



**Meeting:** Council

**Date:** Thursday 30<sup>th</sup> March 2023

**Time:** 6:00 pm

**Venue:** Council Chamber, The Cube, George Street, Corby NN17 1QG

**The meeting will be available for the public to view live at our Democratic Services' YouTube channel:**

<https://www.youtube.com/c/DemocraticServicesNorthNorthantsCouncil>

**Council Membership:**

Councillor Larry Henson (Chair), Councillor Barbara Jenney (Vice-Chair), Councillor Jean Addison, Councillor Tim Allebone, Councillor Valerie Anslow, Councillor Ross Armour, Councillor Charlie Best, Councillor Paul Bell, Councillor Matt Binley, Councillor Jennie Bone, Councillor David Brackenbury, Councillor Wendy Brackenbury, Councillor Cedwien Brown, Councillor Scott Brown, Councillor Leanne Buckingham, Councillor Lyn Buckingham, Councillor Lloyd Bunday, Councillor Jon-Paul Carr, Councillor Robin Carter, Councillor William Colquhoun, Councillor John Currall, Councillor Alison Dalziel, Councillor Mark Dearing, Councillor Dez Dell, Councillor Scott Edwards, Councillor Jonathan Ekins, Councillor Emily Fedorowycz, Councillor Martin Griffiths, Councillor Jim Hakewill, Councillor Clive Hallam, Councillor Ken Harrington, Councillor Helen Harrison, Councillor Kirk Harrison, Councillor Helen Howell, Councillor David Howes, Councillor Philip Irwin, Councillor Bert Jackson, Councillor Ian Jelley, Councillor Matt Keane, Councillor King Lawal, Councillor Graham Lawman, Councillor Lora Lawman, Councillor Anne Lee, Councillor Richard Levell, Councillor Paul Marks, Councillor Dorothy Maxwell, Councillor Peter McEwan, Councillor John McGhee, Councillor Zoe McGhee, Councillor Andy Mercer, Councillor Gill Mercer, Councillor Macaulay Nichol, Councillor Steven North, Councillor Jan O'Hara, Councillor Dr Anup Pandey, Councillor Tom Partridge-Underwood, Councillor Mark Pengelly, Councillor Harriet Pentland, Councillor Roger Powell, Councillor Elliot Keith Prentice, Councillor Simon Rielly, Councillor Russell Roberts, Councillor Mark Rowley, Councillor Geoff Shacklock, Councillor David Sims, Councillor Jason Smithers, Councillor Chris Smith-Haynes, Councillor Joseph John Smyth, Councillor Mike Tebbutt, Councillor Sarah Tubbs, Councillor Michael Tye, Councillor Malcolm Ward, Councillor Malcolm Waters, Councillor Kevin Watt, Councillor Keli Watts, Councillor Andrew Weatherill and Councillor Lee Wilkes.

Members of The Council are invited to attend the above meeting to consider the items of business listed on the agenda.

<b>Agenda</b>		
<b>Item</b>	<b>Subject</b>	<b>Page no.</b>
01	<b>Apologies</b>  To receive any apologies for absence.	
02	<b>Minutes of the meetings held on 26th January 2023 and 23rd February 2023</b>  The minutes of the Meetings of the Council held on 26 <sup>th</sup> January 2023 and 23 <sup>rd</sup> February 2023 to be approved as a correct record and signed by the Chair.	9 - 30
03	<b>Declarations of Interest</b>  Members to declare any interest as appropriate in respect of items to be considered at the meeting.	
04	<b>Chair's Announcements</b>  To receive any announcements from the Chair.	
05	<b>Leader's Announcements</b>  To receive any announcements from the Leader of the Council.	
06	<b>Public Participation</b>  (i) Public Statements  (ii) Public Questions  (iii) Petitions	
07	<b>Executive Presentations</b>  To receive any presentations from the Executive.	
<b>Items requiring a decision</b>		
08	<b>Pay Policy Statement 2023/2024</b>  To seek Council approval of the Pay Policy Statement	33 - 42
09	<b>Planning Scheme of Delegation &amp; Committee Structure</b>  To consider amendments to both the Scheme of Delegation and the decision-making process relating to the Council's responsibilities as the Planning Authority for North Northants.	43 - 74

10	<p><b>Scrutiny Review</b></p> <p>To consider the proposals for changes to scrutiny arrangements and the draft Scrutiny Procedure Rules which have been recommended by the Democracy and Standards Committee.</p>	75 - 104
11	<p><b>Isham Bypass – Virement of Capital Budgets</b></p> <p>To seek approval for the virement of existing budgets to fund the continued development of the Isham bypass planning application and Department for Transport outline business case.</p>	TO FOLLOW
12	<p><b>Political Balance on Council Committees</b></p> <p>For Council to note the current political balance of North Northamptonshire Council following the outcome of two recent by-elections.</p>	TO FOLLOW
13	<p><b>Motions on Notice</b></p> <p>To consider motions received in accordance with Meeting Procedure Rule 17 as follows: -</p> <p><b><u>Motion 1</u></b></p> <p>To be proposed by Cllr Valerie Anslow and seconded by Cllr Anne Lee: -</p> <p><i>“North Northamptonshire has a rich heritage in both buildings and the natural world. Among our assets are the parks and gardens which belonged to the former sovereign councils; there are conservation areas where planning rules are rigorous and aim to maintain the historic hearts of our towns and villages; tree preservation orders that can be applied to individual or groups of trees which have stood by our roadsides and in gardens and parks for many years. All of these features together help us, as a council to make decisions that are of benefit to the communities that reside here.</i></p> <p><i>North Northamptonshire Council has firmly grasped the desire to be carbon neutral by 2030 and the council’s vision that acknowledges the importance of the natural world on carbon capture, flood defences, wildlife habitat and the health and wellbeing of its residents.</i></p> <p><i>North Northamptonshire is also an area of growth and development which will benefit the people who live here, and getting the balance between the two, heritage and growth, can be fraught with difficulties.</i></p> <p><i>One of those difficulties is evident in the way that 61 mature lime trees were due to be felled earlier this month on The Walks in Wellingborough to make way for a four-line road leading from the A509 to Stanton Walk SUE, and to move the utilities associated with the works. Following the protests of local residents, NNC negotiated a pause in the work to allow for an information event to be held by The Vistry Group, but those trees are still under threat unless, we use our authority to stop this senseless and unnecessary action and require the developers to find an alternative way.</i></p>	

*This motion -*

*Ensure that reports to planning committee on applications where the granting of planning permission would involve the removal of trees protected by TPO(s) are supported by the advice of a suitably qualified officer. Furthermore, such reports to contain specific information to support decision makers to assess the weight considered appropriate by the officer to be attached to this material consideration to ensure that any resident or organisation relying on the system is treated equally and fairly, and that all local historic and natural heritage sites within NN communities are appropriately protected, while continuing the drive to provide homes and jobs for the community.”*

## **Motion 2**

To be proposed by Cllr Emily Fedorowycz and seconded by Cllr Lyn Buckingham: -

*“The Nene is one of NNC’s most important assets in terms of tourism and ecology and as such needs proper guardianship.*

*NNC has riparian responsibilities and also a major role in flood management.*

*This Council will:*

- (i) Ask the Environment Agency to provide the current levels of pollution in the Nene River and North Northants waterways;*
- (ii) Engage with the EA and the Canal and River Trust to create a plan to achieve Clean Water Zones, with a framework for pollution measurement;*
- (iii) Engage with Anglian Water and the other smaller waste management companies in North Northants to create a process for feeding in reports of pollution incidents.*
- (iv) Ask Anglian Water to keep NNC informed of the measures taken to control water pollution, including the amounts spent on keeping rivers clean.”*

## **Motion 3**


To be proposed by Cllr Mark Pengelly and seconded by Cllr Lyn Buckingham:

*Many residents in Corby and North Northants will remember the horrific murder of Collette Gallacher on Friday 8th February 1986, a SIX year old school girl murdered on her way to school!*

*This council recognises the campaign that Collette’s loved ones have led in the family having full disclosure when murderers get released from prison and then go on to commit further crimes.*

*Council therefore requests that the Leader write to the Minister for Justice requesting:*

- (i) That the Minister notes the limited consideration of victims in the offender release decision making process*
- (ii) That the Minister considers introducing measures to build the*

	<p><i>views of victims into the probation decision making process to ensure victims feel heard and considered</i></p> <p>(iii) <i>If a decision is made by probation services to release an offender, the Minister considers the retrospective addition to the sex offenders register where the conviction pre-dates introduction of the register</i></p> <p><b><u>Motion 4</u></b></p> <p>To be proposed by Cllr Alison Dalziel and seconded by Cllr Lyn Buckingham:</p> <p><i>“This council welcomes the recent government announcement of funding of £200m nationally for the Department of Transport to fix potholes, of which £1.494m will be allocated to North Northamptonshire. It is recognised that many of the roads and highways are in a poor state of repair, compounded by the recent winter weather.</i></p> <p><i>This council also welcomes the additional £1.5m in 2022 which was earmarked for highways and road improvements, including repair of potholes, and cleaning and replacement of road signs, in addition to the £30m contract with Kier for a 7-year period.</i></p> <p><i>However, this council recognises that there are significant repairs of the highways, roads and pavements in North Northamptonshire outstanding, and many of the roads require urgent attention to make them suitable and roadworthy for a variety of road users, including cars, lorries, motor cycles, mobility scooters, cyclists and pedestrians.</i></p> <p><i>This motion calls upon North Northamptonshire council to review and develop a comprehensive Action Plan with Kier to address concerns over the poor state of roads, and to submit the Action Plan to the Executive in July 2023 for consideration and consultation.”</i></p>	
14	<p><b>Councillor Questions</b></p> <p>To receive questions from members.</p>	
<b>Urgent Items</b>		
	<p>To consider any items of business of which notice has been given to the Proper Officer and the Chair considers to be urgent, pursuant to the Local Government Act 1972.</p>	
15	<p><b>Close of Meeting</b></p>	
	<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p><b>Proper Officer</b> <b>Wednesday 22<sup>nd</sup> March 2023</b></p>	

This agenda has been published by Democratic Services.

☎ 01536 464013 📧 [democraticservices@northnorthants.gov.uk](mailto:democraticservices@northnorthants.gov.uk)

## Public Participation

The Council has approved procedures for you to present petitions or request to address meetings of the Council

ITEM	NARRATIVE	DEADLINE												
Members of the Public Questions	Questions may be submitted by members of the Public to meetings of the committee. The question must be in writing and submitted 2 clear working days prior to the meeting. No debate on questions or answers. A period of 15 minutes (Chair's Discretion) is allocated for Public Questions.	5:00 pm on Monday 27 <sup>th</sup> March 2023												
Members of the Public Agenda Statements	Members of the Public may make statements at meetings in relation to reports on the agenda. A request to address the committee must be received 2 clear working days prior to the meeting. The member of the Public has a maximum of 3 minutes to address the committee. A written copy of the statement must be submitted by the deadline indicated. A period of 15 minutes (Chair's Discretion) is allocated for Public Statements	5:00 pm on Monday 27 <sup>th</sup> March 2023												
Members of the Public Petitions	<p>Anyone who lives, works or studies in North Northamptonshire may submit a petition to the Council. Depending on the size of your petition it will be responded to as follows: -</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Signatory Threshold</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Petition which triggers a debate</td> <td>1,500 +</td> <td>Any petition with 1,500 or more signatures will trigger a debate at a Full Authority meeting.</td> </tr> <tr> <td>Petition which calls an officer to account</td> <td>750 – 1,499</td> <td>Any petition with 750 – 1,499 signatures will summon a senior officer of the Authority to give evidence at a public Authority meeting.</td> </tr> <tr> <td>Standard Petition</td> <td>5 – 749</td> <td>Any petition with 5 – 749 signatures will be referred to a senior officer of the Authority to provide a response.</td> </tr> </tbody> </table>	Category	Signatory Threshold	Description	Petition which triggers a debate	1,500 +	Any petition with 1,500 or more signatures will trigger a debate at a Full Authority meeting.	Petition which calls an officer to account	750 – 1,499	Any petition with 750 – 1,499 signatures will summon a senior officer of the Authority to give evidence at a public Authority meeting.	Standard Petition	5 – 749	Any petition with 5 – 749 signatures will be referred to a senior officer of the Authority to provide a response.	
Category	Signatory Threshold	Description												
Petition which triggers a debate	1,500 +	Any petition with 1,500 or more signatures will trigger a debate at a Full Authority meeting.												
Petition which calls an officer to account	750 – 1,499	Any petition with 750 – 1,499 signatures will summon a senior officer of the Authority to give evidence at a public Authority meeting.												
Standard Petition	5 – 749	Any petition with 5 – 749 signatures will be referred to a senior officer of the Authority to provide a response.												

These procedures are included within the Council's Constitution. Please contact [democraticservices@northnorthants.gov.uk](mailto:democraticservices@northnorthants.gov.uk) for more information.

## Members' Declarations of Interest

Members are reminded of their duty to ensure they abide by the approved Member Code of Conduct whilst undertaking their role as a Councillor. Where a matter arises at a meeting which **relates to** a Disclosable Pecuniary Interest, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

Members are reminded that they should continue to adhere to the Council's approved rules and protocols during the conduct of meetings. These are contained in the Council's approved Constitution.

If Members have any queries as to whether a Declaration of Interest should be made please contact the Monitoring Officer at – [monitoringofficer@northnorthants.gov.uk](mailto:monitoringofficer@northnorthants.gov.uk)

### **Press & Media Enquiries**

Any press or media enquiries should be directed through Council's Communications Team to [communications@northnorthants.gov.uk](mailto:communications@northnorthants.gov.uk)

### **Public Access and Enquiries**

The public are welcome to attend the Council's meetings in person using the Council's public gallery. Public enquiries regarding the Council's meetings can be made to [democraticservices@northnorthants.gov.uk](mailto:democraticservices@northnorthants.gov.uk)

### **Webcasting**

Meetings of the Council will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items. A copy will be retained in accordance with the Council's data retention policy.

If you make a representation to the meeting, unless you have specifically asked not to appear on the webcast, you are taking positive action to confirm that you consent to being filmed. You have been made aware of the broadcast and entering the Council Chamber you are consenting to be filmed by North Northamptonshire Council and to the possible use of those images and sound recordings for webcasting.

If you do not wish to have your image captured you should sit in the public gallery area that overlooks the Chamber.

The Council is obliged by law to allow members of the public to take photographs, film, audio-record, blog or tweet the proceedings at public meetings. The Council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

The Council intends to webcast all of its public meetings held at the Corby Cube, but if it is unable to do so, for the avoidance of doubt, the meeting will continue as scheduled and decisions and minutes made available on the Council's website in the normal manner.

If you have any queries regarding webcasting or the recording of meetings by the public, please contact [democraticservices@northnorthants.gov.uk](mailto:democraticservices@northnorthants.gov.uk)

This page is intentionally left blank



## Full Council

North Northamptonshire Council

Thursday 26<sup>th</sup> January 2023

At 6:00 pm in the Council Chamber, The Cube, George Street, Corby.

**Present: -**

**Members:**

Councillors Larry Henson (Chair), Jean Addison, Tim Allebone, Valerie Anslow, Ross Armour, Charlie Best, Matt Binley, David Brackenbury, Wendy Brackenbury, Scott Brown, Leanne Buckingham, Lyn Buckingham, Lloyd Bunday, Jon-Paul Carr, Robin Carter, William Colquhoun, John Currall, Alison Dalziel, Dez Dell, Scott Edwards, Jim Hakewill, Clive Hallam, Ken Harrington, Helen Harrison, Helen Howell, David Howes, Bert Jackson, Ian Jelley, Matt Keane, King Lawal, Graham Lawman, Lora Lawman, Paul Marks, Dorothy Maxwell, Peter McEwan, John McGhee, Zoe McGhee, Andy Mercer, Gill Mercer, Macaulay Nichol, Anup Pandey, Tom Partridge-Underwood, Mark Pengelly, Harriet Pentland, Roger Powell, Elliot Prentice, Jason Smithers, Chris Smith-Haynes, Mike Tebbutt, Michael Tye, Malcolm Ward, Andrew Weatherill, Lee Wilkes.

**Officers in Attendance:**

Rob Bridge (Chief Executive), Adele Wylie (Director of Customer and Governance/Monitoring Officer), Paul Goult (Interim Democratic Services Manager) and Ben Smith (Democratic and Electoral Services Manager).

*Prior to commencing the formal business of the meeting, the Chair invited attendees to observe two minute's silence in memory of Councillor David Jenney (NNC) who had recently passed away. Several councillors made speeches of condolence.*

### 184. Apologies

Apologies for absence were received from Councillors B Jenney, A Pandey, D Sims, S North, G Shacklock, P Bell, K Harrison, M Griffiths, S Tubbs, R Roberts, R Levell, J Ekins, R Armour.

### 185. Minutes of the meeting held on 24<sup>th</sup> November 2022

The minutes of the Full Council meeting held on 24<sup>th</sup> November 2022 had been circulated.

Councillor Larry Henson MOVED the minutes of the meeting held on 24<sup>th</sup> November 2022 be agreed. Councillor Helen Harrison SECONDED the motion.

**RESOLVED the: -**

The minutes of the Full Council meeting held on 24<sup>th</sup> November 2022 be agreed.

### 186. Declarations of Interest

No declarations were made on this occasion.

### 187. Chair's Announcements

There were no Chair Announcements on this occasion.

## **188. Leader's Announcements**

The Leader (Councillor Jason Smithers) took the opportunity to express his personal condolences to the family and friends of the late Councillor David Jenney.

The Leader also highlighted the support to be provided by North Northamptonshire Council and its partners in response to recently announced job losses in Corby, which were likely to impact on a significant number of local residents. The Council would do everything it could to provide support and advice to those impacted by these job losses and provide support to partners.

## **189. Public Participation**

Mr Reay, a local resident, had submitted the following question for Full Council –

*“Following the announcement from central government last week, does this council agree with the decision not to award much-needed funding to residents and communities in North Northamptonshire?”*

Councillor David Brackenbury (Executive Member) responded by stating that the Council were disappointed that their recent bid had been unsuccessful. One hundred bids had been successful, and many more including North Northamptonshire had been disappointed. Councillor Brackenbury noted that there were likely to be further bidding opportunities and the Council would consider participating again in the future.

## **190. Executive Presentations**

There were no Executive Presentations on this occasion.

## **191. Audit & Governance Annual Report 2021/22**

Full Council received the Audit & Governance Annual Report for the period 1<sup>st</sup> April 2021 to 30<sup>th</sup> September 2022. The report detailed the work undertaken by the Committee, the attendance of Committee members at meetings and the training undertaken by them.

The report also included details of the Committee's approach to risk management and oversight of the Council's Audit Plan.

The recommendation was **MOVED** by Councillor Andrew Weatherill and **SECONDED** by Councillor Elliot Prentice.

Councillor Weatherill thanked officers and committee members for their work and support during this period. Councillor Weatherill felt that the committee had made a constructive and meaningful contribution to monitoring areas of risk and ensuring that the Council's approach to financial management was strengthened.

It was noted by Council that closure of legacy accounts from former sovereign councils had been, and continued to be, a challenge for the Committee however good progress had been made. Closure of all legacy accounts would continue to be a priority.

Within the report, a self-assessment by four committee members of the work and effectiveness of the Committee was included. It was suggested that this was a relatively small sample of respondents and should be widened. This was noted.

It was noted that an Independent Member of the Committee had been appointed by Council, however two vacancies remained. Appointment to these two vacancies would be progressed and readvertised.

*(Councillor T Partridge-Underwood left the meeting at this point).*

**RESOLVED that: -**

- (i) The Audit and Governance Annual Report 2022, as attached as Appendix A to the report, be noted.

## **192. Meeting Procedure Rules & Constitutional Amendments**

Council considered revisions to the current Meeting Procedure Rules. Both the Constitutional Working Group (CWG) and the Democracy and Standards Committee had considered this report. The Committee at its meeting held on 9<sup>th</sup> January 2023 agreed to recommend the revised rules to Council for ratification.

Following discussion by the Constitutional Working Group (CWG) and the Democracy and Standards Committee, it was being recommended that certain amendments be made to the Meeting Procedure Rules and the Budget Council Procedure Rules. On consideration of the current Rules, it was noted that there was the need to clarify certain aspects of procedure and to incorporate certain “learning points” since Vesting Day and the operation of both Full Council meetings and those of committees.

Details of the significant amendments being recommended were included within the report. In addition, it was noted that the procedure for the Budget Full Council meeting (attached as Appendix A to the Meeting Procedure Rules) were also being recommended for amendment.

There was brief discussion regarding the current wording of the Guillotine Motion element, and a suggestion that this required clarification and that the impact of such a motion be more clearly documented. It was agreed further discussion on potential minor amendment would be held by the Constitutional Working Group.

The recommendations were **MOVED** by Councillor Lora Lawman and **SECONDED** by Councillor Macaulay Nichol.

### **RESOLVED that: -**

- (i) The revised Meeting Procedure Rules (as detailed in Appendix A) be approved, with Part A 1.1 effective immediately with other amendments effective from the close of the meeting; and
- (ii) That the revised Budget Council Procedure Rules (as detailed in Appendix B) be approved effective from the close of the meeting.

## **193. Draft Municipal Timetable 2023/24**

Full Council was required to approve a calendar of meetings prior to the commencement of each new municipal year. Attached as Appendix A to the report was a copy of the draft timetable for 2023/24.

The draft timetable referenced the formal meetings of the Council, Executive, committees, Executive Advisory Panels, and other standing bodies. The purpose of tabling this report is to provide information to members, officers, and the public of the schedule of meeting dates and allow for arrangements to be made for the booking of venues etc.

Members noted that in the timetable Full Council meetings were scheduled for 6:00 pm start time, with the Budget Full Council commencing at 10:00 am. Any Extraordinary meetings of Full Council would normally convene at 7:00 pm.

Members noted that currently there was a review of Scrutiny. The current proposal out for consultation suggested three scrutiny committees. The outcome of the consultation exercise would be reported into the Democracy and Standards Committee, with a final recommendation to Full Council in March 2023. In order to progress the consideration of the Municipal Timetable, it was being proposed that Tuesday evenings were allocated to scrutiny, with the final dates being allocated after Full Council had considered the outcome of the review.

