



North Northamptonshire Council

Full Council

North Northamptonshire Council

Thursday 30th March 2023

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

Present: -

Members:

Councillors Larry Henson (Chair), Barbara Jenney, Jean Addison, Valerie Anslow, Ross Armour, Charlie Best, Matt Binley, Jennie Bone, David Brackenbury, Cedwien Brown, Scott Brown, Leanne Buckingham, Lyn Buckingham, Lloyd Bunday, Jon-Paul Carr, Robin Carter, Melanie Coleman, John Currall, Alison Dalziel, Dez Dell, Scott Edwards, Jonathan Ekins, Emily Fedorowycz, Martin Griffiths, Jim Hakewill, Clive Hallam, Ken Harrington, Helen Harrison, Helen Howell, David Howes, Philip Irwin, Bert Jackson, Ian Jelley, King Lawal, Graham Lawman, Lora Lawman, Anne Lee, Paul Marks, Dorothy Maxwell, Peter McEwan, John McGhee, Zoe McGhee, Andy Mercer, Gill Mercer, Macaulay Nichol, Jan O'Hara, Anup Pandey, Mark Pengelly, Harriet Pentland, Elliot Prentice, Russell Roberts, Mark Rowley, Geoff Shacklock, Jason Smithers, Chris Smith-Haynes, Joseph Smyth, Mike Tebbutt, Sarah Tubbs, Malcolm Ward, Kevin Watt, Keli Watts, 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 the formal opening of the meeting, the Chair welcomed Councillor Melanie Coleman to Full Council. Councillor Coleman had recently been elected following the by-election held on 23rd March 2023.

211. Apologies

Apologies were received from Councillors Tim Allebone, Mark Dearing, Tom Partridge-Underwood, David Sims, Richard Levell, Michael Tye, Paul Bell, Steven North, Roger Powell, Wendy Brackenbury, Kirk Harrison, Simon Rielly, William Colquhoun and Matt Keane.

212. Minutes of the meetings held on 26th January 2023 and 23rd February 2023

The minutes of the Full Council meetings held on 26th January 2023 and 23rd February 2023 had been circulated.

Under the minutes of the meeting held on 26th January 2023, it was noted that Councillor Philip Irwin had been omitted from the list of Members present. This was corrected.

Councillor Larry Henson MOVED that the minutes (as amended) be agreed. Councillor Lora Lawman SECONDED.

RESOLVED that: -

The minutes of the Full Council meetings of 26th January 2023 (as amended) and the 23rd February 2023 be agreed.

213. Declarations of Interest

No Declarations of Interest were recorded.

214. Chair's Announcements

The Chair drew Council's attention to an Urgency Report circulated after the issue of the summons and publication of the meeting agenda. This related to "Chief Executive Appointment – Permanent and Interim Arrangements." The Chair indicated that this item would be tabled earlier in the meeting than indicated on the agenda.

215. Leader's Announcements

The Leader of the Council (Councillor Jason Smithers) reminded Council that 1st April 2023 would see the second anniversary since the formation of North Northamptonshire Council. The Leader thanked staff and Members for their work in establishing the Council since Vesting Day. An enormous amount had been achieved to date and it was recognised that the Council still had significant tasks and challenges ahead.

216. Public Participation

Public Statements

The meeting received Public Statements from the following local residents: - Ms Holmes (reference Motion 3 on the Agenda); Mr Coles, Ms Robinson, Mr Allen, Ms Reid & Ms Turner-Hawes (reference Motion 1 on the Agenda; Cllr Reuby (reference the Public Petition on the Agenda).

Public Questions

A question was received from a local resident Mr Gilyead with reference to the Wellingborough Walks. Councillor D Brackenbury provided a response.

Petitions

A Public Petition had been submitted under Part 2 Public Participation and Rights of the Council's Constitution. Councillor Alison Dalziel introduced the Petition.

