



Democracy and Standards Committee

Minutes of a meeting of the Democracy and Standards Committee held at Jeffery Room, The Guildhall, Northampton on Wednesday 19 April 2023 at 6.00 pm.

Present:

Councillor Suresh Patel (Chair)

Councillor Mike Warren
Councillor Daniel Cribbin
Councillor Danielle Stone
Councillor Jonathan Harris
Councillor Andrew Kilbride
Councillor Cecile Irving-Swift

Substitute Members:

Councillor Adam Brown
Councillor Nigel Hinch

Also Present:

Apologies for Absence:

Councillor Andrew Grant
Councillor Laura Stevenson

Officers:

Catherine Whitehead, Director of Legal and Democratic (Monitoring Officer)
Stuart Timmiss, Executive Director of Place
Stephanie Gibrat, Assistant Director of Planning
Paul Hanson, Head of Democratic and Elections
Tracy Tiff, Deputy Democratic Services Manager
Ed Bostock, Democratic Services Officer

75. Declarations of Interest

None advised.

76. Minutes

A typographical error was noted at paragraph 72; it should read 76 members rather than 75.

RESOLVED:

With the above correction, that the Minutes of the Democracy and Standards Committee held on 9th March 2023 be approved and signed as a correct record.

77. Chair's Announcements

The Chair proposed an amendment to recommendation e) of the report to increase the number of members on each Development Control Committee from 9 to 11.

The Democracy and Standards Committee agreed to the amendment.

78. Proposed amendments to the Constitution

The Director of Legal and Democratic presented the report which had been deferred in part from the previous meeting in March. Full Council had agreed that the number of area committees be reduced from 3 to 2, now shape and size of committees was still to be established.

The Executive Director – Place gave a presentation which focused on the governance arrangements of the 2 proposed planning committees

During the presentation, Members made comments and the following points were raised:

- There was concern raised around democracy and accessibility in terms of Northampton-based applications being determined outside of Northampton
- Remote access was vital to enable members of the public to participate – facilities were in place in Towcester and Northampton enabling remote access for speakers and officers if required.
- It was noted that the proposed change would be a trial, and that the findings of the trial period would be reported back to the Democracy and Standards Committee.
- Work was ongoing with town and parish councils to help them better understand and maximise their role in terms of planning.
- Where planning applications for the South committee were exclusively Northampton-based, those meeting should be held in Northampton rather than Towcester.
- LAPs (Local Area Partnerships) would be split up if the proposed ward splits were approved, however it was noted that these would be out of date in 2 years following the boundary changes.
- Historically it had been the case that applications were approved with seemingly little or no thought to the wider impacts, leading to the degradation of communities and decisions not in line with the Council's priorities.
- A single Local Plan for West Northamptonshire would be instrumental in providing a consistent and cohesive approach to planning across West Northamptonshire.
- Decision-making should be more robust and have regard to place-shaping.

Sally Pagano addressed the Committee and urged the Committee that where unprofessional working relationships were identified, residents would welcome a decision of replacement staff being appointed to rebuild residents' faith in the

planning process. Officers' hands appear to be tied in respect of HMOs. Regarding HMOs, the Council had powers under the Localism Act and the Housing and Planning Act 2006 to implement enhanced controls and act on local priorities but judging by the council's inaction on some matters, it seemed the case that the Council was not serving residents effectively. Councillors could not make sound decisions on applications in an area of which they had no knowledge; Ward Councillors attended residents' meetings and had local knowledge and had been elected by residents to speak on their behalf.

Lynette Marsden addressed the Committee and commented that the proposed changes were being pushed through with little thought how they would impact communities. She had been giving evidence to the HMO Working Group but noted that there was still no sign of the report. The needs for different areas varied between urban and rural areas. The proposed divide seemed to have been hastily drawn up and needed revisiting; it should be urban/rural split.

Councillor Smith addressed the Committee and stated that there was a strong argument for committees to be organised as urban and rural. She felt that consistent decision making was difficult to talk about when decisions being made differed in various areas. She was concerned about minor applications and asked for clarification around "exceptional circumstances" and that it should be subject to consultation. It was important that applications could still be called in on behalf of residents. The use of technology to allow for virtual representations could be a good opportunity for people to speak, but there must be a physical space available so that someone not comfortable with technology was not discriminated against, and an item should be deferred if failure of the council's technology meant that remote speakers were not able to speak. Improvement in relationships between planning officers and councillors was essential.