The proposed dates of Executive Advisory Panels were indicated in Appendix A and allowed for the increase of Panels from five to six. It also allowed for each Panel to meet bi-monthly whilst ensuring that there was no more than one Panel meeting scheduled per week.

Members noted that the report commissioned by the Council into the Planning Service and undertaken by the Planning Advisory Service (PAS), was discussed by the Executive at their meeting on 22<sup>nd</sup> December 2022. The PAS report was a wide-ranging review of the Council's Planning Service. Included within this were recommendations regarding the governance structure for the Council's planning committees and suggestions regarding potential amendment. The PAS recommendations were being considered by Members through an implementation board, however the board was not decision-making and potential recommendations in relation to constitutional matters would be taken through the appropriate decision-making channel including Full Council.

Approval of the timetable by Council did not preclude extraordinary meetings being called if there was a business need to do so. It was noted that whilst Council was being requested to agree the timetable; until a summons and agenda were issued for a meeting the meeting was not lawfully called. Whilst a meeting may be scheduled in the agreed timetable, if there was a lack of business then a summons may not be issued; this was usually in consultation with the appropriate Chair.

The recommendations were **MOVED** by Councillor Lora Lawman and **SECONDED** by Councillor Jan O'Hara.

**RESOLVED that: -**

- (i) The Municipal Timetable 2023/24 be approved, subject to the outcome of the current review of Scrutiny and the review of Planning; and
- (ii) Delegation be granted to the Proper Officer (the "Monitoring Officer") responsibility for incorporating into the Municipal Timetable meetings of Scrutiny and Planning following the outcome of the respective reviews.

**194. Members' Allowances**

Full Council were requested to confirm their preference on the application of the annual increase of Members' Allowances, linked to the NJC Pay Award for staff 2022/23.

The Council had an approved Member Scheme of Allowances, based on recommendations received from an Independent Remuneration Panel. In order to ensure there was an appropriate annual uplift of allowances, the Scheme included reference to the annual NJC Staff Pay Award. Where the NJC Award allowed for an increase of staff pay e.g. 2% increase, a corresponding 2% increase would be applied to Member Allowances. In 2021/2022 the Pay Award was 1.75% and Member Allowances were therefore increased by 1.75%.

For 2022/2023 the NJC Staff Pay Award was not a percentage increase, but application of a lump sum of £1,925 across all NJC pay points. Full time employees therefore received a £1,925 uplift on their current salary, this was prorated for part time employees. Unfortunately, this was not easily transposed into an uplift for Member Allowances. As a consequence, it was necessary for Council to give instruction to officers on its application for this year.

The report outlined the background to the issue and some potential options for the resolution of this matter.

A recommendation for Council to approve Option 4 within the report, to waive any increase in Members' Allowances for 2022/23, was **MOVED** by Councillor Jason Smithers and **SECONDED** by Councillor Helen Howell.

An amendment to the substantive motion was **MOVED** by Councillor Jim Hakewill and **SECONDED** by Councillor Charlie Best. The amendment read: -

*“In view of the incredibly difficult cost of living circumstances our residents are currently enduring we propose that there be no increase in member allowances for 22-23 or 23-24 and that an Independent Panel Review be convened in 2024-25 to recommend Allowances for the new Council to be elected in May 2025.”*

Following debate, a recorded vote was taken on this amendment.

Those voting in favour of the amendment – Councillors J Addison, V Anslow, C Best, S Brown, Leanne Buckingham, Lyn Buckingham, W Colquhoun, A Dalziel, D Dell, S Edwards, E Fedorowycz, J Hakewill, H Harrison, D Howes, B Jackson, M Keane, A Lee, P McEwan, J McGhee, Z McGhee, A Mercer, M Pengelly, S Rielly.

Those voting against the amendment – Councillors T Allebone, M Binley, J Bone, D Brackenbury, W Brackenbury, C Brown, L Bunday, J-P Carr, R Carter, J Currall, M Dearing, C Hallam, H Howell, P Irwin, I Jelley, K Lawal, G Lawman, L Lawman, P Marks, D Maxwell, G Mercer, H Pentland, R Powell, E Prentice, M Rowley, J Smithers, C Smith-Haynes, J Smyth, M Tebbutt, M Ward, K Watt, A Weatherill, L Wilkes.

Those abstaining – Councillors L Henson, M Tye, M Waters.

The amendment fell.

There was general support among Members that the pay award for 2022/23 should be waived, in recognition that Members had already received an uplift of 1.75% for 2021/22 and that independently the Allowance Scheme had been reviewed during 2022 resulting in an increase in Basic Allowance and some Special Responsibility Allowances.

A recorded vote on the substantive motion was requested.

Those voting in favour of the motion – T Allebone, V Anslow, C Best, M Binley, J Bone, D Brackenbury, W Brackenbury, C Brown, S Brown, Leanne Buckingham, Lyn Buckingham, L Bunday, J-P Carr, R Carter, W Colquhoun, J Currall, A Dalziel, M Dearing, D Dell, S Edwards, E Fedorowycz, J Hakewill, C Hallam, H Harrison, H Howell, D Howes, P Irwin, B Jackson, I Jelley, M Keane, K Lawal, G Lawman, L Lawman, A Lee, P Marks, D Maxwell, P McEwan, J McGhee, Z McGhee, A Mercer, G Mercer, M Nichol, J O’Hara, M Pengelly, H Pentland, R Powell, E Prentice, S Rielly, M Rowley, J Smithers, C Smith-Haynes, J Smyth, M Tebbutt, M Ward, K Watt, A Weatherill, L Wilkes.

Those voting against the motion – M Tye.

Those abstaining – J Addison, L Henson, M Waters.

**RESOLVED that: -**

- (i) An increase in Members’ Allowances be waived for 2022/2023.

## **195. Winter 2022/23 Temporary Heating**

Council noted the introduction of an NNC Standard Operating Procedure for the payment of a goodwill gesture to tenants of the Council, when temporary heaters were left in their property, as a result of a breakdown of their primary heating system during the current winter (2022/23).

It was recognised that during the winter period (the Council had defined this as 1st November to 30th April based upon Met Office 1991-2020 minimum average temperatures data), there was a greater impact upon Council tenants if their central heating boiler should break down and was not repairable for a period of time.

Previously North Northamptonshire Council did not have a procedure for goodwill payments when a central heating boiler broke down and was not repairable for a period of time. Instead, the legacy Council policy was followed where this existed. For example, in the Corby area this amounted to the issuing of two electric heaters and a payment of £2.00 per day (payable from

the day after the engineer's initial visit if they were unable to repair the boiler to the date the boiler was then operational or replaced). The New NNC SOP was implemented from 1<sup>st</sup> December 2022.

Estimated costs had been based on last winter's figures for temporary heaters provided in the former Kettering area (Corby data was not available due to the contractor not recording this). There were 96 instances of this nature in Kettering. Pro rata for Corby stock it was estimated that this would equal 121 instances. Therefore, a combined approximate total of 217 instances of where temporary electric heaters would need to be left could be expected for the Council this winter. An estimated maximum cost to the Council of £18,228 this winter had been estimated. It was noted that 14 days was the maximum that the Council could be expected to pay the gesture of goodwill for. It was expected that most breakdowns would be resolved in a shorter timeframe than this. The HRA would fund these costs through the revenue budgets dedicated to heating repairs.

In addition, there was the cost of heaters estimated at £2,916.48. However, it was recognised that the Council currently purchased heaters and gifted them to tenants, so this would not be seen as an additional cost. Whilst consideration had been given to collecting the heaters back in from tenants once they had finished with them, it was deemed uneconomical to do this due to the requirement to complete a Portable Appliance Test (PAT) on each heater prior to reissuing them.

Councillor Lyn Buckingham, whose motion at a previous Full Council meeting had highlighted this issue, welcomed the report. Councillor John McGhee also welcomed the report but stressed the importance of the need to look at the underlying causes resulting in failed boiler and heating systems, ensuring that old and defective units were replaced in a timely fashion.

The recommendation was **MOVED** by Councillor Matt Binley and **SECONDED** by Councillor King Lawal.

**RESOLVED that: -**

- (i) the Implementation of the Standard Operating Procedure for the payment of a goodwill gesture to tenants of the Council, when temporary heaters are left in their property, as a result of their primary heating system during the winter of 2022/2023 be noted.

**196. Corporate Parenting Annual Report 2021/22**

Full Council received and considered the Annual Report of the Northamptonshire Corporate Parenting Board for 2021-22. The Report had been considered by the Executive at its meeting held on 22<sup>nd</sup> December 2022, with the Report's recommendations being recommended for approval by Full Council.

The recommendation was **MOVED** by Councillor Scott Edwards and **SECONDED** by Councillor Lora Lawman.

**RESOLVED that: -**

- (i) the Council approve the implementation of four key priorities for the Corporate Parenting Board, specifically –
  - (a) Note the establishment of Corporate Parenting Operational Groups as set out in Section 3 (page 19) of the annual report.
  - (b) Notes that the Head of Paid Service will consider the inclusion of corporate parenting responsibilities being set out in every North Northamptonshire job description as set out in Section 3 (page 19) of the annual report.
  - (c) Notes that North Northamptonshire Council will further consider becoming a Fostering-Friendly employer, as set out in Section 3 (pp19-20) of the annual

report and delegates authority to the Executive Member for Children, Families, Education & Skills in consultation with the Chief Executive to approve.

- (d) Note that whilst not requiring a specific decision, the board's annual report also asks that due regard is paid to how NCT and both councils continue to contribute to the Local Offer for Care Experienced Young People. The Offer sets out the services (statutory and additional) provided to young people leaving care as they transition to independence.

#### **197. Safeguarding Children Partnership Annual Report 2021/22**

Full Council received and considered the Northamptonshire Safeguarding Children Partnership (NSCP) Annual Report 2021-22. The Report had been considered by the Executive at its meeting held on 12<sup>th</sup> January 2023, with the Report's recommendations being noted.

The recommendation was MOVED by Councillor Scott Edwards and SECONDED by Councillor Dorothy Maxwell.

##### **RESOLVED that: -**

- (i) Council receives the Northamptonshire Safeguarding Children Partnership's Annual Report 2021/2022 (Appendix A) and note the findings.

#### **198. Motions on Notice**

A Motion on Notice had been received, this read:-

*"The definition of consultation as defined by the Consultation Institute is:*

*The dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views and, with the objective of influencing decisions, policies, or programmes of action.*

*This council has engaged in several consultations in its short existence, as you would expect, given that there are so many elements of public life that need to be brought together for the betterment of the people if serves.*

*With so many consultations going live there has been some confusion from both members of this chamber and members of the public. North Northants council believes in being a listening council, and as such we should only provide the best quality consultation.*

*This motion asks for a consultation panel to be created, this will be a cross-party group that is able to quality assure all consultations are of the highest quality and have passed a "reasonable person test". To ensure that this panel does not stall activity It should meet monthly and digitally. The panel will give advice on stakeholders that should have been engaged in the process and advise methods that should be utilised."*

The motion was MOVED by Councillor Leanne Buckingham and SECONDED by Councillor Lyn Buckingham.

In introducing the motion, Councillor Leanne Buckingham noted that the Council conducted a number of consultation exercises of varying quality. Councillor Buckingham felt that a more consistent corporate approach should be introduced, ensuring key criteria were introduced that would enhance future consultation exercises and ensure that the Council were consulting the right groups to benefit from their experience and knowledge. Ensuring that all consultation exercises complied with best practise would enhance outcomes, and ensure decision makers had all available views and opinions available.

During debate, Council's attention was drawn to the impending need for a Guillotine Motion. Councillor Helen Harrison MOVED that the guillotine be moved to 9:30 pm. This was SECONDED by Councillor David Brackenbury.

**RESOLVED that: -**

- (i) The guillotine be extended to 9:30 pm.

Members debated the merits of the proposal contained in the motion. Some members felt there was a need to improve the effectiveness of consultation. Other members felt that consideration of relevant good practise was already considered prior to consultation being conducted and thought given to whether any consultation should be targeted.

**RESOLVED that: -**

- (i) The motion fell.

**199. Councillor Questions**

A total of 25 written questions had been submitted. The questions and responses were circulated to all members prior to the commencement of the meeting. Supplementary questions were presented and responded to during this agenda item. Details of questions submitted and responses had been posted on the Council's website.

**200. Urgent Items**

There were no Urgent Items on this occasion.

**201. Close of Meeting**

Meeting closed at 9:30 pm.



## Full Council

North Northamptonshire Council

Thursday 23<sup>rd</sup> February 2023

At 10:00 am in the Council Chamber, The Cube, George Street, Corby.

*Prior to the formal opening of the meeting, the Chair welcomed Councillor Keli Watts to Full Council. Councillor Watts had recently been elected following the by-election held on 2<sup>nd</sup> February 2023.*

### Present:

**Members:** Councillors Larry Henson (Chair), Barbara Jenney, Jean Addison, Tim Allebone, Valerie Anslow, Ross Armour, Charlie Best, Paul Bell, Matt Binley, Jennie Bone, David Brackenbury, Wendy Brackenbury, Cedwien Brown, Scott Brown, Leanne Buckingham, Lyn Buckingham, Lloyd Bunday, Jon-Paul Carr, Robin Carter, William Colquhoun, Mark Dearing, Dez Dell, Scott Edwards, Jim Hakewill, Clive Hallam, Ken Harrington, Helen Harrison, Helen Howell, David Howes, Philip Irwin, Bert Jackson, Matt Keane, King Lawal, Graham Lawman, Lora Lawman, Anne Lee, Richard Levell, Paul Marks, Dorothy Maxwell, John McGhee, Zoe McGhee, Andy Mercer, Gill Mercer, Macaulay Nichol, Anup Pandey, Tom Partridge-Underwood, Mark Pengelly, Harriet Pentland, Roger Powell, Mark Rowley, Geoff Shacklock, Jason Smithers, Christina Smith-Haynes, Mike Tebbutt, Sarah Tubbs, Michael Tye, Malcolm Ward, Keli Watts, Andrew Weatherill, Lee Wilkes.

### Officers in Attendance:

Rob Bridge (Chief Executive), Sanjit Sull (Deputy Monitoring Officer), Janice Gotts (Executive Director of Finance and Performance), Paul Goult (Interim Democratic Services Manager) and Ben Smith (Democratic and Electoral Services Manager).

## 202. Apologies

Apologies for absence were received from Councillors John Currall, David Sims, Malcolm Waters, Elliot Prentice, Steven North, Russell Roberts, Joseph Smyth, Jan O'Hara, Ian Jelley, Kevin Watt, Kirk Harrison, Jonathan Ekins, Simon Rielly, Peter McEwan, Alison Dalziel, Emily Fedorowycz, Martin Griffiths.

## 203. Declarations of Interest

Councillor Jean Addison declared a person and prejudicial interest in relation to the proposed Labour Group Amendments to the General Fund Budget report, namely the amendment relating to the Pen Green Maintained Nursery.

Councillor Graham Lawman declared a personal and prejudicial interest in relation to any discussion specifically regarding Croyland Primary School of which he was a Governor.

Councillor Harriet Pentland declared a personal interest in relation to the reports before Council, as items for discussion may have arisen in her place of work, however stressed that she would be considering each item on the merits of the report and subsequent debate.

#### **204. Chair's Announcements**

Members attention was drawn to the Meeting Procedure Rules applicable to the Budget discussions, approved by Full Council at its meeting on the 26<sup>th</sup> January 2023 and circulated with the agenda.

In order to ensure that all of the business of the meeting was completed, it was MOVED by Councillor Jim Hakewill and SECONDED by Councillor John McGhee that the Guillotine (Procedure Rule 10.1) be suspended until conclusion of all of the business on the agenda.

#### **RESOLVED that: -**

- (i) The Guillotine (Procedure Rule 10.1) be suspended until the conclusion of the business stipulated on the published agenda.

#### **205. Public Participation**

The Council had received requests from five members of the public to address the meeting, with reference to the General Fund Budget report, specifically in relation to Pen Green Maintained Nursery. Dr M Whalley CBE, Ms A Prodger, Ms T Gallagher, Mr A Cooper & Ms D Gallagher addressed Council.

#### **206. General Fund Budget 2023/24 and Medium-Term Financial Plan**

The report before Council set out the final revenue budget (2023-24) and Medium-Term Financial Plan for North Northamptonshire Council. The draft budget proposals were considered by the Executive on 22<sup>nd</sup> December 2022 along with an Addendum to the main budget report which provided an update to Members following the provisional Local Government Finance Settlement, which was published on 19<sup>th</sup> December 2022, following a written statement from the Secretary of State for Levelling Up, Housing and Communities.

The budget consultation period commenced on 22<sup>nd</sup> December 2022 and ended on 27<sup>th</sup> January 2023. The draft budgets had been subject to scrutiny by the Finance and Resources Scrutiny Committee. The consultation provided residents, local partners and other stakeholders the opportunity to review the budget proposals and provide feedback during the five-week consultation period.

The budget was further updated for the latest position and presented to Executive at its meeting on 9<sup>th</sup> February, for approval and recommendation on to Council.

The Final Local Government Settlement was announced on 6<sup>th</sup> February 2023 (after the report to Executive on 9<sup>th</sup> February had been published) and had resulted in additional funding of £95k; the Services Grant had been increased by £90k and the Rural Delivery Services Grant had been increased by £5k. To maintain a balanced position the corporate contingency budget had been increased by £95k – the final budget proposals included this change.

The report set out the revenue budget for 2023-24 and the Medium-Term Financial Plan for North Northamptonshire Council, including the proposed Council Tax level for 2023-24, for approval at this meeting.

The Revenue Budget 2023-24 and Medium-Term Financial Plan formed part of a full suite of budget reports being presented to the Council at the meeting. These included the Housing Revenue Account Budget 2023-24, the Capital Strategy, Capital Programme, and the Treasury Management Strategy. These reports together would provide a framework for revenue and capital planning for 2023-24 and into the medium term. The Council Tax Resolution for 2023-24 was included within the report.

The main headline assumptions within the draft budget proposals were:

- A balanced budget for 2023-24.
- Further investment of circa £57m to both protect vital services and invest in service change and improvement. This included requirements set out within the 2022-23 medium term financial plan that remained in place for 2023-24. The overall investment allowed for demand and cost increases including Home to School Transport, Adult Social Care and the Children's Trust. The Trust was also seeking further one-off investment of £2.2m county wide (c£1m from North Northamptonshire) to help deliver further service improvements and generate efficiencies.
- These pressures were offset, in part, by savings, efficiencies and income generation across Council Services of £17m which included new direct service grants. This figure also included the continuation of savings already included as part of the 2022-23 medium term financial plan and which remained deliverable. The remainder of the resource requirement had been met through improved business rates income, council tax income and Government grants.
- The use and retention of reserves to support non-recurring investment in service improvement, fund time limited projects, pump-prime invest to save schemes and help manage risk.
- The investment in Social Care recognised the increase in the National Living Wage from 1 April 2023 to £10.42 per hour and the reversal of a 1.25% increase in national insurance contributions for care providers, following the changes put forward by Government.
- Changes following the reversal of the 1.25% National Insurance charge more widely had been matched with a reduction in Government grant funding.
- An increase in Council Tax of 4.99%, consisting of 2.99% for the "core" council tax and 2% for the Adult Social Care precept, which resulted in a new Band D equivalent Council Tax of £1,657.51, an average weekly increase of £1.52 (based on Band D equivalent) from the previous year.
- No change to the Local Council Tax Support Scheme for 2023-24, which would continue at 25%.

- Inclusion of a contingency to mitigate against uncertainty, which totalled £3.7m and was equivalent to around 1% of the Council's Net Budget. This recognised that there remained uncertainty in funding and spending predictions.
- An allowance for a pay award of 4% in 2023-24 which would be subject to final determination as part of national pay negotiations.
- Officers would continue to seek efficiencies in order to help address the budget requirement from 2024-25 and into future years.

Appendix A set out the summary position for 2023-24 and the indicative forecast for 2024-25 and 2025-26.

Work had been undertaken to review the budget requirement across all service headings and seek mitigating actions (or savings) in order to remain within the funding envelope and set a balanced budget for the Council in line with statutory requirements. The content of the report, along with the detail in Appendix B, outlined the pressures and savings for each of the Directorates. These had been the subject of scrutiny by the Finance and Resources Scrutiny Committee in accordance with the budget strategy and timeline paper that was presented to Executive on 10th November 2022.

As part of the 2023-24 budget setting process a number of Budget Challenge Sessions were held to help inform the budget process, these consisted of Officers and Executive Members and the objective of these sessions were:

- To remind all service areas of the financial position of the Council and the need to ensure value for money.
- To understand the risks and pressures in the budget, including any new risks for 2023-24 and identify any efficiencies to offset against these.
- To review the existing medium term financial plan for 2023-24 onwards including the pressures and savings already included and whether these remained valid for inclusion in the budget.
- To utilise the information gathered to date during 2022-23 monitoring to inform the budget planning for 2023-24.
- To understand the planned service developments, alongside the associated costs/benefits and timing. This will include the continuing disaggregation of former County services between North Northamptonshire and West Northamptonshire Councils, as well as service change.

The outcome was to achieve an agreed way forward on the service proposals for 2023-24 and beyond for consideration as part of the Medium-Term Financial Plan and this formed the basis of the contents of the report.

As part of the budget process, scrutiny was undertaken over two phases through the Finance and Resources Scrutiny Committee. The first phase, during late

October/early November 2022, considered the 2022-23 in-year position based on the forecast as at Period 6. This was to enable scrutiny members to question and understand the underlying financial position and its potential impact in to 2023-24. Building on this, the second phase, which was held in January 2023, considered the detail of the 2023-24 budget proposals.

Each phase of Scrutiny required a separate budget task and finish scrutiny session for each of the following main service areas:

- Children's and Education Services – including the Children's Trust
- Place and Economy
- Enabling and Support Services – Finance, Performance, Communications, ICT, Customer and Governance
- Adults, Communities and Wellbeing Services, including the HRA.

The Children's Trust were also subject to a two-phase scrutiny process which completed in December 2022, to enable the sum to be agreed in January 2023 in line with the contract requirements.