"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 Dalziel spoke to the "Fix the Pothole" petition. Councillor Dalziel highlighted public concern regarding the state of the roads within the North Northamptonshire area, a situation that the councillor stated was getting worse. Whilst recognising there had been additional investment including funding from Government, these amounts would not resolve the current situation to a satisfactory level. Councillor Dalziel echoed the concerns raised by some residents that there could be serious accidents if the issue was not more adequately addressed.

Councillor Dalziel suggested that an action plan needed to be developed, working with the Council's appointed contractor, together with further investment to ensure there was a co-ordinated and effective approach to addressing the increasing problem of potholes on local roads.

Councillors briefly discussed the issues raised by the petition.

A resolution to forward the Public Petition to the Executive without Full Council comment or recommendation was **MOVED** by Councillor L Henson and **SECONDED** by Councillor J Ekins.

RESOLVED that: -

- (i) The Petition be forwarded without comment to the Executive to consider.

217. Executive Presentations

There were no Executive Presentations on this occasion.

218. Pay Policy Statement 2023/2024

Members noted that it is a legislative requirement that the Council published an annual Pay Policy Statement. The Pay Policy Statement provided 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.

The report before Council sought approval of the Pay Policy Statement attached at Appendix A and asked Council to note that a package of new pay, terms, and conditions of employment and associated pay and employment policies for North Northamptonshire Council were still to be agreed.

The recommendations were **MOVED** by Councillor Jason Smithers and **SECONDED** by Councillor Helen Howell.

RESOLVED that: -

- (i) The Pay Policy detailed in Appendix A be approved; and
- (ii) It be noted that the terms and conditions of employment (including a new pay structure) will be considered by Full Council at a future meeting.

219. Chief Executive Appointment – Permanent and Interim Arrangements

Full Council noted that the current Chief Executive (Rob Bridge) had resigned from his position having been successful in securing a position with another authority. Mr Bridge would be leaving NNC in early June 2023.

Full Council were being requested to consider the process for the permanent appointment of a new Chief Executive and Head of Paid (statutory appointment), in addition to the proposed interim arrangements for this post.

In order to ensure that the Council continued to have strategic stability and leadership, the report proposed that a process was commenced to appoint an Interim Chief Executive/Head of Paid Service.

The report also proposed that the Council commissioned an Executive Search Partner to commence a recruitment process for a permanent appointment to the post of Chief Executive in September 2023.

The report before Members provided details of the proposed procedure for securing interim arrangements, to be confirmed by Annual Council in May 2023, and the proposed procedure and process for recruitment and appointment to the permanent position.

In addition, the report indicated interim arrangements for other statutory officer positions including Returning Officer and Electoral Registration Officer.

The recommendations were **MOVED** by Councillor Jason Smithers and **SECONDED** by Councillor Helen Howell.

RESOLVED that: -

- (i) Delegated authority be granted to the Leader of the Council, in consultation with the Assistant Director of Human Resources, to commission an executive search company for a permanent appointment to the post of Chief Executive/Head of Paid Service;
- (ii) It be noted that the Employment Committee will approve the process for the recruitment of a permanent Chief Executive following appointment of an executive search partner; including the establishment of an Appointments Sub-Committee;
- (iii) The process and timeline for the appointment of an Interim Chief Executive be noted;
- (iv) It be noted that any necessary amendments to Proper Officer appointments during the interim period will be considered by Council in May 2023; and
- (v) The Executive Director of Customer and Governance be appointed as Returning Officer and Electoral Registration Officer until such time as Council determine the permanent appointment to the Chief Executive post.

220. Planning Scheme of Delegation & Committee Structure

Full Council were 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 was being proposed that any agreed changes would be effective for the Municipal Year 2023/2024 onwards.

North Northamptonshire Council (NNC) had responsibility for performing the role of "Planning Authority" within its area as detailed in statute. Any functions and liabilities resulting from performing this role rested with NNC.