Consideration was given to the report, presentation, and public statements, with the following points raised:

- The definition of exceptional circumstances should be defined and agreed by the Planning Policy Committee so that it had member involvement; Members would like the recommendation amended. It was explained that minor and major applications were nationally defined, and it was also advised that the criteria for application call-ins was not being altered.
- Local members' rights would remain unchanged; they would still be able to attend planning committees, put forward their views and give insight into their local areas. District councillors had experience of differences between urban and rural areas.
- Strong HMO planning policies were needed; there was a general view in the town that many issues faced by residents (antisocial behaviour, parking and waste issues, etc.) were caused by the prevalence of HMOs.
- A question was asked around whether local town and parish councils had been made aware of the proposed split of the planning committees and given a chance to provide their comments or concerns.
- The Assistant Director – Planning would follow up with the HMO Working Group following the helpful contributions by the public speakers and ensure that its work was properly linked to the Local Plan progress.

- It was suggested that when a member application went to committee, the application was determined by the committee in which the applicant did not live.
- The Strategic Planning Committee resolved at its first meeting to move to 2pm start times and this had worked well; it was asked that this remains the same moving forwards.
- It was suggested that 10,000m² warehouse size be added to the list of criteria for applications going to Strategic Planning Committee, and reason 3 (strategically important developments as identified by the Assistant Director – Planning and following consultation with the Chair of the particular committee) to be re-added.
- Regard should be given to equalities issues when determining the timings of meetings; afternoon meetings, for example, would preclude some Members from sitting on committees.
- Some Members felt that officers did not support Members when a decision was made that was contrary to the officer recommendation.
- 2.8% of all applications received would go to the North Planning Committee and 3% would go to the South Planning Committee; this was higher than the Government's target of 2%.
- It was pointed out that the Constitution stated at what time committee meetings should start, and some Members were uncomfortable with meeting start times being determined by committee members.
- There should be a KPI for Member call-ins.
- Site visits were very useful and should be considered for the new planning committees.
- Regarding the 21-day consultation period on applications, it was advised that Members were within their rights to raise issues with officers on known contentious applications prior to, and then re-raise the issue formally during the consultation period; local Members were best placed to be aware of contentious issues within their wards.
- Officers expected and welcomed Member involvement throughout the planning process; additional issues and concerns could be considered.
- There was sometimes an issue around parish council consultation where an application may fall within a parish boundary but have implications for the wider area; in those instances an officer may use their discretion and it was felt by some Members that the wrong decision was sometimes made.
- The Monitoring Officer advised that a non-Planning Committee member should be able to give statements remotely in the same way as a member of the public.
- KPIs for the two Planning Committees would be determined by officers and the Chairs of those committees.
- It was agreed that the trial of the two Planning Committees take place for a period of 6 months.
- It was agreed that the first meetings of the Planning Committees would start at 6pm and be subject to change thereafter, determined by each committee Chair.

RESOLVED:

- 1) The Democracy and Standards Committee:
 - a) Noted the decision taken at the previous meeting to abolish the existing three Local Area Planning Committees and the establishment of two new Planning Committees;
 - b) That the Planning Committee – North be composed of eleven members and be constituted to deal with planning applications falling within the following wards: Braunston & Crick, Brixworth, Moulton, Long Buckby, Daventry West, Daventry East, Woodford & Weedon, Duston West & St Crispin, Duston East, Dallington Spencer, Abington & Phippsville, Kingsthorpe North, Kingsthorpe South, Boothville & Parklands, Headlands, Talavera and Billing & Rectory Farm;
 - c) That the Planning Committee – South be composed of eleven members and be constituted to deal with planning applications falling within the following wards: Bugbrooke, Towcester & Roade, Hackleton & Grange Park, Silverstone, Deanshanger, Middleton Cheney, Brackley, St George, Sixfields, East Hunsbury & Shelfleys, Delapre & Rushmere, Castle, Riverside Park and Nene Valley;
 - d) That the Planning Committee – North will meet in Northampton and the Planning Committee – South will meet in Towcester, except where the applications on the agenda were exclusively located within Northampton wards;
 - e) That meetings of both Planning Committees convene at 6pm, subject to the provisions of the Constitution;
 - f) That named substitutes be permitted but limited to 2 Conservative, 1 from each of the other groups, to be drawn exclusively from the other Planning Committee and/or the Strategic Planning Committee;
 - g) That the Assistant Director – Planning amends the threshold for applications to be determined by the Planning Committees
 - h) That the Assistant Director – Planning amends the threshold for applications to be determined by the Strategic Planning Committee;
 - i) That Section 17 of the Planning Protocol (Development Proposals submitted by Councillors and Officers) be amended to clarify that planning proposals submitted by Councillors should be determined by the Planning Committee that does not cover the ward the member represents.
 - j) Noted the retention of the Strategic Planning Committee and the Planning Policy Committee as currently structured.
 - k) Agreed that these changes come into effect immediately and will be reviewed by the Democracy and Standards Committee, in consultation with Planning Committee chairs after a period of six months.
 - l) Delegated to the Monitoring Officer the power to make these amendments and any consequential amendments that may be necessary.

79. **Urgent Business**

None advised.

The meeting closed at 7.55 pm

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Chair: _____

Date: _____