A full Member Budget Briefing Session was held prior to the publication of the draft budget in December and the budget proposals were also discussed with Trades Union representatives in January (as part of the Joint Consultative Forum). Separate budget sessions were also offered to the recognised political groups.

Councillor Lloyd Bunday MOVED the report's recommendations. These were SECONDED by Councillor Mark Rowley.

Councillor Bunday noted the difficult national and international factors that were impacting on the Council's budget setting process for 2023/2024, particularly citing rising fuel and utility costs. Cost of living increases and increased salary costs also had a significant impact on the Council. These factors had also impacted on the Council's contractors and partners.

Council also noted that there was limited scope for the Council to increase its income streams, and it continued to be heavily reliant on Council Tax, Business Rates and Government grants.

Councillor Bunday stressed that although a balanced budget was being proposed for 2023/24 there was currently a projected gap of £18m in 2024/25 rising in subsequent years. These projections would be made worse should the Council not increase Council Tax to the maximum permitted without reference to a local referendum.

Measures to protect vulnerable households would continue, and it was noted that additional Government support to assist residents on low incomes had been received.

Councillor Bunday stressed the hard work over a number of months that had resulted in the proposals before Council and thanked both officers and fellow members for their time and resource.

The importance of ensuring that the Council retained a healthy level of reserves was further stressed by Councillor Bunday. This was particularly appropriate given that the Council was still relatively new. The importance of the Council's Treasury Management Policy and the continued need to keep this under review was also cited.

The following amendments to the report received from the Labour Group were MOVED by Councillor Matt Keane and SECONDED by Councillor John McGhee: -

- *That an additional £2m is allocated to staff pay, which will either contribute to or pay for any pay award that is agreed by the NJC. This will mean that the amount set aside for a potential pay award at NNC is 6% rather than 4%. This will be funded from contingency budget.*
- *We would like to give Pen Green Nursery in Corby a one off £250k Grant. To help them mitigate the loss of core funding. This will be financed from smoothing reserves. We will move that council recommends this and it is passed to executive to endorse.*
- *We would like to use £69k from the general reserve to fund a concession to those on council tax support who have been hit hardest by the green waste charge. We would like a 25% reduction. This will be for one year based on position you are in on day you sign up.*
- *We would like to use £60,000 out of general reserves to fund one educational psychologist with the specific aim of prevention. This educational psychologist will have a specific aim of prevention and as such will be available for educational settings to purchase hours. The average educational psychologist in the UK earns between £38,000 £50,000 pounds per year. I'm looking at an entry level of £50,000 for the salary with on costs that will cost in the region of £60,000 per annum. On a calculation of £60,000 / 48 weeks of the working year that gives us a weekly cost of £1250 to recoup per week. Broken down into 30 working hours leaving 10 hours for reports that would be an hourly cost of £41 pounds per hour to sell to a school to break even. The average hourly cost for a private educational psychologist is around £180 per hour rising to £210 per hour. If we were able to sell 30 hours per week at £180 we would have an income of £5400 per week. Removing the £1250 for outlay gives us an overall profit per week of £4150 pounds. Over the year this will translate into £199,200 profit a year.*

In introducing the amendments, Councillor Keane stated that these had resulted from listening to the concerns of local residents. Councillor Keane stated the amendments had been fully costed and if approved would improve the lives of residents in North Northamptonshire. In seconding the amendments, Councillor Colquhoun paid particular attention to the proposal of a one-off grant of £250k to the Pen Green Integrated Centre, which was vital for the important and valued work of the Centre to continue serving local residents.

Following debate a vote was taken on the amendments. The amendments fell.

*Those voting for the amendments: - Councillors Anslow, Armour, Best, Leanne Buckingham, Lyn Buckingham, Colquhoun, Dell, Hakewill, Keane, Lee, J McGhee, Z McGhee, Pengelly, Tubbs, Tye, Watts.*

*Those voting against the amendments: - Councillors Allebone, Binley, Bone, D Brackenbury, W Brackenbury, C Brown, S Brown, Bunday, Carr, Carter, Dearing,*

*Edwards, Hallam, H Harrison, Howell, Howes, Irwin, Jackson, Lawal, G Lawman, L Lawman, Levell, Marks, Maxwell, A Mercer, G Mercer, Nichol, Pandey, Partridge-Underwood, Powell, Rowley, Shacklock, Smithers, Smith-Haynes, Tebbutt, Ward, Weatherill, Wilkes.*

*Those abstaining: - Councillors Addison, Bell, Harrington, Henson.*

*(There was a 10-minute adjournment in the meeting. Councillor Anslow left the meeting at this point.)*

Councillor Hakewill on behalf of the Green Alliance Group provided a response to the budget proposals within the report.

Following debate of the substantive motion, a recorded vote was taken as required by statute.

**RESOLVED that: -**

- a) the 2023-24 revenue budget as set out in the report be approved, which included and set:
  - i. a budget requirement of £691.553m including Dedicated Schools Grant of £354.963m resulting in a net revenue budget requirement of £336.590m as set out in Appendix A.
  - ii. a total Council Tax requirement for the Council's own purposes of £189.419m as contained in paragraph 5.27.
  - iii. An average Band D Council Tax of £1,657.51 for North Northamptonshire Council, representing a 2.99% increase in the 'core' Council Tax and a further 2% for the Adult Social Care Precept, as set out in paragraph 5.31, noting the separate Council Tax Resolution Report attached at Appendix K.
  - iv. the detailed proposals of savings, pressures and income generation for 2023-24 as set out within the report and Appendix B.
  - v. the provisional dedicated schools grant budget of £354.963m for 2023-24, as detailed in Appendix C, and summarised in paragraphs 5.47 – 5.58.
  - vi. the draft planned use of, contribution to, and movement in, reserves as identified in paragraph 5.60 – 5.65 and section 9 and the reserves strategy as set out in Appendix D
  - vii. the corporate budget requirements as set out in paragraph 8.1, including a contingency sum of £3.746m as set out in paragraph 8.2.
  - viii. the Treasury Management Strategy for 2023-24 as set out in Appendix H, including the Authorised Borrowing Limit of £798.12m with a further

update to the Strategy to be provided once the disaggregation of Northamptonshire County Council's Balance Sheet has been finalised, subject to the external audit of the former County Council's accounts.

- b) delegated authority be granted to the Executive Member for Finance and Transformation in consultation with the Executive Director of Finance and Performance (Section 151 Officer) to agree any necessary variations to the budget prior to 1st April 2023.
- c) delegated authority be granted to the Executive Member for Finance and Transformation in consultation with the Executive Director of Finance and Performance (Section 151 Officer) to agree the use of the following reserves which will provide the flexibility to manage the overall budget during 2023-24.
  - Social Care Reserve
  - Transformation Reserve
  - Public Health Reserve
  - Waste Management Reserve
  - General Risk Reserve
- d) the forecast financial position for 2024-25 and 2025-26 be noted and that this would be reviewed as further information became available and updated as part of the budget process for 2024-25 onwards;
- e) that the financial position had been based on the Final Local Government Finance Settlement announced on 6th February 2023;
- f) the consultation feedback as summarised in the report be noted as attached at Appendix E;
- g) the Equality Impact Screening Assessment as at Appendix F be noted as having been taken into consideration;
- h) the outcome from the Finance and Resources Scrutiny Committee, as detailed at Appendix G and the representations to Executive be noted;
- i) the Flexible Use of Capital Receipts strategy as set out in Appendix J be approved.
- j) the Section 25 Report of the Executive Director of Finance and Performance (Section 151 Officer) as set out in Section 15 be noted, including the Executive Director's review of the robustness of the estimates and the adequacy of the reserves;



- k) delegated authority be granted to the Executive Member for Children, Education and Skills and the Executive Member for Finance and Transformation in consultation with the Executive Director of Children's Services and the Executive Director of Finance and Performance (Section 151 Officer) to approve North Northamptonshire's Schools Funding;
- l) the transfer of £3.879m from reserves be noted, relating to a timing issue in respect of Business Rates Reliefs. This was a timing issue which recognised that these reliefs were awarded and accounted for in the General Fund in 2022-23 but the reduced yield in Business Rates was not reflected in the Collection Fund until 2023-24;

**Council further RESOLVED that: -**

- j) the legal background to setting the budget and Council Tax as set out in Appendix I be noted.
- k) the Council Tax Resolution attached as Appendix K to the report, which was based on the budget proposals be approved, and which:
- Calculated the Council tax requirement in accordance with Section 31A of the Local Government Finance Act 1992 as amended by the Localism Act 2011.
  - Calculated a basic amount of Council Tax and an amount of tax for each valuation band (the Council element) in accordance with Sections 31B and 36 of the Local Government Finance Act, 1992, as amended.
  - Set an amount of Council Tax for each category of dwellings in each valuation band in accordance with Section 30 of the Local Government Finance Act, 1992.

*Those voting in favour of the recommendations – Councillors Allebone, Bell, Binley, Bone, D Brackenbury, W Brackenbury, C Brown, S Brown, Bunday, Carr, Carter, Dearing, Edwards, Hallam, Harrington, H Harrison, Howell, Howes, Irwin, Jenney, Lawal, G Lawman, L Lawman, Levell, Marks, Maxwell, A Mercer, G Mercer, Nichol, Pandey, Partridge-Underwood, Pentland, Powell, Rowley, Shacklock, Smithers, Smith-Haynes, Tebbutt, Ward, Weatherill, Wilkes.*

*Those voting against the recommendations – Addison, Armour, Best, Leanne Buckingham, Lyn Buckingham, Colquhoun, Keane, Lee, J McGhee, Z McGhee, Pengelly, Watts.*

*Those abstaining – Dell, Henson, Tubbs.*

*(There was a 45-minute adjournment in the meeting. Councillors Nichol, Lawal, Harrington, Bell & Pengelly left the meeting at this point.)*

## **207. Housing Revenue Account (HRA) Draft Budget 2023/24 and Medium-Term Financial Plan**

The Government introduced a rent setting formula which covered a 5-year period (2020/21 to 2024/25). The rent setting formula was based on the Consumer Price Index (CPI) for September (of the previous financial year) + 1%. This was introduced following four years of consecutive rent reductions of 1%.

When the current rent policy was set in 2019, inflation was forecast to be around 2% in 2022 and 2023. In July 2022 CPI was 10.1% and DLUHC (Department for Levelling Up Housing Communities) issued a consultation on the basis that if CPI were to remain at or above this level in September 2022, this would permit social housing rent increases from 1 April 2023 to 31 March 2024 of 11.1% or more. CPI in September was at the same level as in July 2022 which would have resulted in rent increases of 11.1% had government continued with the current rent setting formula.

The increase in inflation was placing considerable pressure on many households, including those living in social housing. Providers of social housing had to consider both the pressures facing the tenants and pressures facing the financial sustainability of the HRA, when looking at setting rent levels for 2023/24.

In the face of these exceptional challenges, the Government issued a consultation to make a temporary amendment to the CPI+1% policy for 2023/24. This new Direction would require the Regulator to amend its Rent Standard so that the current CPI+1% limit on annual rent increases would be subject to a ceiling from 1 April 2023 to 31 March 2024. By law, the Government were required to consult on a draft direction, and they issued a consultation on 31st August 2022.

The consultation sought views on having an upper limit on the maximum permitted annual rent increase a Registered Provider is allowed to implement and the consultation considered three options at which rents could be capped these were 3%, 5% and 7%.

The Autumn Budget was made on 17th November 2022 and the Chancellor announced that Social Housing Rents would be capped at 7% for the financial year 2023/24.

To help maintain and protect levels of service provision and to continue investment into the housing stock the Council consulted on an average rent increase of 7% for 2023/24. Both the Corby and Kettering Neighbourhood Accounts had increased rents in line with the maximum amount permissible in previous years and this approach continued with this strategy. Taking this into account the draft Neighbourhood Accounts showed a balanced position for 2023/24.

The scrutiny process for the Draft HRA Budget Proposals was undertaken by the Finance & Resources Committee at a meeting on the 23rd January. This was reported to the Finance & Resources Committee meeting on 30th January for ease of reference Appendix D provided a summary of comments made from the scrutiny meeting.

The draft HRA Budget had been discussed and debated with the TAP over a series of 3 meetings (as detailed in Section 1.4). The final budgets reflected a rental increase of 7% which was agreed by the TAP.

Beyond 2023/24, the Medium-term position (2024/25 to 2027/28) for the Corby Neighbourhood Account showed a deficit of £1.385m whilst the Kettering

Neighbourhood Account shows a surplus of £1.750m. The main reason for the difference between the two Neighbourhood Accounts resulted from how the loans for self-financing were structured. The Corby Neighbourhood Account was increasing its contribution for the repayment of the loans whereas the Kettering Neighbourhood account was reducing its repayments, and this was as a result of how the loans were structured.

The Medium-Term position assumed that rent increases of 4% would be applied each year over the Medium-Term. Rent increases would be subject to an annual consultation with tenants and the rent levels would be dependent on the rent setting formula for 2024/25 which was based on the CPI in September of the previous year plus 1%. The final year of the current five-year rent setting policy would be 2024/25 – this could be subject to change depending on the levels of CPI – such announcements would likely be made in summer 2023.

Councillor Lloyd Bunday **MOVED** the report's recommendations. These were **SECONDED** by Councillor Lee Wilkes.

Councillor Bunday reminded Council that currently two neighbourhood accounts were in operation for Corby and Kettering however work was underway towards consolidation and the development of a 30-year business plan and a Housing Strategy.

Councillor Bunday highlighted the key elements of the HRA proposals, including the requirements to set a prudent level of reserves.

The following amendments to the report received from the Labour Group were **MOVED** by Councillor Lyn Buckingham and **SECONDED** by Councillor Ross Armour:

-

- *The issue - The HRA Budget Report outlines some risks to this year's budget because of the cost-of-living crisis, we understand the pressures on our tenants and our services, however the response to this perceived problem is to increase the bad debt provision across the district by £137k in Corby and £27k in Kettering (although we do not understand the disparity between these figures)*

*As a forward-thinking proactive council, we think that instead of just putting money into bad debt that there is a need to work alongside the government's proposal for numeracy education programme by helping vulnerable tenants understand and engage with financial budgeting, this would also have a positive impact both socially and on other services in the long term and increase wellbeing especially in our left behind areas. This would also assist the councils work with the poverty truth commission set up last year.*

***Proposal: It is proposed that a fund of £44k be put aside for this proactive work taken from the dedicated reserves.***

*By repurposing parts of the budget on proactive measures rather than reactive measures we still maintain a balanced budget but that by investing in building skills and capacity we aim to have tenancies that can become sustainable, we all understand what the impact and cost of evictions are on families and the more education we can give to our tenants on being able to help themselves the better.*

*Whilst we understand there is a raft of organisations that can advise and assist tenants like Money management advice which is available from external agencies such as Citizen's advice. The Council also employs a number of staff to assist with financial inclusion which includes 2 Full time financial inclusion officers in Corby and 2 Full time equivalent Tenancy Support Workers in Kettering, all funded by the HRA, however 4 members of staff and whilst they do an amazing job, will be overwhelmed with a tenant pool of 8,000 tenants many of whom will be struggling.*

- *The correlation between Health and poor Housing has long been understood, and when those conditions are seriously affecting the health of our children and adding to our health inequalities, then we must respond quickly and decisively if we don't, and something happens we could all be culpable of Corporate manslaughter.*

*Many of our properties have problems including that of mould and damp which has been ignored for years, all this proposal does is make sure that there is a dedicated programme around the Housing Health and Safety Rating Scheme which will take into consideration a full assessment and the speed in which hazards are resolved and clears the problem up once and for all.*

*The proposal is that we as a council have a targeted programme of seeking out those Category One hazards that occur in our social housing stock but are responded to on an ad hoc basis at the moment: to fund this element of a targeted programme **it is proposed that:** -*

*£250,000 be repurposed from the repairs and maintenance budget across both areas, £150,000 for Corby £100,000 Kettering, to ensure full assessments are put in place at the earliest opportunity.*

Councillor Lyn Buckingham moved the Labour Group amendments. In doing so, Councillor Buckingham thanked Housing staff for their work during the previous year in difficult circumstances and increasing demand. Councillor Buckingham felt that it was important that the Council provided as much support as possible to its tenants during the current difficult economic climate.

Following debate a vote was taken on the amendments. The amendments fell.

Councillor Hakewill on behalf of the Green Alliance Group provided a response to the budget proposals within the report.

Following debate of the substantive motion, a vote was conducted.

**RESOLVED that: -**

- a) The 2023/24 Housing Revenue Account Budgets consisting of the Corby Neighbourhood Account and the Kettering Neighbourhood Account as set out in Appendix A be approved.
- b) An increase in dwelling rents for 2023/24 of 7% be approved which adhered to the Department for Levelling Up, Housing and Communities (DLUHC) amended Policy statement on rents for social housing for both the Corby Neighbourhood Account and the Kettering Neighbourhood Account.

- c) The Housing Revenue Account Medium Term Financial Plan consisting of the Corby Neighbourhood Account and the Kettering Neighbourhood Account, for 2024/25 to 2027/28 as set out in Appendix B be approved.
- d) the forecast reserves for the Corby Neighbourhood Account and the Kettering Neighbourhood Account up to 2027/28 as set out in Appendix C be noted.

## **208. Capital Programme 2023-26**

The report before Council set out the baseline Capital Programme for 2023-24 and the indicative Medium-Term Financial Plan for North Northamptonshire Council. The draft budget proposals were considered by the Executive on 22<sup>nd</sup> December 2022.

The budget consultation period commenced on 22<sup>nd</sup> December 2022 and ended on 27th January 2023. The draft budgets had been subject to scrutiny by the Finance and Resources Scrutiny Committee. The consultation provided residents, local partners and other stakeholders the opportunity to review the budget proposals and provide feedback during the five-week consultation period. The final budget proposals were reported to the Executive at their meeting on 9<sup>th</sup> February 2023.

The report set out the baseline Capital Programme and identified the key factors and challenges influencing the development of North Northamptonshire Council's commitments for 2023-24 and beyond.

The report presented the General Fund Capital Programme for 2023-26, the Baseline Development Pool and the Housing Revenue Account (HRA) Capital Programme 2023-26.

The key principles underpinning the current Capital programme were set out in the report and were designed to support the delivery of the capital programme which would be affordable and sustainable.

The total capital programme was £109.1m, consisting of the General Fund baseline programme of £65.4m and HRA baseline programme totally £43.7m. There was also a Development Pool of £190m which included schemes awaiting formal business cases.

Councillor Lloyd Bunday **MOVED** the report's recommendations. These were **SECONDED** by Councillor Bert Jackson.

*(Councillor Lee left the meeting at this point.)*

The following amendment to the report received from the Labour Group was **MOVED** by Councillor William Colquhoun and **SECONDED** by Councillor Matt Keane: -

*We would like to use £2.5m (to cover the backlog) paid from the capital receipts to assist with North Northamptonshire's pothole issues. On to many occasions some pot holes are patched up and receive multiple repairs. We want a get it right first-time policy to prevent repeat jobs and keep our roads in better conditions for taxpayers.*

In introducing the amendment, Councillor Colquhoun felt it was important for the Council to provide additional resource to keeping local highways maintained and that

investment now would result in savings in the future and would be appreciated by local residents.

Following debate a vote was taken on the amendment. The amendment fell.

Councillor Hakewill on behalf of the Green Alliance Group provided a response to the budget proposals within the report.

Following debate of the substantive motion, a vote was conducted.

**RESOLVED that: -**

- a) the General Fund Capital Programme 2023-26 and HRA Capital Programme 2023-26 be approved.
- b) the Capital Strategy as set out in Appendix D for 2023-24 be approved.
- c) delegated authority be granted to the Executive Member for Finance and Transformation in consultation with the Executive Director of Finance and Performance (Section 151 Officer) to agree any necessary variations to the capital budget prior to 1st April 2023.

**209. Urgent Items**

There were no Urgent Items on this occasion.

**210. Close of Meeting**

Meeting closed at 3:18 pm.

## Petition

**Full Council 30<sup>th</sup> March 2023**

North Northamptonshire Council awarded Keir a **7-year £30 million** contract in September 2022 to maintain the roads in the North Northants area, to deliver what they call its "Community Enhancement Plan".

Sadly our roads within NNC are deteriorating before our very eyes and are in a shocking state of repair. Huge potholes are everywhere and new ones are appearing daily. They are causing hazards to drivers who are having to navigate roads to avoid the potholes, to prevent damage to their cars. This is despite an extra £1.5m which was spent in 2022 to improve the roads after a budget underspend.

North Northamptonshire Labour Councillors want to hear from you - if you have potholes in your road or street. We have set up a short survey and will be collating the evidence to present to North Northamptonshire Council to call for action to be taken to fix our roads and highways.

**Councillor Alison Dalziel (Lead Petitioner)**

### **Process to be followed at the Full Council Meeting**

Lead Petitioner presents petition (5 minutes)

Full Council debates subject matter (15 minutes in total)

At the conclusion of the debate Full Council needs to determine a course of action (see below) -

In the case of an Executive function, which this is, Full Council can –

- (i) Note the petition and forward to the Executive without comment; or
- (ii) Note the petition and forward to the Executive with recommendations.

This page is intentionally left blank



## Full Council 30 March 2023

<b>Report Title</b>	<b>Pay Policy Statement</b>
<b>Report Author</b>	<b>Adele Wylie</b> <b>Executive Director, Customer &amp; Governance / Monitoring Officer</b> <a href="mailto:adele.wylie@northnorthants.gov.uk">adele.wylie@northnorthants.gov.uk</a>

### List of Appendices

#### Appendix A – Pay Policy Statement

##### **1. Purpose of Report**

---

- 1.1 It is a legislative requirement that the Council publishes an annual Pay Policy Statement. The Pay Policy Statement provides transparency with regards to the Council's approach to setting the pay of its directly employed workforce (excluding schools) for the year 1 April 2023 to 31 March 2024.
- 1.2 This report seeks approval of the Pay Policy Statement attached at Appendix A and asks Council to note that a package of new pay, terms, and conditions of employment and associated pay and employment policies for North Northamptonshire Council are still to be agreed.

