

WEST NORTHAMPTONSHIRE COUNCIL

Democracy and Standards Committee 15 November 2023

Report Title **Review of Arrangements for Planning 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

None

1. Purpose of Report

1.1 At its meeting on 18 May 2023, the committee considered the report of the Planning Advisory Service and made recommendations to full Council in relation to the structure and operation of the Council's planning committees. The Committee undertook to review the revised arrangements after a period of six months. This report invites the Committee to consider how that review might be conducted.

2. Executive Summary

2.1 The committee structure of the Council was established by the West Northamptonshire Shadow Authority prior to vesting day in April 2021. That structure remained the same until the annual meeting in May 2023, when changes to the planning committee were agreed. The decision to adopt a revised structure was informed by a report prepared 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 governance and decision making.

2.2 The committee considered the content of the PAS report, as well as the outcome of a consultation with the Chairs of Planning Committees, in relation to the aspects that recommended material changes to the structure and operation of planning committees.

- 2.3 In line with the recommendation of this committee, subsequently adopted by the Council, this report invites the committee to consider the impact of those changes, determine whether further review is required and, if so, consider how that review might be conducted.
- 2.4 For reference, the changes recommended by the Committee to Council were:
- a) Note 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) Approve the following recommendations of the Democracy and Standards Committee:
 - i. 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;
 - ii. 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.
 - iii. 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 are exclusively located within Northampton wards;
 - iv. That meetings of both Planning Committees convene at 6pm, subject to the provisions of the Constitution;
 - v. 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;
 - vi. That the threshold for applications to be determined by the Planning Committees be amended as set out in section 5.5 below;
 - vii. That the threshold for applications to be determined by the Strategic Planning Committee be amended as set out below;
 - viii. 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.
 - c) Note the retention of the Strategic Planning Committee and the Planning Policy Committee as currently structured.
 - d) Agree 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.
 - e) Delegate to the Monitoring Officer the power to make these amendments and any consequential amendments that may be necessary.

3. Recommendations

It is recommended that the Committee:

- a) Considers the changes adopted by the Council and determines whether a review of the revised arrangements is necessary at this stage or should take place at a later date.
- b) Considers the evidence and information it requires in order to conduct a review, as set out in Section 5 of the report.

4. Reason for Recommendations

- a) To address and respond to the decision of the Council that the arrangements be reviewed after a period of six months.
- b) To support the Council as Local Planning Authority in delivering its statutory duty to determine planning applications.

5. Report Background

- 5.1 Following on from the changes agreed by the Council in May 2023, the Committee is asked to consider whether it wishes to conduct a review of the revised arrangements now or revisit the issue after a defined period of time.
- 5.2 The committee may determine that sufficient time has elapsed since May for a review to take place immediately. If so, the committee is asked to consider what aspects of the changes it wishes to review and what evidence might be required to inform the committee's deliberations. Officers will then be able to gather data or consult stakeholders and report back to the committee.
- 5.3 Alternatively, the committee may form the view that insufficient time has passed since May and more time is required to gather meaningful data on the operation of the new committee arrangements prior to making a decision. If so, it is suggested that the committee determine a suitable timeline for a future review to take place.
- 5.4 Should the committee wish to proceed with a review now or in the future, it is suggested that the committee consider:
 - a) Which stakeholders should input into the review, e.g. chairs or members of planning committees, ward members etc.
 - b) What statistical evidence may be required, such as:
 - i. data on the number of planning applications received for each of the areas covered by the two new committee areas.
 - ii. data on the number of applications received for each council ward.
 - iii. the percentage of applications received that are determined by each committee.
 - iv. The reason for referral to committee i.e. call-in, major application etc.
- 5.5 It is suggested that an analysis of the data outlined above will aid the committee in its deliberations, particularly if the committee wishes to review the geographical split of the committees with a view to ensuring the work of the committees is divided equitably. While the committee understandably wished to be proactive in setting a six-month timeline for the

review, given the relatively small number of meetings that have taken place since May the committee may wish to allow more time to elapse prior to considering this issue.

- 5.6 The committee may wish to consider the approach to meeting locations that was endorsed by the Council. Refinements have been made since May, meaning ward councillors and members of the public have been able to participate remotely. The indications are that this system has worked well. It is suggested that there is no evidence to support a change to the adopted practice at this time.
- 5.7 In line with the agreed changes, substitutes for the North and South Committee must be drawn from the opposite committee or the Strategic Planning Committee. Given the investment the Council has made in training members it is suggested there is much to recommend the continuation of this practice. However, the Committee may wish to consider whether the Constitution be revised to clarify that substitutes for the Strategic Planning Committee should also be drawn from the North and South Committees as this is currently unclear.
- 5.8 Members of the committee may be minded to suggest additional recommendations relating to planning committees based on their personal experiences. It is suggested that such recommendations do not form part of this review and can be managed through this committees work programme accordingly.

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 from the recommendations set out above.

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.

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 The requirement for Planning Committees to take place further away from the area of residents has been managed by the webcasting of meetings to enable more residents to attend remotely.

8. **Background Papers**

PAS Report