver this. Six improvement streams have been set up covering process harmonisation and planning application workflow; information technology (IT) system harmonisation; Section 106 / community infrastructure levy (CIL) contributions; customer service and communications; people, performance and culture; and local plan. These workstreams are all resourced although not all yet have a senior manager lead. Employees from across the service are involved in the workstreams although we heard some reticence to get involved from some people because of existing work pressures. The workstreams are also supported by resource from the council's transformation team. A governance process is in place to oversee the work.
36. The Covid pandemic meant that resources, understandably, were diverted. So some of the improvement work has been slower than anticipated. But the pandemic has also accelerated progress in some areas such as use of IT. The process harmonisation and IT workstreams are progressing well and the council is on track to have a single planning processing system in place by the middle of 2023. This will provide a really helpful base to bring the 3 existing different services together. The new IT system will be key as existing working practices and systems vary hugely with one area still operating a predominantly manual planning processing function.
37. We didn't hear much about involving, developing and supporting people and we think this is an opportunity for some quick wins that could be addressed through the people and culture workstream. There is a recognition of the value and indeed necessity to "grow your own" talent from within. But we didn't see any significant plans in place to deliver this. We found a lack of attention to people management generally with inconsistent application of things like one-to-one meetings, supervision and the approach to hybrid working. We heard about the team charters which will help teams to agree how best to work together in a hybrid way that meets as many people's needs as possible but this is in its infancy and we were not convinced that this has the priority which it might need. We saw comprehensive results from a staff survey that was carried out in October 2021 by an external organisation. The results were not positive, which is not surprising given where the organisation was in its change journey.
38. In May 2022 a consultation exercise started including proposals for a restructure, but these were not progressed and we found a lack of clarity among employees about the reasons for this. The intention had been to consult on new proposals in September 2022 but, because of imminent office moves, we were told that this was postponed until the end of November 2022. During our site visit at the beginning of November, the detail had yet to be worked up. Some appointments have been made ahead of the broader restructure. An Enforcement Manager has been appointed who manages the joint enforcement and a Technical Support Manager has been appointed to manage all of the support staff. Understandably, a number of staff contacted us about their concerns about the potential new staffing structures and whether they would be adequate to deliver the service in its entirety. We are unable to comment on this as the detail had yet to be worked up at the time of our visit.
39. Three area planning committees consider planning applications that are not delegated to officers to determine. Our analysis shows that there is not enough business to warrant three area committees. One of the advantages of local government reorganisation is the opportunity to streamline activities that in the predecessor councils were, necessarily, duplicated. This has not yet happened and so resources are being wasted servicing more committees than necessary. In addition, the scheme of delegation (which sets out which planning applications will be delegated to officers and which will be determined by committee) allows for referral to committee by a single councillor. This has resulted in a number of applications that should have been delegated going to planning committee.

40. We heard concerns from some councillors that they are not receiving appropriate advice at committee. There is a perception among some councillors of high success rate of overturns and appeals feeding views about poor officer advice. It would be beneficial for the council to carry out some analysis of the facts and then to share that information with councillors including town and parish councillors via some training or briefing sessions.
41. The service does not have a comprehensive performance system to help understand and manage performance. We consistently heard that the service is under-resourced. Lots of people have left, as often happens in a period of change. We heard from staff, councillors and partners that there are capacity issues due to vacancies. But we did not see clear performance data to substantiate these claims such as on hand work loads for case officers. Some vacancies are currently filled with agency staff but vacancies remain. The council needs to get a handle on this as a matter of urgency to understand what resource requirements are for the planning service. A comprehensive performance management system would also be very useful for officers and managers to manage workload together.

7. Community and partnership engagement

42. We found a lack of customer focus and poor communication from parts of the planning service. This was felt particularly keenly from backbench West Northamptonshire councillors and from town and parish councils. We heard from lots of people that it is very difficult to get responses to phone calls and emails. This may be exacerbated at the moment with very low staff morale, concerns about workloads and uncertainty around future job prospects.
43. The town and parish councils we heard from are incandescent with the planning service. Representatives told us that they were happy with the support that West Northamptonshire Council had given them in relation to producing neighbourhood plans. But the rest of the feedback from town and parish councils was very negative. They were extremely angry with a perceived lack of transparency and unwillingness to engage. They recognised that they will not always get the planning decisions they want but they found that the council was unwilling to provide adequate responses and explanations about this. We heard that town and parish councils would welcome support and training and we think that this is another quick win. Taking some time out to spend with town and parish councils going through some specific planning and enforcement cases is time well spent. It helps to improve understanding of the “art of the possible“ in planning terms and also helps town and parish councils to feel heard.
44. We were encouraged to see that, despite their reservations about being listened to, parish councils do still take the time to attend planning committees and make representations to the committee. Although, we heard that some are becoming so disillusioned with the service that they are considering withdrawing from responding to planning applications – clearly not a good thing.
45. The way customers experience the planning service is not consistent across West Northamptonshire. Not only are the services delivered in different ways but the customer experience is also very different. For example, there is variation in the degree to which area teams do or don’t engage in negotiation with applicants to improve the quality of development. The planning service also operates three separate planning web pages both for planning application searches (which is governed by the back-office system used to process applications) and also for planning policy. This will be addressed by one of the service improvement workstreams.
46. The three planning committees vary hugely as well. When we visited the Daventry area committee the building was locked and we were not welcomed into the building by members of staff. A member of the committee also made the point the following day to us that had we been “on time” we would have known who was who. We found the other two planning committees to be welcoming and well organised, on the whole. Planning meetings are public meetings and people must be able to come and go at any time during the meeting. Most people only want to attend for one particular planning application. It can be a nerve-wracking experience, particularly for people who are not regular users of the planning system but who may wish to attend to speak in support or objection of a particular application. We recognise that some people are feeling disenchanting and disenfranchised by the ongoing uncertainty around office closures and staff restructures, but the council must ensure that the public have access to public meetings and are treated courteously, otherwise it impacts on reputation.
47. Many stakeholders, including town and parish councils are unhappy about a perceived lack of planning enforcement progress and retrospective applications. This is another area where training would be beneficial. There is often a misconception about what councils can and can’t do in relation to planning enforcement and they feel that retrospective planning applications should be treated more harshly. It is understandable that people find this frustrating and it can be useful to take some time to explain it.
48. Strategic partners and the development sector are broadly supportive and understanding of the challenges currently facing the planning service. But some of the smaller developers we