##### **2. Executive Summary**

---

- 2.1 The Localism Act 2011 requires the Council to prepare a Pay Policy Statement each year. The Pay Policy Statement must articulate the Council's approach to a range of issues relating to the pay of its workforce and must be published on the website by the 31 March each year.
- 2.2 There are no significant changes to the policy statement from the previous year.

##### **3. Recommendations**

---

That Full Council:

- 3.1 Approve the Pay Policy detailed in Appendix A.
- 3.2 Note that terms and conditions of employment (including a new pay structure) will be considered by Full Council.

### 3.3 *The reasons for this recommendation include:*

- It is a statutory requirement under the Localism Act 2011 for the Authority to approve and publish a Pay Policy Statement.
- Due regard has been given to the requirements of the Localism Act 2011 and associated guidance issued or approved by the Secretary of State, in setting out this Pay Policy Statement.

## **4. Report Background**

---

- 4.1 Under Section 112 of the Local Government Act 1972, the Council has ‘the power to appoint officers on such reasonable terms and conditions as the Authority thinks fit’.
- 4.2 The Localism Act 2011, “the Act” aims to increase transparency in local government. Section 38 of the Act sets out the requirement for local authorities to publish annual Pay Policy Statements. This includes a requirement that local authority pay policy is approved by democratically elected councillors on an annual basis.
- 4.3 Legislation and supporting government guidance, identifies the statutory contents of a Pay Policy Statement and how it should be presented. The core requirements of the provisions of the Act are that a Pay Policy Statement must set out the Authority’s policies relating to senior salaries, remuneration and pay multiples, including the:
- Remuneration for its lowest paid employees
  - Definition used for this group and the reason for adopting this definition
  - Relationship between Chief Officer remuneration and that of other staff
  - Pay multiple relationship between the highest earnings and the lowest earnings and between the median earnings figure for the whole authority workforce.

## **5. Issues and Choices**

---

- 5.1 The Pay Policy Statement for 2023/24 sets out the Council’s approach and policies relating to the pay of its directly employed workforce and is attached at Appendix A.
- 5.2 The Pay Policy Statement covers all employees, with the exception of employees based in schools with delegated budgets. This includes employees who transferred into the council under the Transfer of Undertakings (protection of Employment) Act 2006 (TUPE) and employees directly appointed by the council since April 2021 on interim pay terms.
- 5.3 Specifically, the statement details the remuneration of:
- Chief Officers (statutory and non-statutory);
  - The lowest-paid employees; and
  - The relationship between the remuneration of chief officers and employees who are not chief officers.

5.4 'Pay', includes, in addition to basic salary, any charges, fees, allowances, benefits in kind, increases in or enhancements to pension entitlements and termination payments. It does not include any employer pension or NI contributions.

5.5 For the purpose of this pay statement, Statutory Officers include:

- Chief Executive (Head of Paid Service)
- Executive Director, Finance & Performance (Section 151 Officer)
- Executive Director, Children's Services (Director of Children's Services "DCS")
- Executive Director for Adults, Health Partnerships & Housing (Director of Adult Social Services "DASS")
- Executive Director, Customer & Governance (Monitoring Officer)
- Director of Public Health & Wellbeing (Director of Public Health)

Non-Statutory Officers include:

- Executive Director, Place & Economy (designated Deputy Chief Executive)
- Assistant Chief Executive

5.6 The Council currently has interim terms and conditions which were agreed prior to 1<sup>st</sup> April 2021. The second phase of this is underway and negotiations on pay, terms and conditions are ongoing with recognised Trade Unions. A full package of pay terms and conditions will be considered by Full Council in the coming months following which it will be necessary for an updated Pay Policy Statement to be agreed.

## **6. Implications (including financial implications)**

---

### **6.1 Resources and Financial**

6.1.1 There are no direct additional resources or financial implications associated with the publication of this Pay Policy Statement.

### **6.2 Legal & Governance**

6.2.1 The adoption of an annual Pay Policy Statement is required of all relevant authorities pursuant to the Localism Act 2011. The Statement must reflect the requirements of the Act and have regard to any guidance issued or approved by the Secretary of State.

6.2.2 The scope of information covered in this Pay Policy Statement is limited until a final package of new pay terms and conditions of employment and associated pay and employment policies have been approved.

6.2.3 This Pay Policy Statement (and subsequent full statement) will be published on the Councils website alongside other data, relating to senior salaries and organisational structure (Local Government Transparency Code 2015), Gender Pay Gap (Equality Act 2010; 2017 regulations) and Trade Union Facility Time (Trade Union (Facility Time Publication Requirements) Regulations 2017).

### **6.3 Risk**

6.3.1 There are no significant risks arising from the proposed recommendations in this report.

### **6.4 Consultation**

6.4.1 Not applicable.

### **6.5 Consideration by Scrutiny**

6.5.1 Not applicable.

### **6.6 Climate Impact**

6.6.1 Not applicable.

### **6.7 Community Impact**

6.7.1 Not applicable.

## **7. Background Papers**

---

7.1 Not applicable

## Appendix A

### North Northamptonshire Pay Policy Statement 2023/24

#### 1. Introduction and purpose

This policy statement is provided in accordance with Section 38(1) of the Localism Act 2011.

North Northamptonshire Council is in the process of developing its own pay and grading structure and accompanying terms and conditions of employment. Therefore, this statement sets out the Council's policies relating to the pay and conditions for its workforce **at the current time** and will be updated and re-published during 2023/24 once the new pay, terms and conditions of employment have been determined.

The purpose of the statement is to provide transparency with regard to the Council's approach to setting the pay of its directly employed workforce for 2023/24. In particular:

- The remuneration of chief officers;
- The remuneration of the lowest-paid employees; and
- The relationship between the remuneration of chief officers and employees who are not chief officers.

#### 2. Overview and Principles

The Council is committed to ensuring a fair and transparent approach in determining the pay of its' workforce and to ensuring that its' pay and grading structure attracts and retains talented employees to deliver its objectives.

In designing future pay arrangements, key principles include:

- Being fair, reasonable and transparent;
- Affordability.
- Rewarding employees for their contributions and achievements;
- Maintaining rates of pay which are competitive in attracting and retaining critical skills and talent.

#### 3. Scope

This statement covers all employees with the exception of employees based in schools with delegated budgets.

#### 4. Definitions

Definitions for the purpose of this pay statement are as follows:

**“Pay”** in addition to salary includes charges, fees, allowances, benefits in kind, increases in enhancements to pension entitlements, and termination payments. It does not include any employer pension or national insurance contributions.

“**Chief Officer**” refers to the following roles within the Council:

<b>Table 1</b>	
<b>Definition under the Localism Act 2011</b>	<b>Post held at North Northamptonshire Council</b>
Head of Paid Service	<ul style="list-style-type: none"> <li>• Chief Executive</li> </ul>
Monitoring Officer	<ul style="list-style-type: none"> <li>• Executive Director, Customer &amp; Governance</li> </ul>
Section 151 Officer	<ul style="list-style-type: none"> <li>• Executive Director, Finance &amp; Performance</li> </ul>
Statutory Chief Officers	<ul style="list-style-type: none"> <li>• Executive Director, Adults, Health Partnerships &amp; Housing (DASS)</li> <li>• Executive Director, Children’s Services (DCS)</li> <li>• Director, Public Health and Wellbeing (Interim DPH)</li> </ul>
Non-Statutory Chief Officers	<ul style="list-style-type: none"> <li>• Executive Director, Place &amp; Economy (Deputy Chief Executive designate)</li> <li>• Assistant Chief Executive</li> </ul>
Deputy Chief Officer	<ul style="list-style-type: none"> <li>• Assistant Directors, Chief Information Officer and/or Heads of Service who report to an Executive Director or Director as noted above.</li> </ul>

“**Employees who are not a Chief Officer**” refers to employees who are not covered under the Chief Officer detailed in Table 1. This includes the lowest paid employees.

“**Lowest paid employees**” refers to employees who TUPE transferred into the council and employees directly appointed by the council since April 2021 on interim pay terms. The lowest rate of pay within the Council (with the exception of those paid the statutory apprenticeship rates) mirrors the Living Wage Foundation rate of £9.90 per hour (effective April 2022).

## 5. Remuneration

### Chief Officers

Where a senior post is being appointed to and will be remunerated in excess of £100,000, Full Council are given the opportunity to consider the salary range that will be offered. This ensures that there is adequate transparency and accountability from elected members who are directly accountable to the electorate.

Full Council has delegated authority to the Employment Committee to make appointments to Chief Officers. They will be able to make an offer of remuneration within the salary range agreed by Full Council.

Chief Officer roles have been evaluated using the nationally recognised Hay Job Evaluation Scheme to ensure:

- posts are graded and rewarded financially through a fair and non-discriminatory process;
- there is consistency in treatment between posts; and
- the Council complies with equal pay legislation.

Chief Officer salaries have been benchmarked against roles in comparable Unitary councils, both in terms of the size and complexity of services delivered.

On appointment, Chief Officer salaries are offered within the relevant benchmarked salary range for the role and commensurate with the candidates most recent salary and experience. The benchmarked salary ranges are set out in **Section 10**.

The Deputy Chief Executive designation attracts an additional allowance of £10,000 to reflect the responsibilities associated with deputising for the Chief Executive on occasions, in addition to their core responsibilities.

The Chief Executive is the appointed Returning Officer and will receive a fee for administering local and parliamentary elections and referendums. This role is separate from that of Chief Executive and carries with it personal accountabilities. The fee paid will vary but will be determined in accordance with the relevant scales of fees agreed by the Shadow Executive Committee on 3 February 2021. For national elections and referendums, fees are met by the body responsible for funding the poll.

### **Employees who are not a Chief Officer**

Full Council has responsibility for determining pay, terms and conditions for North Northamptonshire Council and has delegated authority to the Head of Paid Service to negotiate and agree them.

Pay structures for Soulbury Officer job roles in the Council were agreed with trade unions during 2022 and apply to new appointments made since April 2022.

Negotiations on the pay, terms and conditions applicable to the majority of job roles within the council are **ongoing** with the recognised trade unions at this time.

Pending that set of pay, terms and conditions for the Council, new starters and internal job changers since 1 April 2021 are appointed in accordance with the Council's interim recruitment protocol. The scale point at the bottom of the pay range that applied to the post before it became vacant will be used to determine the spot salary and pay allowances applicable to the role.

The remaining workforce transferred to the Council under The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) arrangements. They have the right to retain their existing pay, terms and conditions.

## **6. Pay Awards**

The Council will adjust pay levels to take account of any pay award set by statutory pay order or negotiated nationally by:

- the JNC for Local Authority Chief Executives
- the JNC for Chief Officers of Local Authorities
- the NJC for Local Government Service
- Soulbury Committee
- the Department of Education for unattached (centrally employed) teachers.

This will apply to employees on TUPE protected 'nationally agreed' pay terms and conditions and to new starters/appointments made since 1 April 2021.

**7. Severance Payments**

The North Northamptonshire Council Constitution delegates authority to the Head of Paid Service to agree and make severance payments, in consultation with the Monitoring Officer and Section 151 Officer. Where a severance payment is in excess of £100,000, Full Council are given the opportunity to consider it prior to it being agreed. This ensures that there is adequate transparency and accountability from elected members who are directly accountable to the electorate.

**8. Pay Ratios**

Pay Multiples are also included in this section as a way of illustrating our approach to pay dispersion.

In accordance with the Local Government Transparency Code (2014) and the Localism Act (2011), Table 2 shows the highest fte salary within the council and the associated pay multiple.

<b>Table 2</b>		
	<b>Annual Salary</b>	<b>Ratio</b>
Highest remuneration value	£176,758.75	
Mean remuneration value*	£32,213.36	5.49:1
Median remuneration value**	£29,274.00	6.04:1
lowest remuneration value***	£20,258	8.73:1

*\*The pay multiple ratio between the salary of the highest paid employee (the Head of Paid Service) and the mean full time equivalent salary of the organisation.*

*\*\* The pay multiple ratio between the salary of the highest paid employee (the Head of Paid Service) and the median full time equivalent salary of the organisation.*

*\*\*\*The ratio between the highest paid employee (the Head of Paid Service) and the lowest paid, based on full time equivalent salary.*

The pay multiples outlined in Table 2 are based on remuneration data for employees in post on 28/2/2023 (11 months of data) and will be revised once we have **full year** remuneration data for the 2022/23 financial year, in accordance with the Local Government Transparency Code (2014) and the Localism Act (2011)

**9. Pay Strategy**

In determining the pay and remuneration of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations.

With regard to the Equal Pay requirements contained within the Equality Act, the council ensures that all pay arrangements can be objectively justified through the use of job evaluation methods.

The council will take the following approach to assessing individual and overall pay levels:



- to recruit and retain staff in a way which is externally competitive and internally fair.
- the appropriate grade for a job is established through a process of job evaluation that takes into account the level of knowledge, skills and accountability required for the role.
- in determining the grading structure and setting overall pay levels for all posts, take account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.
- the principle of encouraging employees to develop in their role and to improve their performance will inform the design, with pay grades containing a number of pay steps and an annual opportunity to progress up pay steps within the relevant job grade
- any requirement for additional allowance or supplement will be objectively justified by reference to clear and transparent evidence and where market supplements are considered that this is with reference to data available from within and outside the local government sector.
- where different pay arrangements apply to different groups of staff, the reasons will be clearly evidenced and documented.
- policies about termination payments and employer discretions under the Local Government Pension Scheme will be reviewed and published for all staff. These will be produced with the intention of only making additional payments when in the best interests of the Authority and maintaining consistency through all pay grades.

## 10. Benchmarked salary ranges

The salary ranges for Head of Paid Service, Section 151 Officer, Monitoring Officer and the Statutory and Non- Statutory Chief Officers who form the Corporate Leadership team, are set out in Table 3.

<b>Table 3</b>		
<b>Role</b>	<b>Salary range £</b> (April '22 – March '23)	
Chief Executive (Head of Paid Service)	174,475	184,625
Executive Director of Children's Services and Statutory DCS	133,875	144,025
Executive Director, Finance & Performance and Statutory Section 151 Officer	133,875	144,025
Executive Director, Adults, Health Partnerships & Housing and Statutory DASS	133,875	144,025
Executive Director, Customer & Governance and Statutory Monitoring Officer	133,875	144,025
Director, Public Health and Wellbeing and Director of Public Health	102,410	116,620

Executive Director, Place & Economy and Deputy Chief Executive designate	133,875	144,025
Assistant Chief Executive	102,410	116,620

Additional Information on Chief Officer salaries is published in the local government transparency data at [senior salaries](#).

Salary information reflects current values and will be updated in line with the 2023 pay award once this has been agreed nationally.

**11. Publication and Access to Information.**

This Pay Policy Statement will be published on the Council’s website, together with the Council’s pay and grading structure and information relating to senior management remuneration.

## Full Council 30<sup>th</sup> March 2023

<b>Report Title</b>	<b>Planning Scheme of Delegation &amp; Committee Structure</b>
<b>Report Author</b>	<b>Adele Wylie (Director of Customer and Governance/ Monitoring Officer)</b> <b><u><a href="mailto:Adele.wylie@northnorthants.gov.uk">Adele.wylie@northnorthants.gov.uk</a></u></b>

### List of Appendices

- Appendix 1 – Copy of report (unamended) submitted to Democracy and Standards Committee (13.03.23).
- Appendix 1(A) - Copy of proposed amended Scheme of Delegation (incorporating Committee comments – highlighted).
- Appendix 1(B) - Proposed geographic split for Planning Committees.
- Appendix 1(C) - Copy of proposed Terms of Reference (incorporating both Committee and officer comments – highlighted).

### 1. Purpose of Report

---

- 1.1. Full Council are being requested to consider amendments to both the Scheme of Delegation and the decision-making process relating to the Council's responsibilities as the Planning Authority for North Northants. It is being proposed that any agreed changes would be effective for the Municipal Year 2023/2024 onwards.

### 2. Executive Summary

---

- 2.1. North Northamptonshire Council (NNC) has responsibility for performing the role of "Planning Authority" within its area as detailed in statute. Any functions and liabilities resulting from performing this role rest with NNC.
- 2.2. "Planning" is a fundamental function of local authorities, subject to extensive legislation and often undertaken subject to wide public scrutiny. Members when undertaking their responsibilities on behalf of the Council (the "Planning Authority") need to ensure that all relevant representations, policies etc are considered prior to making their determination on an application for planning consent.
- 2.3. Any processes put in place by the Council need to be lawful and ensure fairness to all relevant parties – applicants, statutory consultees and those submitting representations. Decisions must be made with regard to all material planning considerations associated with the proposal and the planning balance then

applied. This, along with the test of reasonableness, will help to ensure that the Council has a sound decision-making process in place.

- 2.4. The Council is currently undertaking a comprehensive review of its planning service and its delivery to those using the service. This report and Appendix 1 provide background to the steps the Council is undertaking to improve service delivery and enhance improvements in decision-making and governance.

### **3. Recommendations**

---

That Council: -

- (a) Approve the dissolution of the current Strategic Planning Committee and the four Area Planning Committees and their replacement by two Area Planning Committees (North and South) as detailed in the report and Appendix B;
  - (b) Approve the Terms of Reference applicable to both new Area Planning Committees as detailed in the report and Appendix C;
  - (c) Approve the amendments to the Scheme of Delegation as detailed in the report and Appendix A;
  - (d) Approve each Chair of an Area Planning Committee, see (a) above, receive a Special Responsibility Allowance (SRA) of £ 7,631 per annum;
  - (e) Approve that the amendments and changes approved in (a) – (d) above are enacted for the Municipal Year 2023/2024 onwards;
  - (f) Approve that the Democracy and Standards Committee receive a report on the effectiveness/application of the approved changes and amendments after a 12-month period following enactment;
  - (g) Note that changes to the geographic area covered by each respective Area Planning Committee may require review following changes to ward boundaries to be implemented at the next scheduled ordinary elections in May 2025; and
  - (h) Approve Delegated Authority be given to the Monitoring Officer to make minor incidental and consequential changes to the Council's Constitution as a result of any changes approved in (a) – (d) above.
- 3.1. *Reason for Recommendations – Following review of the operation of the Planning Authority's functions since Vesting Day, and as a result of the independent report commissioned from the Planning Advisory Service (PAS), it is suggested that some amendments in both governance structure and Scheme of Delegation are made to improve efficiency and effectiveness in decision making.*
- 3.2. *Alternative Options Considered – The Planning Transformation Board, in response to the PAS review and its submission for consideration to committee and Full Council, considered a range of options including status quo, a single planning committee for the North Northamptonshire area, completely removing the committee trigger in the Scheme of Delegations for local councils and statutory consultees.*

### **4. Report Background**

---

- 4.1. In 2022, the Council requested that the Planning Advisory Service (PAS) undertake a Peer Review into all aspects of the provision of a planning service by the Council. The outcome of this review was reported to the Executive in December 2022, together with recommendations suggested by PAS. The Executive agreed to establish a Planning Transformation Board with responsibility for following through and overseeing the Council's response to the PAS recommendations.
- 4.2. A range of work is being undertaken through the transformation programme including the harmonisation of the Planning Service's back-office processes and customer facing operations to address the recommendations made by PAS.
- 4.3. With regard to the Council's Planning Scheme of Delegation and committee structure, the PAS Peer Review report identified a number of issues they felt the Council needed to consider. These included:
- *The governance structure is not efficient and effective for a council of this scale. Four planning committees have been retained exactly reflecting the predecessor council boundaries. These have been supplemented by an additional strategic planning committee that considers very large or contentious applications.*
  - *All five committees are scheduled to meet monthly. In the period from January to September this year (2022), several committees were cancelled and many were very short.*
  - *The same scheme of delegation applies across the committees although we heard that it is not consistently applied. An excessive number of householder and minor applications are considered by committee because of the current scheme of delegation.*
  - *The costs of taking applications to committee are much higher than delegated decisions and committees should be considering only the most significant applications and, of course, any which involve the council, councillors, or planning staff as the applicant.*
- 4.4 The PAS report also made the following recommendations:

*Further review the scheme of delegation and the number of 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 an analysis of applications needed to go to committee after the changes to the scheme of delegation).*
  - *To encourage the move to a new joined up planning service, it would be better if the new committee boundaries were not aligned to the predecessor council boundaries.*
- 4.5 In response to the observations and recommendations raised in the PAS Report, it has been agreed through the approval of the corresponding North

Northamptonshire Council (NNC) Action Plan that the following actions be undertaken:

- A review of the Planning Scheme of Delegation and the development of an amended scheme based upon best practice and supported by NNC planning data.
- A review of the planning committee system and the development of proposals for a revised committee structure, supported by NNC planning data, that optimises efficiency and enables committees to focus on the most significant applications.

4.6 Further details regarding these PAS recommendations and the data considered in formulating the proposals in this report can be found in Appendix 1 under 4.7 – 4.28.

## **5 Issues and Choices**

---

### 5.1 Appendices

Appendix 1 is a copy of the officer report submitted to Democracy and Standards Committee on 13<sup>th</sup> March 2023. This report provides more in-depth commentary on the background to the PAS recommendations and the proposed actions arising from these considered by the Planning Transformation Board established by the Executive.

Appendix 1A includes a copy of the original officer recommended amendments to the Scheme of Delegation (*RED italics*), based upon PAS recommendations. These were considered by Committee and further suggested amendments are highlighted (**YELLOW bold**).

Appendix 1B includes a copy of the proposed geographic split for Planning Committees. This split reflects the recommendations made by PAS and is informed by historic planning data to help ensure that the application workloads of the proposed committees will be as equitable as possible. During discussions at Committee, it was noted that this split may need to be revisited following the outcome of the current NNC Boundary Review exercise being conducted.

Appendix 1C includes a copy of the proposed Terms of Reference applicable to each planning committee, incorporating comments from the Committee and subsequent officer recommended amendments.

### 5.2 Special Responsibility Allowance

A consequential issue arising from any amendment to the committee structure relates to Special Responsibility Allowance for Chairs.’ This matter is a decision for Full Council.

Currently each Chair of the four Area Committees receives an SRA of £5,090. The Chair of the Strategic Planning Committee receives an SRA of £7,631.

The total expenditure on Planning Committee SRAs is £27,991.