"Planning" was 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") needed to ensure that all relevant representations, policies etc were considered prior to making their determination on an application for planning consent.

Any processes put in place by the Council needed 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, would help to ensure that the Council had a sound decision-making process in place.

The Council was currently undertaking a comprehensive review of its planning service and its delivery to those using the service. The report before Members and Appendix 1 provided background to the steps the Council was undertaking to improve service delivery and enhance improvements in decision-making and governance.

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.

A range of work was 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. 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.*

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.*

In response to the observations and recommendations raised in the PAS Report, it had 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.

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

Appendix 1 accompanying the report was a copy of the officer report submitted to Democracy and Standards Committee on 13th March 2023. This report provided 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 included 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 were highlighted (YELLOW bold).

Appendix 1B included a copy of the proposed geographic split for Planning Committees. The split reflected the recommendations made by PAS and was informed by historic planning data to help ensure that the application workloads of the proposed committees would 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 included a copy of the proposed Terms of Reference applicable to each planning committee, incorporating comments from the Committee and subsequent officer recommended amendments.

A consequential issue arising from any amendment to the committee structure related to Special Responsibility Allowance (SRA) for Chairs. This matter was a decision for Full Council.

Currently each Chair of the four Area Committees received an SRA of £5,090. The Chair of the Strategic Planning Committee received an SRA of £7,631. The total expenditure on Planning Committee SRAs was £27,991. It was suggested that each Chair of the two new Area Committees received an SRA of £7,631. The total expenditure on Planning Committee SRAs would be £15,262. The higher SRA reflected the increased level of responsibility and related to the approved SRA scale agreed by Council based upon the recommendations of the Independent Remuneration Panel.

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.

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.*

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.

Councillor Lora Lawman moved the recommendations and thanked all officers and Members for their contribution to discussions on the report to date. The report recognised arising from the PAS report that the Authority needed to make changes to its procedures and operations relating to planning, whilst retaining the good practise detailed by PAS. Councillor Lawman stressed that the operation of the governance structure and delegation scheme would continue to be kept under review.

The recommendations were **MOVED** by Councillor Lora Lawman and **SECONDED** by Councillor David Brackenbury.

An amendment to the report's recommendations was **MOVED** by Councillor David Brackenbury and **SECONDED** by Councillor Mark Rowley. The amendment read: -

Under recommendation 3 (c), **retain** "*Approve the amendments to the Scheme of Delegation as detailed in the report and Appendix A ...and add... subject to the addition of the following words to the Conditions of Delegation 8 –*

If a Councillor has concerns that a delegated decision (be it approval or rejection) would go against the interests of the ward then a ward councillor can request to be advised on the officer's decision before it is signed off. The councillor will have two clear working days to call-in the application to committee."

Councillor Brackenbury explained the purpose of the amendment. This was to allow additional time for ward members to liaise with the Planning Service, particularly when they have received concern from residents and local councils. Subject to the outcome of those discussions, and relative to material planning considerations, a "call-in" request from the relevant ward member may be submitted.

Councillors debated the amendment. A vote was taken on the amendment.

RESOLVED that: -

- (i) The amendment was passed.

Councillors returned to debating the substantive motion. Members noted the extensions of time being suggested for both ward member consultation and town & parish council consultation and these were welcomed. Concern was raised regarding the Member availability for the respective proposed areas given the suggested geographic split, with a wider "pool" of availability in the North area. Members were reminded that the suggested geographic split was based on previous planning data and could be kept under review going forward.

A recorded vote was requested.