spoke to are still unhappy and find it difficult to manage their own teams, for example delivering construction work, in the absence of any information about timelines for when their planning application of discharge of planning conditions applications will be dealt with. External stakeholders feel broadly engaged in the planning process and the one developer of larger sites that we managed to speak to (others were invited to meet us but declined to do so) told us that they had received a good service with a consistent approach from the same case officer for a number of years.

8. Achieving outcomes

49. The council is in a strong position to demonstrate ability to deliver housing (as evidenced by a healthy 5-year land supply). It has allocated and approved a number of sustainable urban extension sites and the predecessor councils have a track record of delivering large developments. The area appears to be very attractive for investment. A well-functioning and responsive planning service is key to ensure this is maintained.
50. Planning income is high and appears to cover the costs of the planning service. When it is operating, the council receives good income for its pre-application advice service. However, the council is not prioritising the use of planning performance agreements. These can bring in valuable income to pay for the significant assessment needed for some large applications, as well as helping to reach agreement about realistic timescales to determine more complicated applications.
51. There is a lack of management oversight that is impacting on service delivery. Planning performance is not strong, is deteriorating and the backlog of underdetermined applications is increasing. We heard about the lack of case officer input into validation resulting in poor quality planning applications. We also heard that planning applications in one area were being validated by support teams but that no-one was available to allocate these to case officers. Many of these applications were exceeding the target determination date before being allocated to a case officer. Clearly, this will have a detrimental impact on service performance and, more importantly is impacting on the livelihoods of local developers and construction firms. The council has recently appointed an interim operations manager who has started to address these issues.
52. In response to capacity issues, the planning service suspended its pre-application advice service in early 2022. But this has not had a significant impact on capacity. It will have impacted on revenue income. But it seems that the work may still be being picked up to some extent by case officers getting involved in more negotiation to make proposed schemes acceptable. Other colleagues elsewhere in the council also reported that applicants were seeking advice from them. Inevitably, stopping the pre-application advice service also impacts on the quality of submitted applications, which may result in them taking longer to deal with.
53. West Northamptonshire Council has inherited a legacy of complex and in some cases, poorly documented S106s from the previous councils. The council is working hard to resolve this and bring the information together into a useable format. A lot of information is involved and so this is a time-consuming process. As a result of this legacy, the council does not have a consistent, clear way of reporting developer contributions nor chasing amounts due. This impacts on its ability to deliver infrastructure and the mitigation necessary to accommodate development. It also means that it cannot easily, clearly communicate with other interested parties what the financial situation is in relation to contributions available, spent and potential money. In the mean-time, the council continues to work hard to respond to individual queries about this, particularly from town and parish councils.
54. The peer review team were not confident that the planning service recognises or focuses on its role in delivering council priorities. It is not prioritising applications and schemes that relate to its own activity such as town centre regeneration schemes.
55. Opportunities have been missed to roll out some quick wins from predecessor council activity which could help with some of the current capacity issues and help to deliver better outcomes for customers. For example, the planning application negotiation protocol from South Northamptonshire and using standard advice from internal consultees for certain types of applications.

9. Implementation, next steps and further support

56. It is recognised that senior political and managerial leadership will want to consider and reflect on these findings.
57. We are keen to work with you to discuss how we might help the council to consider how to respond to the recommendations in this report. We would like to support the new incoming Assistant Director in working up an action plan, working with others in the council to develop the support and ownership to deliver a single planning function fit for a new unitary council of this size and complexity.
58. To support openness and transparency, we recommend that the council share this report with officers and that they publish it for information for wider stakeholders. There is also an expectation that the council will develop an action plan to be published alongside the report.
59. Both the peer team, PAS and the LGA are keen to build on the relationships and the peer review process includes a six-month check-in meeting to take place in April 2023. This will be a facilitated session which creates space for the council's senior leadership to update peers on its progress against the action plan and discuss next steps and any further support required.
60. A range of support from the LGA and PAS is available on their websites. This includes:
 - local plan project management
 - helping with options for planning committee changes
 - pre-app and PPAs
 - training and development for members, town and parish councils and officers
 - more detailed work around enforcement
 - advice and support around approach to developer contributions (S106 and CIL)
61. For more information about planning advice and support, please contact richard.crawley@local.gov.uk
62. The LGA has a range of practical support available. The range of tools and support available have been shaped by what councils have told LGA that they need and would be most helpful to them. This includes support of a corporate nature such as political leadership programmes, peer review, LG Inform (our benchmarking service) and more tailored bespoke programmes.
63. Mark Edgell, Principal Adviser is the LGA's focal point for discussion about your wider improvement needs and ongoing support and can be contacted at mark.edgell@local.gov.uk