It is suggested that each Chair of the two new Area Committees receives an SRA of £7,631. The total expenditure on Planning Committee SRAs would be £15,262.

The higher SRA reflects the increased level of responsibility and relates to the approved SRA scale agreed by Council based upon the recommendations of the Independent Remuneration Panel.

5.3 Political Balance & Membership on the new Committees

The full and substitute membership of the two new committees would be drawn from those wards included within the geographic area covered by each respective committee.

Political balance would be calculated, with Groups advised ahead of Annual Council and nominations for full and substitute membership sought.

Based upon the recommendation of Democracy and Standards Committee there would be a need for the following –

North Planning Committee	13 Full Members
	13 Substitute Members
South Planning Committee	13 Full Members
	13 Substitute Members

It should be noted that each full or substitute member needs to have received the approved training prior to taking-up their duties on the committee. Given the rationalisation of committees, the proposed increase in quorum (to 7 members), and the decrease in likelihood of scheduled meetings being cancelled, the role of substitute members is of particular importance.

#### 5.4 Scheme of Delegation

Items of debate and amendment to the Scheme of Delegation are highlighted in Appendix A. The key areas discussed by Committee included: -

Delegation 1 (iv), where it was felt appropriate for the Chair and Vice Chair to be included as well as the senior planning officer. In addition, there was significant discussion around the term “contentious.” A suggested definition of this has been proposed at the end of the Delegation Scheme for reference. It should be noted that the need for clear reference to material planning considerations in any representations is essential to mitigate any potential successful challenge to the Council’s subsequent actions.

Delegation 8, where there was reference in relation to ward member requests for submission within 21 calendar days. In order to allow more time for town and parish councils to liaise with ward members after the standard 21 calendar days consultation, the suggested amendment is for this to be increased to 25 calendar days, whilst recognising that this will reduce the officer time available to process responses to consultation, consider the application, draft a report for publication ahead of committee within the statutory timeframe for determination of 8 weeks for non-major applications. It should be noted that ward members are not statutory consultees but play an important role in channelling constituents concerns and queries regarding applications for planning consent in their respective wards to the Planning Authority.

Delegation 8, the final paragraph to be reworded to read – *The request shall be considered by the Chair and Vice Chair of the relevant planning committee, with the advice of the senior planning officer, that the referral contains material planning issues and shall be called in.*

#### 5.5 Other Issues

**Member Training** – the Committee were keen to stress the importance of member training, and noted the steps taken to date regarding this which were welcomed. A particular issue related to the transfer of some of the responsibilities from the Strategic Planning Committee to Area Committees, specifically former NCC functions e.g. minerals & waste planning. Appropriate training would be provided. There was also brief discussion that members who were not on Area Committees may benefit from some basic training being provided to assist with their role as ward members.

**Town & Parish Councils** – Town & Parish Councils are an important statutory consultee. Concerns were raised that some town & parish councils struggle to respond within the 21 calendar day consultation period, although it was noted that some have mitigating measures in place to assist with compiling consultation responses e.g. planning committees, delegation. It needs to be recognised that the responsibility and liability for determining applications within statutory time periods rests with the Planning Authority and that their performance in this respect is monitored by Government.



It was further noted that the Planning Authority had agreed on occasions for ad hoc reasonable extensions of time for local councils' responses to be received. Communication between local councils and the Planning Authority was key. This concern would partially be mitigated by the Committee's suggestion that ward members have a 25-calendar day period to respond, allowing another channel for local councils to use. It should be noted that any failure of the Planning Authority to determine applications within the timeframe specified in statute increases the risk of challenges from applicants on the grounds of non-determination. Persistent failure to meet the Government's targets on speed of decision making could result in the Planning Authority being placed in special measures.

**Member Communication** – The importance of ensuring that ward members were made aware of validated applications for planning consent in their respective area was stressed. Officers confirmed, once validated, applications were accessible to members and the public on the Council's website, where all documentation was uploaded.

## **6 Next Steps**

---

- 6.1 Council are being requested to consider the proposed amendments to the decision-making structure and the Scheme of Delegation.
- 6.2 Any amendments approved would be effective for the Municipal Year 2023/2024. Current arrangements would remain in place until Annual Council in May 2023.

## **7 Implications (including financial implications)**

---

### **7.1 Resources and Financial**

- 7.1.1 If approved, the proposed structure would generate a small saving in SRA Member Allowances, Member & staff mileage, printing, venue costs etc.

### **7.2 Legal and Governance**

- 7.2.1 The proposals within this report require amendment to the Council's Constitution in order to introduce the changes to governance structure and to the Scheme of Delegation.
- 7.2.2 In implementing these proposals there will be a need to ensure that the Council continues to operate a lawful planning service and that the decision making process and all planning decisions are robust and able to withstand the potential for successful legal challenge.

### **7.3 Relevant Policies and Plans**

- 7.3.1 The proposals submitted by officers on behalf of the Planning Transformation Board are intended to assist in delivering the actions set out in the agreed Action Plan responding to the PAS Peer Review. The Executive at its meeting on 23<sup>rd</sup>

December 2022 agreed the establishment of a Planning Transformation Board to consider the outcome and recommendations of the PAS Review.

## **7.4 Risk**

7.4.1 The suggested amendments submitted by officers to the Democracy & Standards Committee were intended to address areas of concern expressed by PAS and reinforce existing good practice. The recommendations of the Committee, having considered the officer report, are detailed in this report and appendices.

7.4.2 Any amendments approved by Council need to ensure –

- They address the issues identified by PAS;
- Ensure that the Council continues to operate within the statutory and legal framework as Planning Authority;
- Does not adversely impact on existing good performance and service delivery;
- Should be subject to review at a later date (following a 12-months period of operation is suggested) to ensure any amendment(s) are increasing efficiency, effectiveness and improvements in service delivery for the Planning Authority.

## **7.5 Consultation**

7.5.1 The Constitutional Working Group (CWG) considered these matters at its meeting on 20<sup>th</sup> February 2023 and the Democracy and Standards Committee at its meeting on 13<sup>th</sup> March 2023.

7.5.2 Other consultation undertaken by the Planning Service and by PAS with regard to the items under consideration in this report and the wider PAS recommendations are detailed within Appendix 1A – s.7.5.

## **7.6 Consideration by the Executive or Executive Advisory Panel**

7.6.1 Not applicable to this report. The full PAS report and recommendations were considered by the Executive at its meeting on 23<sup>rd</sup> December 2022, however the matters under discussion in this report are non-executive matters and fall within the governance remit of Full Council.

## **7.7 Consideration by Scrutiny**

7.7.1 Not applicable to this report.

## **7.8 Equality Implications**

7.8.1 None impacting on the nine protected characteristics defined in the Equality Act 2010.

## **7.9 Climate Impact**

7.9.1 It should be noted that should the proposals be approved, there will be a reduction in the number of meetings scheduled over the Municipal Year, which will reduce the requirement for both members and officers to travel to meetings and for Council buildings to remain open in the evenings. Live streaming of meetings also reduces the potential for viewing public needing to travel to attend meetings.

## **7.10 Community Impact**

7.10.1 The report seeks member determination in relation to two issues around the governance structure and the Scheme of Delegation. Meetings will continue to be accessible to the public, including live streaming of meetings where the venue allows for this. There are no changes to the current Planning Public Participation Policy being recommended in this report and the Policy would apply to any new committees created.

7.10.2 The Planning Service has conducted briefings with representatives of town and parish councils as part of this exercise.

## **7.11 Crime and Disorder Impact**

7.11.1 Not applicable to this report.

## **8 Background Papers**

---

8.1 PSA Peer Review Report.

<https://northnorthants.moderngov.co.uk/documents/s13629/Appx%20A%20-%20Final-PPR-report-north-northants-06-11-22.pdf>

8.2 Corresponding NNC Planning Transformation Board Action Plan

<https://northnorthants.moderngov.co.uk/documents/s13630/Appx%20B%20-%20Planning%20Peer%20Review%20-%20Planning%20Transformation%20Board%20Action%20Plan%201%20Dec%202022.pdf>

8.3 Democracy and Standards Committee Agenda & Report 13.03.23.

This page is intentionally left blank

## APPENDIX 1

**Democracy & Standards Committee**  
**Monday, 13 March 2023**

<b>Report Title</b>	<b>Proposed Amendments to the Planning Scheme of Delegation &amp; Committee Structure</b>
<b>Report Author</b>	<b>George Candler, Executive Director of Place and Economy</b>  <b>Rob Harbour</b> <b>Assistant Director Growth &amp; Regeneration</b>

<b>Are there public sector equality duty implications?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Does the report contain confidential or exempt information (whether in appendices or not)?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972</b>	

**List of Appendices**

**Appendix A – Proposed Amendments to Scheme of Delegation**

**Appendix B – Proposed Geographic Split of Amended Committee Structure**

**Appendix C – Proposed Amendments to the Planning Committees Terms of Reference**

**1. Purpose of Report**

---

- 1.1. This paper seeks to provide a response to recommendations relating to the Council's Planning Scheme of Delegation and committee structure made by the Planning Advisory Service (PAS) resulting from their Peer Review of the Planning Service that took place in September 2022.

**2. Executive Summary**

---

- 2.1. In the last week of September 2022, a review of the Council's Planning service was undertaken by a PAS Peer Review Team. This included an extensive set of interviews and focus groups with a wide range of internal and external stakeholders.

- 2.2. *The details and outcomes of the Peer Review are set out in a PAS report which has been provided to the Council. This sets out a series of recommendations for the Planning service that are designed to help it through the current transformation journey, bringing together five legacy local planning authorities under North Northamptonshire Council to form a single harmonised and high-performing planning service for North Northamptonshire.*
- 2.3. *Within the report received from PAS was a recommendation to review the scheme of delegation and the number of committees. This review has been undertaken and the proposals subsequently considered by both the Planning Transformation Board (set up in January 2023 to oversee the delivery of the Action Plan that responds to the PAS Peer Review) and the Constitutional Working Group.*

### **3. Recommendations**

---

- 3.1. *That the Democracy & Standards Committee recommend to full Council that:*
- (a) The proposed amendments to the Council's Planning Scheme of Delegation, as set out in Appendix A, be approved.*
  - (b) The Council's Planning Committee structure be amended to two planning committees (North & South Planning Committees) with a geographic split as set out in Appendix B.*
  - (a) That the Terms of Reference for Planning Committees be amended as set out in Appendix C to reflect the proposed Planning Committee structure*
- 3.2. *Reason for Recommendations –*
- To maximise the benefit of the advice and recommendation received from PAS through their peer review of the Council's Planning service*
  - To put in place an appropriate Planning Scheme of Delegation and Committee Structure that will ensure that the resources of the committees are focussed on determining the most significant planning proposals across North Northamptonshire*
  - To put in place a Planning Scheme of Delegation and Committee Structure that maximises efficiency and cost effectiveness.*
  - To ensure that customers and stakeholders of the Planning service receive maximum benefit from a harmonised and efficient service of which this is a fundamental part*
- 3.3. *Alternative Options Considered –*
- A number of alternative options have been considered including the complete removal from the Scheme of Delegation of the trigger for town and parish councils and statutory consultees, and alternatively the introduction of making mandatory the attendance of a representative from the town or*

*parish council triggering an application being considered by a committee to make their representations to the committee in person.*

*Several alternative options were considered in terms of amending the committee structure, including a single planning committee, as operated by a number of other high-performing unitary authorities and alternatively the option of retaining the Strategic Planning Committee along with two area planning committees.*

#### **4. Report Background**

---

- 4.1. *In the last week of September 2022, a peer review of the Council's Planning service was undertaken by a Planning Advisory Service (PAS) Peer Review Team. This included an extensive set of interviews and focus groups with a wide range of internal and external stakeholders.*
- 4.2. *The details and outcomes of the Peer Review are set out in a PAS report which has been provided to the Council and was considered by the Executive on the 23 December 2022. A copy of the PAS report can be found here:  
<https://northnorthants.moderngov.co.uk/documents/s13629/Appx%20A%20-%20Final-PPR-report-north-northants-06-11-22.pdf> . This sets out a series of recommendations for the Planning service that are designed to help it through the current transformation journey, bringing together five legacy local planning authorities under North Northamptonshire Council to form a single harmonised and high-performing planning service for North Northamptonshire.*
- 4.3. *In response to the Peer Review, the Council has set out an Action Plan that seeks to harness the advice and recommendations received and to plan a detailed programme of transformational activity and governance arrangements that will oversee the progress of this work. The Action Plan and governance arrangements, including the formation of a Planning Transformation Board, were considered and approved by Executive on the 22 December 2022.*
- 4.4. *With regard to the Council's Planning Scheme of Delegation and committee structure, the PAS Peer Review report identifies that:*

*The governance structure is not efficient and effective for a council of this scale. Four planning committees have been retained exactly reflecting the predecessor council boundaries. These have been supplemented by an additional strategic planning committee that considers very large or contentious applications. All five committees are scheduled to meet monthly. In the period from January to September this year (2022), several committees were cancelled and many were very short. The same scheme of delegation applies across the committees although we heard that it is not consistently applied. An excessive number of householder and minor applications are considered by committee because of the current scheme of delegation. The costs of taking applications to committee are much higher*

*than delegated decisions and committees should be considering only the most significant applications and, of course, any which involve the council, councillors, or planning staff as the applicant. The current scheme of delegation essentially allows town and parish councils to dictate which applications should go to committee as well as giving undue weight to the number of objections.*

4.5. *The PAS report also makes the following recommendations:*

*Further review the scheme of delegation and the number of 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 an analysis of applications needed to go to committee after the changes to the scheme of delegation).*
- *To encourage the move to a new joined up planning service, it would be better if the new committee boundaries were not aligned to the predecessor council boundaries*

4.6. *In response to the observations and recommendations raised in the PAS Report, it has been agreed through the approval of the corresponding North Northamptonshire Council (NNC) Action Plan that the following actions be undertaken:*

- *A review of the Planning Scheme of Delegation and the development of an amended scheme based upon best practice and supported by NNC planning data*
- *A review of the planning committee system and the development of proposals for a revised committee structure, supported by NNC planning data, that optimises efficiency and enables committees to focus on the most significant applications.*

***Planning Scheme of Delegation:***

4.7. *The Planning Scheme of Delegation is integral to the efficient operation of the planning committee system. PAS have identified that the current Scheme of Delegation does not operate as effectively as it might and consequently results in ‘an excessive number of householder and minor applications’ being taken to committee. PAS recommends that only the most significant applications, along with any which involve the Council, Councillors or Planning staff as the applicant should be considered by committee. They also highlight the cost to the Council of taking applications to committee, which is significantly more than delegated decisions.*

4.8. *PAS identifies the key issues affecting the performance of the current Scheme of Delegation are:*



- the ability for town and parish councils to dictate which applications go to committee
- that undue weight is given to the number of objections

4.9. Table 1 below provides the data on application numbers to the different NNC planning committees:

**Table 1: NNC Planning Committee Meetings Data**

Committee	No. Applications Determined by Committee		No. Cancelled Meetings		No. Meetings Held with a Single Application	
	2021	2022	2021	2022	2021	2022
Strategic	6	12	3	6	2	2
Corby Area	13	14	3	5	1	4
Kettering Area	28	21	0	1	0	4
Thrapston Area	47	41	1	2	0	0
Wellingborough Area	20	19	1	2	0	3
<b>Totals</b>	<b>114</b>	<b>107</b>	<b>8</b>	<b>16</b>	<b>3</b>	<b>13</b>

4.10. The data above shows that significantly more applications are taken to the Thrapston Area Planning Committee than any other. Although this is the largest geographic area in North Northamptonshire, the number of applications determined in this area over the course of 2022 was less than in either the Kettering or Wellingborough area (where 41 and 103 more decisions issued respectively). This suggests that a disproportionately large number of applications are being triggered for consideration by committee through the Scheme of Delegation in the Thrapston area, which PAS understood to be largely a result of a town and parish councils' objections to the case officer's recommendations.

4.11. This is supported by the NNC data in Table 2 below, which relates to applications where the trigger is made by a town or parish council requiring an application to be determined by a planning committee:

**Table 2: Town & Parish Council Committee Trigger Data**

Committee	Total No. Applications Determined by Committee 2021 & 2022	No. Reports Triggered to Committee by Town or Parish Council	% Reports Triggered to Committee by Town or Parish Council	No. of these Reports Where Officer Recommendation Followed by Committee	% of these Reports Where Officer Recommendation Followed by Committee
Strategic	18	8	44	8	100
Corby Area	27	14	52	13	93
Kettering Area	49	23	47	20	87
Thrapston Area	88	67	76	62	93
Wellingborough Area	39	22	56	22	100
<b>Totals</b>	<b>221</b>	<b>134</b>	<b>61</b>	<b>125</b>	<b>93</b>

- 4.12. The data in Table 2 above illustrates that 61% of all planning applications considered by the Council's planning committees are triggered by an unresolved representation from a town or parish council. And that of these applications that are referred to committee for a decision, 93% of the decisions are made in line with the officer's recommendation.
- 4.13. In order to consider how best to address the concerns raised by PAS and supported by NNC data, officers have researched the Planning Schemes of Delegation used in seven other high-performing unitary authorities. These authorities were short-listed from a sample of 10, selected as a result of considering the performance of each authority (as measured by the government) and the size, scale and type of unitary authority.
- 4.14. It proved difficult to find many unitary authorities that compare in size and scale to North Northamptonshire and which also compared favourably against NNC's current performance across a range of measures, including speed of decision-making and successfully defended appeals. Table 3 below shows the performance of each authority included in the sample measured against NNC:

**Table 3: Planning Performance of other Unitary Authorities**

<b>Local Planning Authority</b>	<b>Major applications % within 13 weeks or within agreed time</b>	<b>Non-major applications % within 8 weeks or within agreed time</b>	<b>County matters</b>	<b>Quality of major decisions (% overturned at appeal)</b>	<b>Quality of non-major decisions (% overturned at appeal)</b>
North Northamptonshire	95.0	89.0	92.9	0.5	1.3
<b>Selected Unitary Authorities</b>					
Cheshire West and Chester	95.1	92.0	100	0.6	0.8
Hartlepool	100	99.0	100	2.1	0.6
North East Lincolnshire	100	99.6	No data	1.6	0.6
Southampton	100	95.1	No data	1.9	0.5
East Riding of Yorkshire	97.3	93.7	100	1.3	0.5
Medway	94.5	94.4	No data	0.8	1.0
Central Bedfordshire	89.7	92.2	85.7	0.4	0.9
<b>Other Similar Unitary Authorities Not Selected</b>					
Cheshire East	95.0	82.6	93.3	3.1	1.1
South Gloucestershire	76.6	70.4	71.4	3.1	0.6
Dorset	76.9	74.8	81.5	5.3	4.7

**Key:** Green – performance better than NNC  
 Amber – performance the same as NNC  
 Red – performance worse than NNC

4.15. *From this research the following can be concluded:*

*All the other high-performing unitary schemes share some common ground with the current NNC scheme. These include the following triggers:*

- *Significant implications to, or departure from, the Development Plan (7 of 7 authorities)*
- *Ward member call-in (7 of 7 authorities)*

*The majority of schemes include certain other triggers shared with NNC's scheme:*

- *Senior officer referral for contentious applications (6 of 7 authorities)*
- *Application by a member (or their immediate family) (4 of 7 authorities)*
- *Application by a senior officer (4 of 7 authorities)*
- *Application by an officer in the Planning Service (5 of 7 authorities)*
- *Application where the Council is the landowner (5 of 7 authorities)*
- *An unresolved representation from a town or parish council (4\* of 7 authorities) (\* One authority only for major applications)*

*Very few other schemes share the following triggers:*

- *An unresolved representation from a statutory consultee (2 of 7 authorities)*

4.16. *In order to address the recommendations made by PAS and to bring the NNC Scheme of Delegation further into line with other high performing unitary planning authorities, the Planning Transformation Board and Constitutional Working Group have given detailed consideration to how the Scheme of Delegation could be best amended, the conclusion of which is outlined in the proposals below:*

- Amend the Planning Scheme of Delegation so that the trigger relating to an unresolved objection from a town or parish council only relates to major applications.*
- Amend the Planning Scheme of Delegation so that the trigger relating to an unresolved objection from a statutory consultee only relates to major applications.*

4.17. *These proposals, along with some minor changes to wording seek to fine-tune the Scheme of Delegation to help improve the clarity of the Scheme, and to reduce the excessive number of householder and minor applications being taken to committee and to ensure that only the most significant applications are considered by Committee in line with the recommendations of PAS. It should be noted that these proposals place no restriction on a town or parish council, or other statutory consultee from making representations on any planning application, or where considered appropriate to liaise with local NNC ward councillors to seek a member call-in to committee.*

4.18. *A draft Planning Scheme of Delegation is attached at Appendix A that reflects the proposed amendments described above.*

**Planning Committee Structure:**

4.19. *The efficiency of the Planning Committee system is a fundamental element of an effective planning service. PAS conclude through their review that the current committee structure is 'not efficient and effective for a council of this scale'. Their report highlights that a number of the committee meetings have been cancelled or are short with small agendas. This is evidenced through the data in Table 1 above.*

4.20. *The PAS report concludes that:*

- *The costs of taking applications to committee are much higher than delegated decisions.*
- *Committees should be considering only the most significant applications.*
- *An excessive number of householder and minor applications are being considered by committee.*

4.21. *The data for NNC Planning Committee Meetings detailed in Table 1 indicates that in general, the number of applications being considered by the committees does not warrant the number of committees the Council has. This is evidenced by the number of committee meetings cancelled due to lack of business, or those where only a single application appeared on the agenda. In 2022, these accounted for 29 meetings (48% of all scheduled planning committee meetings).*

4.22. *Research has therefore been undertaken to examine the planning committee structures used within the same seven high-performing unitary planning authorities detailed in Table 3 above. The outcome of this work shows that:*

- *6 of the 7 authorities operate a structure with a single planning committee meeting on a monthly basis.*
- *1 authority operates a Planning Committee with two sub-committees (however 33% of its Planning Committees in 2022 considered a single application)*

4.23. *The data relating to the current operation of the NNC planning committee meetings in Table 1, the conclusions and recommendations of the PAS report and the outcome of the research relating to the committee structures of other high-performing unitary authorities, has been given detailed consideration by the Planning Transformation Board and Constitutional Working Group.*

4.24. *Both the Planning Transformation Board and Constitutional Working Group agree that the current committee structure does not work well as outlined in the PAS report and that amendments need to be made in order to achieve*

*more efficient and cost-effective committees. They concluded to recommend that the optimal number of planning committees for North Northamptonshire is two and that these should be aligned to specific geographic areas within the administrative boundary of North Northamptonshire. This proposal aligns with the recommendations issued by PAS in their report and as detailed in Paragraph 4.5.*

- 4.25. *It was considered that a two-committee structure will ensure that (based upon the last two years committee data) there will be sufficient capacity to undertake the likely committee business (at circa 110 applications per year, this equates to an average of between 4 and 5 applications per committee), whilst helping to ensure that there is sufficient business on the committee agendas to significantly improve their cost-effectiveness.*
- 4.26. *The Board also considered that two planning committees with a geographic split across the area would help to ensure that committees could still be held in relatively local locations within North Northamptonshire and can be attended by committee members that brought local knowledge as well as planning knowledge to the decision-making process.*
- 4.27. *In considering how a geographic split of North Northamptonshire might be best achieved, the following criteria was applied to establish a proposal for the most appropriate split:*

- i) *The data from the throughput of planning applications in each of the current four areas to help ensure that the proposed split has a reasonable prospect of producing a similar committee workload. The planning application workload in 2022 across the four geographic areas is as follows:*

<i>Corby area</i>	<i>12.6%</i>
<i>Kettering area</i>	<i>27.1%</i>
<i>Thrapston area</i>	<i>30.6%</i>
<i>Wellingborough area</i>	<i>29.7%</i>

- ii) *That the boundary between committee areas follow NNC ward boundaries. This is because planning applications are linked to wards in the back-office ICT systems, which is helpful for example when searching for applications or producing reports such as weekly lists. In terms of having a clear understanding and managerial control of which planning applications are assigned to a particular committee, this is most easily achieved by assigning wards to committees. It is also considered that for the ward councillors and local residents, it would be helpful to have a clear understanding that every application within the ward that is referred to committee for a decision goes to the same committee.*
- iii) *That there is at least one suitable venue within the geography of each area where the planning committee can be held.*

iv) *That in order to address the recommendation made by PAS that ‘To encourage the move to a new joined up planning service, it would be better if the new committee boundaries were not aligned to the predecessor council boundaries’ the geographical split differs from the former district and borough administrative boundaries.*

4.28. *Taking account of the criteria outlined above, a proposed method of splitting the geography of North Northamptonshire into two areas was considered and supported by both the Planning Transformation Board and Constitutional Working Group, each of which would have its own planning committee. A map outlining the proposed areas is attached at Appendix B.*

## **5. Issues and Choices**

---

5.1. *The PAS Peer Review was invited by the Council in order to provide an independent assessment of the Planning Service and to undertake extensive engagement with a wide range of the Service’s stakeholders. As a result of this review, the Council has received a final report and recommendations from PAS that help to inform the transformation journey being undertaken by the Planning Service bringing together five legacy local planning authorities under North Northamptonshire Council to form a single harmonised and high-performing planning service for North Northamptonshire.*

5.2. *In reaching the proposals set out in this report, the findings of the PAS report and the recommendations provided relating to the Scheme of Delegation and committee structure have been thoroughly considered by both the Planning Transformation Board and Constitutional Working Group. NNC data relating to the operation of the Scheme of Delegation and committee system has been collected and analysed in order to ensure that the findings of PAS can be evidenced and this has proved to be the case in relation to the town and parish council trigger in the Scheme of Delegation and the lack of efficiency in the current committee structure.*

5.3. *Seven high-performing unitary authorities have been identified in order to compare and inform the proposals for amending NNC’s Scheme of Delegation and committee structure and a number of alternative options were considered as set out Paragraph 3.3 before arriving at the proposals set out in this report.*

5.4. *The proposals included within the report seek to address the findings and recommendations from PAS and it is believed will improve the efficiency and cost-effectiveness of the planning committee system, helping to ensure that valuable resource of the committees is focussed on considering only the most significant applications.*

5.5. *Council could choose to reject the findings of the PAS Peer Review. Should this be the case, then the options open to the Council would be to either continue operating the current planning service delivering business as usual*

*as it does presently, or to formulate transformation plans for the service ignoring the advice and recommendations of the PAS Peer Review Team.*

## **6. Next Steps**

---

- 6.1. *Subject to Committee's approval, these proposals will then be taken to full Council for consideration at the meeting scheduled for the 30 March 2023.*

## **7. Implications (including financial implications)**

---

### **7.1. Resources and Financial**

- 7.1.1. *These proposals are designed to improve the efficiency of the planning committee system. In reducing the number of committees the proposals seek to ensure that the resource of the committees are focused on considering the most significant planning matters and that there is a reduction in the number of meetings that are either cancelled or held to consider a single item.*
- 7.1.2. *By reducing the number of committees and meetings held over the course of a year, there will be a corresponding financial saving in travel costs for staff and members of the committee, and an opportunity to close council office buildings earlier on more occasions (the proposals equate to 36 less evening committees per year).*

### **7.2. Legal and Governance**

- 7.2.1. *The proposals will require amendments to the Council's Constitution in order to introduce the proposed changes to the Planning Scheme of Delegation and the committee structure.*
- 7.2.2. *In implementing these proposals, there will be a need to ensure that the Council continues to operate a legally sound planning service and that all planning decisions are robust and able to withstand the potential for legal challenge.*

### **7.3. Relevant Policies and Plans**

- 7.3.1. *These proposals will assist in delivering the actions as set out in the NNC Action Plan, as agreed by the Executive on the 23 December 2022, which is designed to respond to the PAS Peer Review findings and recommendations.*
- 7.3.2. *The proposals will assist the Council meeting its commitments in the Corporate Plan by contributing towards the Key Commitment of Modern Public Services – 'providing good quality and efficient services valued by our customers', and 'using our assets, skills, knowledge and technology most effectively'.*

#### **7.4. Risk**

- 7.4.1. *The risks associated with this report are in not progressing with the proposals that seek to address the PAS recommendations and potential failure to deliver an end product that provides an efficient and cost-effective planning service for North Northamptonshire that is able to help deliver planned growth for the area, make great places and assist in leveraging inward investment into North Northamptonshire.*
- 7.4.2. *Should the Council choose not to progress the proposals in this report that responds to the PAS recommendations, there is a risk that the Council continues to operate a disjointed service that cannot meet the expectations of its customers and that fails to realise the efficiencies that can be delivered through transforming the function into a single, harmonised planning service.*

#### **7.5. Consultation**

- 7.5.1. *As a part of the PAS Peer Review, significant consultation was undertaken, both internally with a wide range of elected members and officers and externally with a variety of stakeholders, such as developers, planning agents, statutory consultees and town & parish councils, details of which are included within the PAS report, available here:  
<https://northnorthants.moderngov.co.uk/documents/s13629/Appx%20A%20-%20Final-PPR-report-north-northants-06-11-22.pdf>*
- 7.5.2. *Further engagement with representatives of NCALC and North Northamptonshire's Town & Parish Councils has also been undertaken through a meeting held on 2 March 2023 to update on the proposals outlined in this report.*

#### **7.6. Equality Implications**

- 7.6.1. *None impacting on the nine protected characteristics defined in the Equality Act 2010.*

#### **7.7. Climate Impact**

- 7.7.1. *The Council has an opportunity through these proposals to realise efficiencies that will have a positive climate and environment impact. A potential reduction in 36 evening meetings per year will reduce the requirement for both officers and committee members to travel to meetings and will enable council office buildings to be closed earlier on more occasions thus reducing energy demand.*

#### **7.8. Community Impact**

- 7.8.1. *The proposals seek to ensure that planning committee meetings remain accessible to members of the public by recognising the need to hold*



*meetings at venues within the locality of each geographic area associated with a planning committee, as set out in Paragraph 4.27 iii) of this report.*

## **7.9. Crime and Disorder Impact**

*7.9.1. There are no specific crime and disorder implications relating to this report.*

## **8. Background Papers**

---

### **8.1 PAS Peer Review Report:**

<https://northnorthants.moderngov.co.uk/documents/s13629/Appx%20A%20-%20Final-PPR-report-north-northants-06-11-22.pdf>

### **8.2 Corresponding NNC Planning Transformation Board Action Plan:**

<https://northnorthants.moderngov.co.uk/documents/s13630/Appx%20B%20-%20Planning%20Peer%20Review%20-%20Planning%20Transformation%20Board%20Action%20Plan%201%20Dec%202022.pdf>

This page is intentionally left blank

## APPENDIX A

### Planning, Regulation, Licensing and Registration

Nature of Decision	Officers	Conditions
<p>All matters relating to Town &amp; Country Planning functions as set out in the planning and related Acts, are delegated to the relevant senior planning officer to determine, other than the exceptions listed</p>	<p>Director of Place and Economy</p> <p><b>Delegation 1</b></p>	<p>Delegated authority should not be exercised for planning applications, which in the opinion of the relevant senior planning officer should be referred to the relevant Planning Committee. This may be for reasons such as (but not exclusively):</p> <p>(i) Applications where a national or local planning policy is being tested for the first time within the Council's area; or</p> <p>(ii) Applications which have a finely balanced officer recommendation; or</p> <p>(iii) Applications by or on behalf of a Planning Officer who has recently left the organisation (or one of the preceding councils) for any property or land in which they have a financial interest; or</p> <p><b>(iv) Applications that the Chair or Vice Chair of the relevant committee or the senior planning officer considers are potentially contentious** and raise material planning issues, or would affect the wider public interest;</b> or</p> <p>(v) Applications which the senior responsible planning officer considers would need to be advertised as a departure from policy, in which the officer is minded to recommend for approval.</p>
	<p>Director of Place and Economy</p> <p><b>Delegation 2</b></p>	<p>Delegated authority should not be exercised where a town or parish council has submitted a written objection to an application <b>for major development (as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 and any amendment thereto) *</b> that is contrary to the officer's proposed decision subject to the criteria below: -</p> <p>(i) The written objection was received by the Planning Authority within the statutory period specified for consultation; <b>and</b></p> <p>(ii) The written objection is from a relevant town or parish council in which the development proposal is located or partly located; <b>and</b></p> <p>(iii) The written objection contains a matter(s) relating to substantive material planning consideration(s); <b>and</b></p> <p>(iv) That an attempt has been made by the Planning Authority to liaise with the town or parish council to seek withdrawal of said objection(s) by means of explanation,</p>

## APPENDIX A

		<p>amendment to the proposal or by means of condition; <b>and</b></p> <p>(v) <b>That the Chair &amp; Vice Chair of the relevant planning committee, with the advice of a senior planning officer,</b> agree that the objection received from a town or parish council contains a substantive material planning consideration determination of which cannot be resolved outside of a committee resolution.</p>
	<p>Director of Place and Economy</p> <p><b>Delegation 3</b></p>	<p>Delegated authority should not be exercised for applications submitted by, or on behalf of, a Councillor or direct family (spouse or civil partner) of a Councillor for any property or land in which they have a financial interest.</p>
	<p>Director of Place and Economy</p> <p><b>Delegation 4</b></p>	<p>Delegated authority should not be exercised for applications submitted by, or on behalf of, a current Officer working within the Planning &amp; Development Service or at Tier 4 level and above or direct family (spouse or civil partner) of Officers identified above for any property or land in which they have a financial interest.</p>
	<p>Director of Place and Economy</p> <p><b>Delegation 5</b></p>	<p>Delegated authority should not be exercised for applications where the Council is the applicant or landowner (in whole or part), except where the proposal is for minor development which accords with relevant planning policy and to which no objection has been made.</p>
	<p>Director of Place and Economy</p> <p><b>Delegation 6</b></p>	<p><b>Delegated authority should not be exercised for Planning applications for major development (as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 and any amendment thereto) * where there is a written holding objection from a statutory consultee that is contrary to the officer's proposed recommendation, and that the officer has been unable to satisfactorily resolve with the consultee.</b></p>
	<p>Director of Place and Economy</p> <p><b>Delegation 7</b></p>	<p>Delegated authority should not be exercised where a minimum of 5 objectors (<b>non-major planning applications</b>) or 10 objectors (<b>major planning applications</b>) have submitted a written objection that is contrary to the officer's proposed decision subject to the criteria below: -</p>

## APPENDIX A

		<p>(i) The written objection(s) were received by the Planning Authority within the statutory period specified for consultation; <b>and</b></p> <p>(ii) The written objection was from a resident or business <b>which could be affected by</b> <del>living or located in the area served by the committee, in which the development proposal is located or partly located;</del> <b>and</b></p> <p>(iii) The written objection contains a matter(s) relating to substantive material planning consideration(s); <b>and</b></p> <p>(iv) That an attempt has been made by the Planning Authority to liaise with the objector(s) to seek withdrawal of said objection(s) by means of explanation, amendment to the proposal or by means of condition; <b>and</b></p> <p>(v) <b>That the Chair &amp; Vice Chair of the relevant planning committee, with the advice of a senior planning officer, agree</b> that the objection received from an objector contains a substantive material planning consideration determination of which cannot be resolved outside of a committee resolution</p>
	<p>Director of Place and Economy</p> <p><b>Delegation 8</b></p>	<p>Delegated authority should not be exercised where an application has been “called in.” To be called in, the following criteria shall be met:</p> <p>The <b>NNC Ward</b> Councillor shall submit the request in writing, setting out the material planning issue/s.</p> <p>The request shall be received by the relevant senior planning officer within <b>25</b> calendar days from the date the application was first published on the Council’s website and notified to Councillors, or during any further notification period required following receipt of amendments to the scheme.</p> <p><b>The request shall be considered by the Chair or Vice Chair of the relevant planning committee, with the advice of the senior planning officer, that the referral contains material planning issues and shall be called in.</b></p>

## APPENDIX A

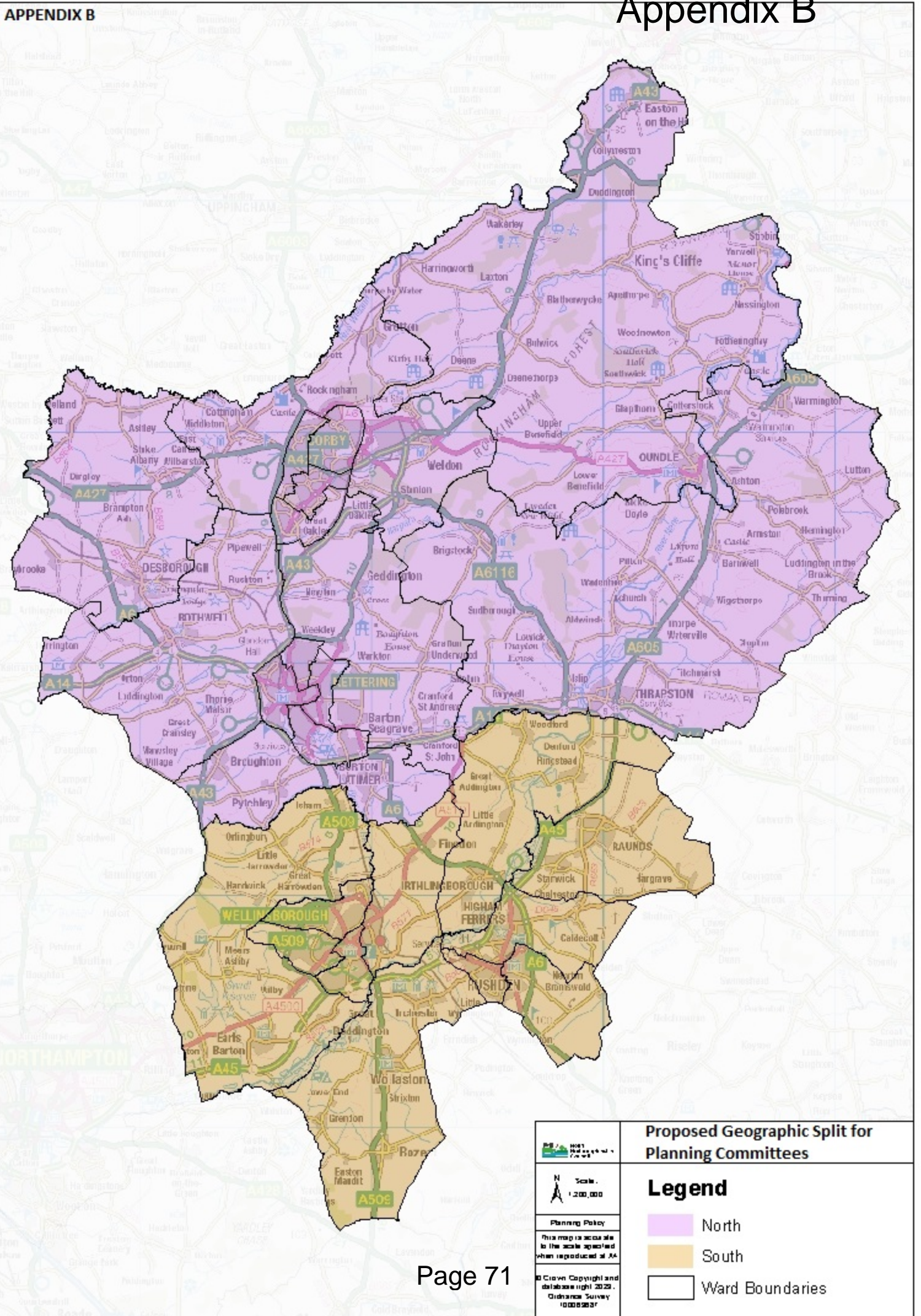
\*The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines “major development” as “development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where—
  - (i) the number of dwellinghouses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more”

### \*\*Delegation 1 (iv)

With reference to the term “contentious” in Delegation 1 (iv), for the purpose of this Scheme “contentious” is defined as a minimum to –

- A matter that involves many people (at least 10 registered objectors) who strongly disagree with the content of an application for planning consent.



	<p><b>Proposed Geographic Split for Planning Committees</b></p>
<p>N Scale: 1:200,000</p>	<p><b>Legend</b></p>
<p>Planning Policy This map is accurate to the scale specified when reproduced at A4</p>	<p><span style="display:inline-block; width:15px; height:15px; background-color:lightpurple; border:1px solid black;"></span> North</p> <p><span style="display:inline-block; width:15px; height:15px; background-color:lightorange; border:1px solid black;"></span> South</p>
<p>© Crown Copyright and database right 2025. Ordnance Survey 10005837</p>	<p><span style="display:inline-block; width:15px; height:15px; border:1px solid black;"></span> Ward Boundaries</p>

This page is intentionally left blank



## Area Planning Committees

The Council has established two Area Planning Committees.

The purpose of the Committees is to consider all planning applications not dealt with by officers using delegated powers.

These Rules detail the membership of the Committees and what the roles and responsibilities of the Committees are.

### MEMBERSHIP

Each Committee shall comprise 13 Councillors all of whom shall have undertaken relevant training.

The Committee shall be politically balanced. Membership of each committee will be drawn from those members representing wards in each respective geographic area (North or South).

### SUBSTITUTIONS

Named substitutes. Substitutes must have completed relevant training.

Political groups may nominate their own members to the pool in accordance with the proportionalities in force at the time and may vary their nominees as and when required subject to the training requirements referred to.

### CHAIRMANSHIP

Term of office will be one year.

Annual Council shall appoint the Chair and Vice Chair of each committee.

Any in-year vacancies shall be elected/appointed by the committee at an ordinary meeting of that respective committee.

### QUORUM

The quorum shall be 7 voting members (including those acting as substitute members).

### TERMS OF REFERENCE

To exercise the Council's functions relating to town and country planning and development management in relation to all planning applications that are not dealt with by officers using delegated powers.

Any planning application (not dealt with by officers under delegated authority) where the red line of the site crosses the boundary between the two committee areas shall be considered by the committee within which the largest area of the site is located.

**MEETINGS OF COMMITTEE**

Each committee will be scheduled to meet on a monthly basis, with dates included within the Municipal Timetable approved by Full Council.

Extraordinary (Special) meetings of a committee may be called by the Proper Officer, in consultation with the Chair of a committee (or in their absence the Vice Chair), subject to the normal provisions under the Local Government Act 1972 (as amended) and the Council's Constitution.

The Council's agreed Planning Public Participation Policy will apply to each committee.



## Full Council 30<sup>th</sup> March 2023

<b>Report Title</b>	<b>Scrutiny Review</b>
<b>Report Author</b>	<b>Adele Wylie Executive Director of Customer and Governance /Monitoring Officer Adele.wylie@northnorthants.gov.uk</b>

### List of Appendices

- Appendix A – Proposed scrutiny structure**
- Appendix B – Centre for Governance and Scrutiny feedback**
- Appendix C – Member Feedback**
- Appendix D – Draft Scrutiny Procedure Rules**

### 1. Purpose of Report

---

For members to consider the proposals for changes to scrutiny arrangements and the draft Scrutiny Procedure Rules which have been recommended by the Democracy and Standards Committee.

### 2. Executive Summary

---

- 2.1. The Council has a general requirement to review its governance arrangements to ensure compliance with legislation and ensure its decision-making structures allow for efficient and effective decision making. The role of scrutiny has an important role in ensuring that the Executive are held to account and that key decisions are made in an appropriate manner, taking all relevant factors into account.
- 2.2. It is important that scrutiny is focused and effective, helping to ensure that policy making is improved and efficiency of delivery of services to the public maximised.
- 2.3. The Democracy and Standards Committee considered the proposed changes to scrutiny at its meeting held on 13<sup>th</sup> March 2023. The Committee are recommending the changes to the scrutiny structure and the Scrutiny Procedure Rules as detailed in the report.

### 3. Recommendations

---

3.1. It is recommended that Council –

- (i) Approve the Scrutiny structure as detailed in Appendix A;
- (ii) Approve the Scrutiny Procedure Rules as detailed in Appendix D;
- (iii) Delegate authority to the Monitoring Officer, in consultation with the Chair of Democracy and Standards Committee, to action any ancillary and/or minor amendments in the Council's Constitution resulting from (i) & (ii) above.
- (iv) That the changes agreed in (i – iii) above are effective from the commencement of the 2023/2024 Municipal Year (25.05.23).

3.2. *Reason for Recommendations – To consider a revised structure for scrutiny that will promote better governance arrangements. To ensure that the Procedure Rules are considered prior to Council.*

3.3. *Alternative Options Considered – To leave the scrutiny structure as it is currently.*

### Report Background

3.4. North Northamptonshire Council operates an executive model of governance and is required under statute to operate at least one scrutiny committee.

3.5. The purpose of the scrutiny function is to influence policies and decisions made by the Executive and other organisations delivering services to the public. This is achieved by reviewing key decisions made by the Executive, investigating important service delivery and strategic policy issues (i.e. through task & finish groups) and where appropriate through the call-in procedure challenging key decisions made.

3.6. Since May 2021, the Council has operated with two scrutiny committees. The Scrutiny Commission is an overarching body which is able to establish topic-specific task & finish groups undertaking work on the approved Scrutiny Workplan. The Finance & Resources Scrutiny Committee specifically scrutinises and monitors the finances of the Council, with particular attention to in-year monitoring of spend and input into consultation on the draft budget for future years (as part of the budget-setting process and consultation). It also monitors performance.

3.7. As the Annual Scrutiny Report 2021/22 recently presented to Council demonstrated, the scrutiny function of the Council has developed well since May 2021 with some important work undertaken. It is recognised however that the quantity of work required to be undertaken exceeds existing capacity and that there is a need to review scrutiny arrangements at both member and officer level. In particular, it is recognised that scrutiny's role in relation to other

public service providers requires enhancement and that a more outward focussed scrutiny is needed.

3.8. A report was considered by this Committee in November 2022 which commenced a consultation on proposals to change the structure of scrutiny. All Members were given the opportunity to attend a presentation on the proposals. They were able to feedback verbally and in writing. Senior Officers were also consulted on the proposals.

3.9. The Centre for Governance and Scrutiny was asked to provide its comments on the proposals and respond to verbal feedback. Its response is included at Appendix B.

3.10. The Constitutional Review Working Group which is a cross party meeting, considered both the initial proposals and the feedback and Procedure Rules prior to the Democracy and Standards meetings.

#### **4. Issues and Choices**

---

4.1. There is a need to ensure greater effectiveness and transparency in relation to the workload of the scrutiny function within the council. Current arrangements can lead to potential delays in undertaking work and duplication. Arising from member feedback and discussion at the Constitutional Working Group, the following feedback and amendments to the initial proposals received by this Committee are outlined below.

##### **Scrutiny Management Board**

4.2. It is recommended that a Scrutiny Management Board is established to avoid unnecessary delays, ensure strategic ownership of scrutiny remains with members and stops duplication. It is expected that the Board will comprise the Chairs and Vice-Chairs of the Scrutiny Committees and will strategically drive forward the scrutiny function.

4.3. It is proposed that the Board will manage the workload of the scrutiny function, agree agenda items and the Workplan, complete the Annual Scrutiny Report and lead on the member development programme for scrutiny members.

4.4. There was positive feedback from members on this role and the Centre for Governance and Scrutiny were also supportive of an overarching Board which is commonplace in many large authorities.

4.5. Transparency is important to the Council, and it is therefore proposed that the Board is a formally constituted body which is open to the public. This means that the Board will be politically balanced.

4.6. Following consideration by the Constitutional Review Working Group it was proposed that the Scrutiny Management Board would determine call-in

requests. This was also supported by the Democracy and Standards Committee.

- 4.7. The benefits of this are that there would be a streamlined process and the members of the Board would build expertise in dealing with such requests. The Centre for Governance and Scrutiny felt that having a single space for call-ins is likely to prove most productive. The alternative is that the individual Committees determine call-in requests.

### **Scrutiny Committee - Health**

- 4.8. The Council has a statutory duty to scrutinise health. There is a strategic role in reviewing how the integration of health, public health and social care is working to ensure maximum outcomes can be achieved for the benefit of the public. This is a statutory role and there have been no negative responses that this needs to be enhanced in any future scrutiny structure.
- 4.9. The original proposal suggested that crime and disorder and scrutiny of the Community Safety Partnership should be undertaken within this Committee due to the link between crime and disorder and health outcomes. The Centre for Governance and Scrutiny felt that this had a better fit in the Place and Environment Scrutiny Committee. The Constitutional Review Working Group had mixed views on this but the change was supported by the Democracy and Standards Committee.
- 4.10. It is recognised that scrutiny needs to be outward facing as well as considering the Council's own service delivery. The relationship with key partners is important particularly with partners such as the NHS, the Police etc. The Scrutiny Management Board will have a key role in ensuring partner engagement is enhanced in any new structure and that the agendas are outward facing as well as inward. This was also raised in member feedback as a priority.

### **Scrutiny Committee - Place and Environment**

- 4.11. In relation to the Council's corporate objectives around Place and Economy it is recognised that there are a number of significant projects ongoing and some key elements of service delivery requiring regular review of performance e.g. the highways contract. It was therefore proposed and supported by the Democracy and Standards Committee that a Place and Economy Scrutiny Committee be created.

### **Scrutiny Committee - Corporate**

- 4.12. Corporate scrutiny is currently being undertaken by both the Scrutiny Commission and the Finance & Resources Scrutiny Committee. It was widely accepted that this can cause duplication of effort.
- 4.13. There was a number of comments during the consultation period around whether this Committee would have the capacity to ensure strong financial

scrutiny and whether instead there should be a specific Committee to focus entirely on the budget.

- 4.14. The Centre for Governance and Scrutiny commented that it has not proved necessary in other councils to have a dedicated Budget Scrutiny however good financial management is key to any organisation.
- 4.15. Scrutiny of the annual budget has been undertaken in an intensive and structured way since the new authority was established. The Council is keen that this continues so that it can evidence good control of its budgets. This work would not be diluted in the new structure and the meetings for this piece of work is built into the Calendar of Meetings on an annual basis. This work would be considered to be a long-standing Panel under the Procedure Rules.
- 4.16. The Corporate Scrutiny Committee will mirror the work of the current Finance and Resources Committee, in that it will scrutinise finance and performance which are integral to each other. It will also scrutinise external partnerships and companies such as the Children's Trust. Currently the Children's Trust is scrutinised across Committees which does not allow members to collate a rounded view of it.

### **Panels**

- 4.17. Panels are defined within the draft Procedure Rules as being either long standing groups or task and finish. Long standing panels such as scrutiny of the annual budget and the annual review of Outside Bodies will not be included in any maximum number of Panels that can be established. This therefore leaves a maximum amount of 4 that can be established throughout the year to undertake more detailed work, unless there are exceptional circumstances. The recommendation previously from the Centre for Governance and Scrutiny was that a maximum of 3 was recommended and therefore this is a formal increase to current arrangements.
- 4.18. Whilst it is proposed that the Scrutiny Management Board agrees the establishment of Panels, it will direct the formal establishment of it to be undertaken by one of the three Committees, which will formally establish it and set out the name of the Panel, and the terms of reference including relevant dates for completion. This gives ownership of the Panel to the relevant Committee.

### **General**

- 4.19. Feedback from members is included at Appendix C. There was feedback in relation to the political chairmanship of the Committees which is a decision for Council and is not therefore dealt with in this report.
- 4.20. There was also useful feedback on how scrutiny should operate at the Council and whilst this is outside of this review, it will be useful for the Board to consider so that scrutiny continues to add value to North Northamptonshire. A learning and development programme will be created and delivered to all scrutiny

members in the new municipal year to ensure that they are supported to have the skills and knowledge for excellent scrutiny.

- 4.21. Some comments were received about the effectiveness of the Executive Advisory Panels which have been subject to a recent review. As these are created at the Leaders discretion, these are not in scope for this review.
- 4.22. The Democracy and Standards Committee considered the frequency of meetings and agreed to include bi-monthly meetings for the Committees and monthly meetings for the Scrutiny Management Board. Whilst the current Scrutiny Commission has struggled with capacity, the Finance and Resources Committee has managed its budget workload through a Task and Finish Group which has worked well. The removal of duplication of performance scrutiny will have an immediate impact on capacity. Consideration of the workplan in meetings, agreement to items for the Workplan and the collation of the Scrutiny Annual Plan which will move the Board will also free up capacity for the Committees. More meetings could be added if the Board felt that this was necessary.
- 4.23. This would amount to 30 meetings per annum in the Calendar of Meetings (excluding Panel work which is extensive), compared to 19 meetings (excluding Panel work) in the current arrangements.
- 4.24. The number of members on each Committee was considered by the Democracy and Standards Committee following feedback from the Centre for Governance and Scrutiny. A figure of 9 has been included for all Committees (except for Health which has 11 due to the statutory consultees) within the draft Scrutiny Procedure Rules.

## **5. Next Steps**

---

- 5.1. If approved, the changes would come into effect following the Annual General Meeting.
- 5.2. Appointments to the Committees and the Scrutiny Management Board would be made at the Annual General Meeting
- 5.3. A learning and development programme would be considered by the Scrutiny Management Board as early as possible following the Annual General Meeting.



## **6. Implications (including financial implications)**

---

### **6.1. Resources and Financial**

- 6.1.1. If there is an increase in the number of scrutiny committees to three then an additional Chair of Scrutiny Committee's Special Responsibility Allowance would be applicable, in accordance with the Council's Members' Allowances Scheme at part 8.6 of the Constitution. This can be met from the allowance allocation.
- 6.1.2. Contained within the current Democratic Services restructure are three posts dedicated to supporting the scrutiny function of the Council. Other officers would supplement this resource as required. One of these is a statutory Scrutiny Officer.

### **6.2. Legal and Governance**

- 6.2.1. The Council is required to establish at least one scrutiny committee. The proposal submitted for consultation will assist in enhancing the role of scrutiny within the Council and provide additional support in meeting the Council's responsibilities detailed under statute and within statutory guidance. If Council eventually approves the proposal, there would be the need for consequential amendments to be made to the Constitution.

### **6.3. Relevant Policies and Plans**

- 6.3.1. It is suggested that adoption of the proposals within the report would assist in meeting the good practise highlighted in the Government's statutory guidance on overview and scrutiny within local government and assist in ensuring that there is appropriate scrutiny of the Council's objectives set out in the approved Corporate Plan.

### **6.4. Risk**

- 6.4.1. Whilst the current scrutiny system operated within the Council has been effective the current arrangements have limitations and there have been concerns raised regarding its limitations. In addition there is a need to ensure that duplication of effort is minimised and that important areas requiring scrutiny are properly resources and considered.
- 6.4.2. It is suggested that the proposals would build on the foundations established since May 2021 and would ensure an expanded capacity. The proposal also clarifies the role of scrutiny within the governance structure of the Council and its relationship with EAPs.
- 6.4.3. Failure to address the issues raised in the report and presentation would limit the potential for the Council's scrutiny function to expand and enhance its effectiveness.

## **6.5. Consultation**

- 6.5.1. Proposals were considered by the Constitutional Working Group (CWG) at its meetings on 24<sup>th</sup> October 2022 and on 6<sup>th</sup> March 2023. The Democracy and Standards Committee endorsed the proposals for wider internal and external consultation at its meeting on 7<sup>th</sup> November 2022 and considered responses at its meeting on 13<sup>th</sup> March 2023.
- 6.5.2. All members were given the opportunity to comment upon the proposals and provide feedback.

## **6.6. Consideration by Executive Advisory Panel**

- 6.6.1. Not applicable.

## **6.7. Consideration by Scrutiny**

- 6.7.1. Current scrutiny members have been consulted as part of this review process.

## **6.8. Equality Implications**

- 6.8.1. None impacting on the nine protected characteristics defined in the Equality Act 2010.

## **6.9. Climate Impact**

- 6.9.1. Not applicable to this report.

## **6.10. Community Impact**

- 6.10.1. Not applicable to this report.

## **6.11. Crime and Disorder Impact**

- 6.11.1. Not applicable to this report.

## **7. Background Papers**

---

- 7.1. [Council's Constitution](#)
- 7.2. [Report to Democracy and Standards Committee – 7<sup>th</sup> November 2022](#) (minute 44 refers)
- 7.3. [Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities \(May 2019\)](#)

# Scrutiny Management Board

## Key Areas

- Overall responsibility for the direction and management of the Scrutiny function
- Receive and consider requests for reports and allocate to the appropriate Committee
- Manage any self assessment of the Scrutiny function
- Oversee Workplan and Agenda Planning
- Approve the Annual Report
- Initiate and co-ordinate training and development for Scrutiny members
- Determine Call In Requests

# Health Scrutiny

The Council has a statutory duty to scrutinise health.

Strengthen the voice of local people, ensuring that their needs and experiences are considered as an integral part of the commissioning and delivery of health services and that those services are effective and safe.

Taking an overview of how well integration of health, public health and social care is working.

Proactively seeking information about the performance of local health services and institutions.

Outcome focussed, looking at cross cutting issues, including general health improvement, wellbeing and how well health inequalities are being addressed.

## Key Areas

- Protection and safeguarding of adults
- Mental Health and Wellbeing
- Experiences and outcomes for patients
- Public Health and healthy lives
- Health Services
- Education
- Domestic Violence
- Anti-Social Behaviour



## Key Areas

- Regeneration
- Neighbourhoods
- Housing
- Highways
- Climate
- Flood Risk (statutory only)
- Leisure
- Tourism
- Highways
- Social Housing
- Enviro-crime
- Waste
- Crime and Disorder (including scrutinising the Community Safety Partnership)



## Key Areas

- Budget Monitoring
- Annual Budget Scrutiny (dealt with through long standing Panel)
- Corporate Performance
- Corporate Matters such as ICT, Customer Services, Complaints, Council Buildings and Resources
- Outside Bodies (dealt with through long standing Panel)
- Partnerships/companies including Northamptonshire Children's Trust



## Centre for Governance and Scrutiny

### OPINION ON PROPOSALS FOR CHANGES TO SCRUTINY AT NORTH NORTHAMPTONSHIRE COUNCIL

---

#### Introduction

This paper has been prepared at the request of North Northamptonshire Council officers to provide assurance and advice to councillors on proposed changes to the operation of the Council's scrutiny function.

Absent a detailed review of the Council's current arrangements, CfGS can only provide general advice on these points.

#### Comments

##### In general

- Committee structure  
Reviewing the structure of committees is an important way to enable improvement in scrutiny – but it is not the whole story. Other systems and processes (such as work programming) need to be addressed in order to make changes “stick”. We cover this in more detail below.
- Duplication around performance and finance information  
Clarifying who will lead in reviewing this information regularly is important; we agree that otherwise duplication will be an issue.
- Opposition chairing  
In our experience there is a case for ensuring that opposition parties hold chairing positions, and we have encouraged councils to experiment with this approach. It is important that chairs demonstrate independent of character and a commitment to the function, whatever party they are from. Scrutiny of course should not be a place for purely political opposition, but opposition chairing can demonstrate clearly that the function is independent from the executive.

Research is inconclusive when it comes to the point of whether opposition chairing leads to better scrutiny overall.

- Call-in  
We think that having a single space for call-ins is likely to prove most productive – we have not looked in detail at the Council's call-in arrangements but convening special meetings of Corporate Services to consider call-ins would ensure a degree of control over the system.
- Meeting frequency

If responsible for financial and corporate services issues, the Corporate Services committee might usefully meet monthly. Other committees would probably only require quarterly meetings, but this assumes that the Council will make use of task and finish working as part of their usual operations.

- Committee size

The Council committee responsible for children's services / education scrutiny will need to be larger than the others to account for the presence of the statutory education co-optees.

That aside we would suggest an optimum committee size of between 9 and 12. Larger committees can work, but there is not always the opportunity for all members to contribute. More opportunities can arise through the careful use of task and finish working.

### The committee structure

- Role of scrutiny management board

The establishment of an informal grouping of members, solely to oversee the scrutiny function rather than to conduct any substantive work, has the potential to make the scrutiny work programme more coherent. It is important both that the work of this Board does not become bureaucratically intensive, and that the products of its work are reported to formal committees (as appropriate) in the interests of transparency.

- Health scrutiny

Proposed arrangements for health scrutiny are sensible and will provide a focus for a function which is not currently thought to be working well. Although some crime and disorder functions do engage with the health and care agenda, in a strategic sense this is an awkward fit, and we think it is possible that if C&D issues are located alongside health they will be crowded out. It may be better for these responsibilities to sit elsewhere.

- Place and Environment

These are subject areas that combine well.

- Corporate scrutiny

We agree with the principle of bringing together corporate activity with finance and resources, especially given the creation of a separate scrutiny management board. We think that this will provide the space for discussion of important corporate issues. It will be important to consider exactly how this committee will review financial information, with particular reference to the intersection between its role and the role of the Audit Committee.

We are aware that some members feel strongly that there should be a scrutiny committee focused entirely on the budget. In our view that would be unnecessary (having a standing committee devoted to such matters has not proved necessary in other councils) but we do recognise that, especially at the moment, financial issues are critically important. Financial scrutiny (in-year, and budget-focused) should be a continuing workstream with the Corporate Scrutiny work programme.

A reason \*not\* to establish a separate Finance Scrutiny Committee is that doing so potentially creates barriers between financial scrutiny and scrutiny of "other" matters. As far as possible, an awareness of financial issues should be integral to scrutiny's wider work.



## Member Feedback during Consultation Period

<p><b>Amount/ Structure of Committees</b></p>	<p>I like the proposed change to three Scrutiny Committees, Corporate, Health, Place and Environment and their remits.</p> <p>A Scrutiny Management Committee would enable the workplan and requests for scrutiny to be looked at outside of Scrutiny meetings, giving more time for actual Scrutiny, too much time at some Scrutiny Commission meetings has been taken up with looking at the work plan.</p> <p>Building relationships with partners will be vitally important, especially as part of Health Scrutiny. I am not sure I agree with CfGS that Crime and Disorder may be better suited sat outside Health Scrutiny, as it links in with Integrated Care</p> <p>We should have more Scrutiny Committees and less EAPs</p> <p>Concerns about there not being a separate Budget Scrutiny Committee but upon clarification confirmed “As long as the Corporate Committee have enough time to cover all the areas you identified then that is fine. If there are enough members, they could sub divide into task and finish groups to look at for example budget setting”.</p>	<p>Cllr Wendy Brackenbury</p> <p>Cllr Valerie Anslow</p> <p>Cllr Jean Addison</p>
<p><b>Frequency of meetings</b></p>	<p>CFGS are suggesting that 2 of the scrutiny committees meet quarterly. The thinking behind this seems to be that the majority of the work will be done in Task and Finish groups.</p> <p>I think that the original proposal for monthly meetings of each of the 3 scrutiny committees is the correct approach. All the committees have a wide remit and I am sure that they would be kept busy with monthly meetings.</p> <p>a) The bulk of scrutiny is done out of the public domain which is not good for democracy.  b) Only a subset of the scrutiny committee members would get to see the detailed data.  c) We have limited the number of Task and Finish groups, so that means only a few topics could be scrutinised at any one time.  d) Not all topics need such in depth scrutiny as is done at a Task and Finish Group.  d) It is downgrading the main scrutiny committee to just be a rubber stamping body for the task and finish reports.</p> <p>We currently have a long list of topics on the work programme that we would like to scrutinise. We are not getting to look at most of these due to lack of capacity. As well as the topics we have on our list to scrutinise, we still need to have some reports that come to us regularly. So quarterly meetings would mean that there would be inadequate scrutiny of the topics that we wish to cover.</p>	<p>Cllr Gill Mercer</p>

## Member Feedback during Consultation Period

	I don't know if the suggestion by CfGS that meetings should be quarterly allows for adequate scrutiny, at NNC we went from bi- monthly to monthly meetings. I think either monthly or bi- monthly with Task and Finish groups taking place as well would work better. The frequency of meetings can be reviewed at a later date once any changes have been made.	Cllr Wendy Brackenbury
<b>Call-in</b>	I do not think that it is appropriate for call-ins to be dealt with by a single committee. The call-ins should, like other items, be allocated by the Scrutiny Management Board to the most appropriate committee.	Cllr Gill Mercer
<b>Committee size</b>		
<b>Chair of Committees</b>	I agree Chairs of committees should be independently minded, this does not mean they should be chaired by members of the opposition. As Chair of the Scrutiny Commission I believe I am independently minded, it is part of my make up and who I am both in and outside of politics. CfGS opinion 'Research is inconclusive when it comes to the point of whether opposition chairing leads to better scrutiny overall'.	Cllr Wendy Brackenbury
	All scrutiny should be chaired by opposition to achieve the best. Having a chair with a relationship to an executive member is wrong and does not give the proper independence as shown on past votes. Public health scrutiny is essential and should be chaired by opposition.	Cllr John McGhee
	Opposition should chair Scrutiny Committees.	Cllr Valerie Anslow
	Scrutiny Committees should have an Opposition Chair	Cllr Jean Addison
	There are far too many informal connections between the scrutiny Chair role and Members of the Executive which I feel causes a degree of advocacy towards protecting the Executive (and Administration Conservative Group) from free and uninhibited scrutiny. All scrutiny should be chaired by non-administration Councillors. This was an outcome from the County Council's system and was lost in the transition to NNC.	Cllr Jim Hakewill

## Member Feedback during Consultation Period

<p><b>General on how Scrutiny operates</b></p>	<p>Adequate resourcing is a must to support the Scrutiny function and allow for effective Task and Finish Groups. Further training for Members would be helpful. Scrutiny should not be a vehicle for political point scoring but Members should be confident in holding the Executive to account and adding value to the organisation.</p>	<p>Cllr Wendy Brackenbury</p>
	<p>Scrutiny of course can request executive members and officers to attend for questions and clarification on agenda items. Scrutiny should also scrutinise outside areas where there is a public interest.</p>	<p>Cllr John McGhee</p>
	<p>Where recommendations are accepted by the Executive, we need to ensure that Scrutiny follow outcomes achieved otherwise we can't measure the success of Scrutiny.</p>	<p>Cllr Valerie Anslow</p>
	<p>I am very much in favour of a new structure for Scrutiny that takes into full consideration the statutory guidance issued by the government on effective scrutiny, and a refocus on the remit and policy development of the EAPs, but I am also a big advocate of the need monitor, evaluate, review, and improve.</p> <p>Whilst it is understood that we are democratically elected members, its important that our scrutiny structure has the best fit to meet our needs, its also important that there is an open and honest process to get the outcomes that will enhance the work of the Council and build trust for our residents.</p> <p>There needs to be an executive-scrutiny protocol developed so that there is a clear division between the two functions, with firm emphasis on the Executive forward planning, and how call in will be handled.</p> <p>That there is officer support and resources for scrutiny, including impartial advice from officers and a good level of training to improve the effectiveness knowledge of members and officers so that scrutiny can be used as a source of good practice and improvement. The council should have a dedicated scrutiny officer to meet the needs of our scrutiny structure.</p> <p>Consideration must be given to the make up of our new committees and its relationship to the executive members as has been raised in the past year, the guidance makes clear that a great deal of thought should be given on structures that can give confidence to the public.</p> <p>Partnerships and how they are used is also important to scrutiny, and how you identify which partners are best placed in the community for each area to be scrutinised, how witnesses can feed into this work and evidence gathered.</p>	<p>Cllr Lynn Buckingham</p>

## Member Feedback during Consultation Period

	<p>Scrutiny should be open and transparent and should be effective and not just a talking shop (make an actual difference to services, communities and the decisions that we make)            We should co-opt independent members onto Scrutiny Committees</p>	Cllr Jean Addison
Page 92	<p>The only Cabinet/Executive systems in the legacy councils were the County Council and Kettering Borough Council. Many members have not had experience of a formal scrutiny process and it has been a steep learning curve for them, which is on-going based on the level and quality of questioning in meetings.</p> <p>The review of scrutiny should be much more widespread in information gathering from other Councils who are recognised as doing it well along with an externally managed Peer Review to look at the last two years and create a more effective way of scrutiny management and delivery for the future. It is ironic that the current proposals have themselves not formally come before either of the existing scrutiny Committees for comment and suggestions.</p> <p>One factor that caused difficulties for the County Council and now with NNC is that there is too little outward looking analysis of how other Councils achieve results in areas where we struggle. Equally too little recognition of good practice at NNC being evangelised outside our borders.</p> <p>Classic scrutiny should, I feel have a main function with one forward looking scrutiny committee and one backward looking monitoring and effective task and finish groups picking up on key issues in both areas. This would negate the need for EAPs.</p> <p>NNC does not have a full complement of human resources as evidenced by the number of vacancies. Scrutiny needs dedicated support and a budget that enables visiting other places and member training.</p>	Cllr Jim Hakewill
<b>Location</b>	Scrutiny should also be seen to have meetings round North Northamptonshire and suitably to the agendas.	Cllr John McGhee

## NNC Constitution – Part 7 Scrutiny

### DRAFT Scrutiny Procedure Rules – APPENDIX D

As the Council operates an executive model of governance, it is required under Section 9F of the Local Government Act 2000 to have at least one Scrutiny Committee.

The purpose of the Scrutiny Committees are to influence the policies and decisions made by the Council and other organisations involved in delivering public services. They do this through meeting regularly and having input into some policies and decisions before they are made, investigating important public issues through Task and Finish Groups and where appropriate challenging or reviewing decisions once they are made through the Call In Procedure Rules.

Scrutiny Committees are not decision-making bodies, but their influence and challenge are vital to effective decision making. The Scrutiny Committees can scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions, and scrutinise external bodies as detailed by statute.

The Centre for Governance and Scrutiny “Good Scrutiny Guide” states that “Scrutiny’s structures are often a reflection of the culture in which scrutiny operates and the role that has been agreed for it.”

The Council has three Scrutiny Committees and a Scrutiny Management Board which collectively will perform the scrutiny functions on behalf of the Council.

#### 1. Terms of Reference for Scrutiny Committees

Within their remits as set out below;

- 1.1. Review decisions made by the Council, Executive, Committees and Officers (except for regulatory decisions)
- 1.2. Review the performance of the Council in relation to policy objectives, performance targets and/or particular service areas.
- 1.3. Question Executive Members about decisions and performance within their portfolio whether in comparison with corporate objectives over a period of time, or in relation to decisions (except for regulatory decisions).
- 1.4. Review the performance of other public bodies in the area and invite reports from them by asking them to address the relevant Scrutiny Committee about their activities and performance.

- 1.5. Question and gather evidence from any person with their consent.
- 1.6. Make recommendations to Council or the Executive arising from work undertaken by a Scrutiny Committee.
- 1.7. Recommend that a decision made but not yet implemented, be reconsidered by the Executive through the Call In Procedure administered by the Scrutiny Management Board.
- 1.8. Provide responses to Councillors Call for Action.
- 1.9. Collaborate with other Scrutiny Committees and other bodies undertaking similar functions outside the Council.
- 1.10. Agree the terms of reference and details of Panels once they have been added to the Annual Workplan by the Scrutiny Management Board.

## **2. Scrutiny Management Board- Terms of Reference**

The Scrutiny Management Board has strategic responsibility for the Scrutiny function.

The Board has overall responsibility for the direction and management of Scrutiny to ensure that non-executive members make an effective contribution to the improvement and development of the Council, its services, and other external public services for the benefit of North Northamptonshire.

The Board is made up of six members. It is expected that these will be the Chairs and Vice Chairs of the three Scrutiny Committees. The quorum is four members and there shall be no substitutions.

The Chair and the Vice Chair of the Board shall be appointed at the annual meeting of Council.

The Board has the following specific responsibilities: -

- (a) To work with the statutory Scrutiny Officer to oversee and manage the Council's scrutiny process;
- (b) Develop and approve an Annual Scrutiny Workplan;
- (c) Monitor progress of Panel work;
- (d) Monitor the Council's Forward Plan of Key Decisions;
- (e) Have overall responsibility for the commissioning of Panel work and consider resource implications. In adding items for review to the Work Plan, the Board shall consider: -

- Which Corporate Priority the item links to?
  - If the item is of significant community concern?
  - If the issue is significant to Partners and/or Stakeholders?
  - What the added value is of doing the work?
  - What evidence there is to support the work?
  - If the Scrutiny work can be completed within a proportionate time to the task identified?
  - If the work is being done somewhere else?
  - What will be achieved?
  - If the Council has the resources to carry out the work effectively?
- (f) To undertake regular dialogue with Executive Directors and Executive Members in line with the Executive/Scrutiny Protocol.
- (g) To consider scrutiny agenda requests and allocate to the relevant Committee if they are approved.
- (h) To undertake an annual assessment of Scrutiny (including undertaking quality control of scrutiny procedures including outputs and added value).
- (i) To oversee the co-ordination of scrutiny members learning and development
- (j) To develop and approve the Annual Scrutiny Report for consideration by Council.
- (k) To determine which Committee a matter should be considered at where it is not clear.
- (l) To determine call in requests.
- (m) To develop, approve and keep under review a Scrutiny/Executive Protocol.**

### **3. Corporate Scrutiny- Terms of Reference**

- 3.1 To review and scrutinise the Revenue Budget, Capital Programme and Housing Revenue Account
- 3.2 To undertake the budget review process and ensure that budget proposals are subject to rigorous challenge.
- 3.3 To review and scrutinise the following areas;
- Corporate performance data
  - Council Owned Buildings and Resources
  - Enabling Services e.g., IT (Information Technology)
  - Outside Bodies
  - Customer Services

- Complaints
- Northamptonshire Children's Trust
- Partnerships

#### **4. Health Scrutiny- Terms of Reference**

- To exercise the Council's statutory role in scrutinising health services for North Northamptonshire in accordance with the National Health Service Act 2006 as amended and associated regulations and guidance.
- To engage with and respond to formal and informal consultations from local health service commissioners and providers where **the Committee** wishes to do so. This shall be on behalf of Scrutiny and not on behalf of Council.
- To scrutinise the commissioning and delivery of local health and social care services to ensure **a reduction in recognised** health inequalities, **improved** access to services and the best outcomes for citizens.
- To hold the Health and Wellbeing Board to account for its work to improve the health and wellbeing of the population of North Northamptonshire and to reduce health inequalities;
- To respond to referrals from, and make referrals to, Healthwatch North Northamptonshire as appropriate;
- To appoint a lead health scrutiny councillor for the purposes of liaising with stakeholders on behalf of the Health Scrutiny function, including the Health and Wellbeing Board, Healthwatch North Northamptonshire, and the Executive Member with responsibility for health and social care issues;
- To have responsibility for scrutinising the Council's role as an Education Authority

#### **5. Place and Environment Scrutiny- Terms of Reference**

- 5.1 To fulfil all **scrutiny** functions of the Council in relation to flood risk under the Flood and Water Management Act 2010
- 5.2 To fulfil all **scrutiny** functions of the Council's designated Crime and Disorder Committee under the Police and Justice Act 2006.
- 5.3 To review and scrutinise the following areas;
  - Transport
  - Regeneration
  - Neighbourhoods



- Housing
- Highways
- Climate
- Community Safety
- Leisure
- Tourism
- Social Housing
- Enviro-crime
- Waste

## **6. Members**

There shall be 9 elected members of each Scrutiny Committee.

Relevant training shall be undertaken by members as determined by the Scrutiny Management Board.

The Health Scrutiny Committee may include two voting co-opted members as specified in 7. Co-optees below.

## **7. Co-optees**

The Scrutiny Committees shall be entitled to appoint non-councillors as voting or non-voting co-optees as required or permitted by relevant legislation.

The Health Scrutiny Committee may make provision for the appointment of voting co-optees to assist in fulfilling its responsibilities under the National Health Service Act 2006.

The Health Scrutiny Committee shall appoint voting representatives in accordance with the Education Act 1996. These representatives have the right to vote on any question which relates to any education functions which are the responsibility of the Executive.

Parent Governor Representatives can be appointed to the Health Scrutiny to assist in fulfilling its responsibilities under the Education Act 1996 in accordance with the guidance published by the relevant government department.

## **8. Substitutions**

8.1. Named substitutes are allowed and must undertake relevant training as determined by the Scrutiny Management Board.

## **9. Chairmanship**

9.1. The Chair and Vice Chair of each Committee shall be appointed at the annual meeting of Council. If a vacancy for Chair or Vice Chair of a committee occurs in

year, the committee at its next ordinary meeting shall elect/appoint to the vacant post for the remainder of the Municipal Year.

## **10. Quorum**

- 10.1. The quorum for each committee shall be a quarter of voting members, but no less than 4 members unless otherwise specified.

## **11. Meetings**

- 11.1 Scrutiny Committee meetings will be held bi-monthly.
- 11.2 Extraordinary (Special) meetings of a Scrutiny Committee or the Scrutiny Management Board may be called by the Proper Officer, in consultation with the Chair of the relevant committee, subject to the normal provisions under the Local Government Act 1972 (as amended) and the Council's Constitution.
- 11.3 Scrutiny Management Board shall be held monthly and shall be open to the public to attend.

## **12. Agenda for meetings of the Scrutiny Committees**

- 12.1 Matters to be considered will be set out in an agenda, together with appropriate and relevant supporting papers.
- 12.2 Any member of the Committee shall be entitled to request, in writing, that an item be included on the agenda. Any such item shall be considered by the Scrutiny Management Board, and they will determine whether it can be included.
- 12.3 Similarly, the Leader or an individual member of the Executive may give notice in writing requesting an item to appear on an agenda of a Scrutiny Committee, relating to their area of responsibilities. The Scrutiny Management Board will decide how the item should be considered and whether it can be included.
- 12.4 Any other Councillor may write to the Statutory Scrutiny Officer to request an item to appear on an agenda of a Scrutiny Committee. The Scrutiny Management Board will decide whether it can be included.

## **13 Reports from the Relevant Scrutiny Committee**

- 13.1 Once recommendations have been formed, the relevant Scrutiny Committee may submit a formal report for consideration by the Executive (if the proposals relate to an executive function and are consistent with the existing budgetary and policy framework), or to the Council as appropriate (if the recommendation would require a departure from or a change to the agreed budget and policy framework).
- 13.2 The Council or the Executive shall consider the report of the Scrutiny

Committee at the next available meeting. The Council or the Executive shall respond to the Scrutiny Committee within two months (or following the next available meeting in the case of the Council) of it being submitted.

## **14. Panels**

- 14.1 The Scrutiny Management Board may add Panels to the Annual Workplan and determine which Committee shall be responsible for the Panels work. Panels should be used to ensure that the relevant Committee is having an impact and meeting its statutory duties.
  - 14.1.1 There shall be a maximum of 4 Panels established at any one time across all Committees unless the Scrutiny Management Board agrees that there are exceptional circumstances (taking into consideration resource implications and advice from the statutory Scrutiny Officer). This will exclude long standing Panels.
- 14.2 Whilst Panels will be on a task and finish basis and in most cases and time-limited, the Scrutiny Management Board is not precluded from agreeing long standing Panels subject to regular review and oversight by the appropriate Committee and progress being reported to the Scrutiny Management Board.
- 14.3 Panel membership may be opened up to other members of the Council, not just those sitting on the Scrutiny Committees. They may not be drawn from the Executive. The Board may also co-opt other persons on to the group from relevant partners, organisations, or community groups.
- 14.4 Where the Scrutiny Management Board agrees a Panel, it will direct the formal establishment of it to be undertaken by one of the three Committees, which will formally establish it and set out the name of the Panel, and the terms of reference including relevant dates for completion.
- 14.5 Panels are not required to be politically balanced, but they shall be cross party.
- 14.6 Panels can question and gather evidence from any person with their consent. Executive Members and Officers shall be required to attend if requested by the Panel.
- 14.7 Any report prepared by a Panel shall be agreed by the Scrutiny Committee which established it prior to being submitted for consideration by Council or the Executive.
- 14.8 Reports shall be made to the Council for Council functions and the Executive for Executive functions.
- 14.9 Panels are informal meetings without decision making powers and will not be open to the public or live streamed.

## Minority Reports

- 14.10 When a Committee agrees a report to include the Committee's conclusions and recommendations, the Scrutiny Committee may be unable to reach a consensus. Members in the minority may wish to express a view different from that of the majority. In these circumstances, a minimum of 2 Members with a minority view may choose to submit a minority report.
- 14.11 The intention to submit a minority report must be declared within the Scrutiny Committee meeting at the time the majority report is agreed. Such an intention must be recorded in the minutes of the meeting and referred to in the final report as part of the Committee's resolutions.
- 14.12 Where a Committee has agreed its final report and there has been no declared intention to produce a minority report, a minority report cannot then be subsequently submitted.
- 14.13 Where the intention to produce a minority report has been recorded in the minutes, Democratic Services will contact the appropriate Member or Members to confirm submission dates. The minority report should be delivered to the Democratic Services within 5 clear working days after the Scrutiny Committee meeting.
- 14.14 In order that a minority report is given the opportunity to be considered in context by the Executive/Council, where it has been produced within the agreed timescale it will be attached as an appendix to the majority report.
- 14.15 The Monitoring Officer will determine if a minority report should be exempt from publication, in which case the usual procedures for the publication of exempt reports apply.
- 14.16 The drafting and submission of the minority report remains the responsibility of the Councillors who have proposed it and not Democratic Services or other officers. The report will include details of the Councillors who have submitted the minority report, as well as its issues and any alternative recommendations.
- 14.17 It is expected that a Scrutiny Committee will have considered all the relevant information available and as such a minority report will be based on the same evidence as a majority report.

## **15 Call-in**

- 15.1 Call-in is the exercise of the Scrutiny Committees' statutory power in section 21(3) of the Local Government Act 2000 to review an Executive decision that has been made but not yet implemented.
- 15.2 Where a decision is called in and the Board decides to refer it back to the Executive for reconsideration, it cannot be implemented until the call-in procedure is complete.
- 15.3 Any Key Decision is subject to call-in, whether determined by the Leader, an

Executive Member, the Executive or a delegated officer. A decision may be called in only once. A recommendation by the Council may not be called in.

- 15.4 Call-in of decisions which may be contrary to the budget and policy framework shall be governed by the provisions of the Budget and Policy Framework Procedure Rules set out elsewhere within this Constitution.

## **16 The Call-In Procedure**

- 16.1 Once made, a Key Decision shall be published, in the form of a decision note, within two clear working days at the Council's main offices and on its public website. The decision record will be sent to all members of the Council within the same timescale.
- 16.2 The decision record will bear the date on which it is published and will specify that the decision will be effective on the expiry of 5 clear working days after the publication of the decision and may then be implemented, unless called in under this provision within that 5 clear working day period. The deadline for a call-in request will be specified in the decision record.
- 16.3 A call-in request must be in the form of a written notice submitted to the Monitoring Officer and received before 5pm on the published deadline shown on the Decision Notice.
- 16.4 A request shall only be valid if it is signed by at least 8 members of the Council who are not members of the Executive. Eight separate e-mails (as appropriate) will be acceptable if the form has not been signed.
- 16.5 One of the requestors must identify themselves as the lead signatory and the request must set out the reasons for call-in request.
- 16.6 The notice must set out -
- The resolution or resolutions that the member(s) wish to call in.
  - Clear reasoning as to how the principles of decision making as set out within this Constitution (**extract below**) have not been met.
  - The recommendations that they want to make to the Executive or Executive Member who has exercised delegated authority.

### **The Principles of Decision Making**

*When the Council makes decisions, we will make sure that we do the following:*

- a) Make sure that the action we are taking is proportionate to the results we need to achieve.*
- b) Make sure that we consult where appropriate to do so.*
- c) Respect human rights.*
- d) Ensure that the decision represents best value for North Northamptonshire.*
- e) Ensure that we are open and transparent in the way we make decisions.*
- f) Be clear about what we trying to achieve and what the outcomes will be.*
- g) Consider whether an alternative option is more appropriate.*

*h) Give reasons for why we have made decisions.*

16.7 The call-in request will be deemed valid unless either:

- (a) The procedures set out in Procedure Rules 16.1 – 16.6 above have not been properly followed; or
- (b) A similar decision has been called in by a Scrutiny Committee in the past two years; or
- (c) The Executive decision has been recorded as urgent in accordance with urgency provisions; or
- (d) The Monitoring Officer, in consultation with the Scrutiny Management Board, considers the call-in to be frivolous, vexatious, or clearly outside the call-in provisions;

- in which case the Monitoring Officer may reject the call-in request.

16.8 Before deciding on its validity, the Monitoring Officer may seek clarification of the call-in request from the member(s) concerned.

16.9 Upon deciding on its validity, the Monitoring Officer shall notify the member(s) concerned, the Leader of the Council and relevant Executive Member, the Chair and Vice-Chair of the relevant Scrutiny Committee and the Head of Paid Service.

### **Consideration by the Scrutiny Management Board**

16.10 The Scrutiny Management Board is responsible for considering matters which have been called in.

16.11 The Monitoring Officer will ensure that any valid call-in is reported to the next available meeting of the Scrutiny Management Board or will convene a special meeting if agreed by the Chair of the Scrutiny Management Board.

16.12 The lead requester will be expected to attend the meeting of the Scrutiny Management Board to explain their reasons for the call-in and the recommendations they would like to make.

16.13 The Scrutiny Management Board will consider the reasons set out in the call-in request and will conduct the meeting in accordance with the Call In Protocol.

16.14 Having considered the call-in and the reasons given, the Scrutiny Management Board may either: -

- a) Refer it back to the Executive or Executive Member who made the decision for reconsideration, normally in time for its next scheduled meeting, setting out in writing the nature of its concerns and any recommendations; or

- b) If it considers that the decision is outside the Council's budget and policy framework, refer the matter to Council after seeking the advice of the Monitoring Officer and/or Chief Finance Officer (Section 151 Officer) in accordance with the Budget and Policy Framework Procedure Rules; or
- c) Decide to take no further action, in which case the original Executive decision will be effective immediately.

### **Decisions Referred Back to the Decision-Maker**

- 16.15 If a decision is referred back to the original decision maker, that person or body shall then reconsider the matter, taking into account any concerns and recommendations of the Scrutiny Management Board, and make a final decision, amending the decision or not, and give reasons for the decision.
- 16.16 If a decision relates to an Executive function only the Executive can decide the matter if it is in accordance with the Council's budget and policy framework.

### **17 Call-In and Urgency**

- 17.1 The call-in procedure set out above shall not apply where the decision being taken is urgent. A decision is urgent if:
  - a) A call-in would prevent the Council reaching a decision that is required by statute within a specified timescale; or
  - b) Any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests and the reasons for urgency are reported to the decision-making body or person before the decision is taken.
- 17.2 Once made, an Executive decision shall be published, in the form of a decision record, within two clear working days at the Council's main offices and on its public website. The decisions digest will be sent to all members of the Council within the same timescale.
- 17.3 The decision note shall state whether the decision is an urgent one, and therefore not subject to call-in.
- 17.4 The Chair of the Scrutiny Management Board must agree to the decision being treated as a matter of urgency. In the absence of the Chair, the Vice-Chair of the Scrutiny Management Board's consent shall be required. In the absence of that person, the Chair of the Council's consent shall be required. In the absence of the Chair of the Council, the Vice-Chair of the Council's consent shall be required.
- 17.5 Where the Executive has recorded a decision as urgent, the Scrutiny Management Board may retrospectively review actions arising from that decision but cannot delay its implementation.

## **18 Councillor Call for Action**

- 18.1 Any member of the Council may submit a Councillor Call for Action using the appropriate form.
- 18.2 The Councillor Call for Action is intended to be a process of last resort and therefore a member must demonstrate that reasonable steps have been taken to resolve the matter including a response from the relevant Executive Member and the Head of Paid Service or his/her nominee.
- 18.3 Only if reasonable steps have been evidenced will the Councillor Call for Action be placed on the agenda of the relevant Scrutiny Committee by the Scrutiny Management Board. It is for the Scrutiny Committee to determine how it wishes to respond to the Councillor Call for Action and in the case of refusal to undertake a review then reasons must be provided.

## **19 The Party Whip**

- 19.1 It is generally accepted that the Party Whip should be suspended in respect of Scrutiny matters. However, when considering any matter in respect of which a member of the Scrutiny Committee is subject to a formal party whip, the Councillor must declare the existence of the whip, and the nature of it before the commencement of the Committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

**END**