Those voting in favour of the recommendations: - Councillors L Wilkes, C Best, M Binley, J Bone, D Brackenbury, C Brown, S Brown, Lyn Buckingham, Andrew Weatherill, Lloyd Bunday, J-P Carr, R Carter, J Currall, D Howes, B Jackson, H Harrison, P Irwin, I Jelley, K Lawal, J Ekins, S Edwards, M Griffiths, K Harrington, C Hallam, B Jenney, H Howell, G Lawman, L Lawman, A Lee, D Maxwell, P Marks, A Mercer, G Mercer, M Nichol, J O'Hara, A Pandey, H Pentland, E Prentice, R Roberts, M Rowley, G Shacklock, J Smithers, C Smith-Haynes, J Smyth, M Tebbutt, M Ward, M Coleman.

Those voting against the recommendations: - Councillors Leanne Buckingham, A Dalziel, K Watt, E Fedorowycz, D Dell, J Hakewill, P McEwan, J McGhee, Z McGhee, S Tubbs, V Anslow, K Watts, R Armour.

Those abstaining from voting: - Councillors J Addison, M Pengelly, L Henson.

RESOLVED that: -

- (i) The Strategic Planning Committee and the four Area Planning Committees be dissolved and replaced by two Area Planning Committees (North and South) as detailed within the report and Appendix B;
- (ii) The Terms of Reference applicable to both new Area Planning Committees as detailed in the report and Appendix C be approved;
- (iii) The amendments to the Scheme of Delegation as detailed in the report, Appendix A and by Council amendment be approved subject to the addition of the following words to the Conditions of Delegation 8 –

“If a Councillor has concerns that a delegated decision (be it approval or rejection) would go against the interests of the ward then a ward councillor can request to be advised on the officer’s decision before it is signed off. The councillor will have two working days to call-in the application to committee.”

- (iv) Each Chair of an Area Planning Committee, see (i) above, receive a Special Responsibility Allowance (SRA) of £7,631 per annum;
- (v) The amendments and changes approved in (i-iv) above are enacted for the Municipal Year 2023/2024 onwards;
- (vi) It be noted that changes to the geographical 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
- (vii) 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 (i-iv) above.

(There was a brief adjournment in the meeting. Councillor Pentland left the meeting at this point).

221. Scrutiny Review

Full Council were being requested to consider proposals to change scrutiny committee arrangements and the Scrutiny Procedure Rules following consultation and recommendations received from the Democracy and Standards Committee. The proposals had been subject to both internal and external consultation. The Monitoring Officer had considered consultation responses when drafting the final proposals for Full Council; these responses were detailed in Appendices B & C accompanying the report.

As North Northamptonshire Council operated an executive model of governance it was required under statute to operate at least one scrutiny committee.

The purpose of the scrutiny function was to influence policies and decisions made by the Executive and other organisations delivering services to the public. This was 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.

Since May 2021, the Council had operated with two scrutiny committees. The Scrutiny Commission was an overarching body which was able to establish topic-specific task & finish groups undertaking work on the approved Scrutiny Workplan. The Finance & Resources Scrutiny Committee specifically scrutinised and monitored 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 monitored performance.

As the Annual Scrutiny Report 2021/22 recently presented to Council demonstrated, the scrutiny function of the Council had developed well since May 2021 with some important work undertaken. It was recognised however that the quantity of work required to be undertaken exceeded existing capacity and that there was a need to review scrutiny arrangements at both member and officer level. In particular, it was recognised that scrutiny's role in relation to other public service providers required enhancement and that a more outward focussed scrutiny was needed.

A report was considered by Democracy and Standards 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. The Centre for Governance and Scrutiny was asked to provide its comments on the proposals and respond to verbal feedback. The Constitutional Review Working Group which was a cross party meeting, considered both the initial proposals and the feedback and Procedure Rules prior to the Democracy and Standards meetings.

There was a need to ensure greater effectiveness and transparency in relation to the workload of the scrutiny function within the council. Current arrangements could lead to potential delays in undertaking work and duplication. Arising from member feedback and discussion at the Governance and Standards Committee, the following proposals were detailed in the report before Council: -

Scrutiny Management Board

It was recommended that a Scrutiny Management Board was established to avoid unnecessary delays, ensure strategic ownership of scrutiny remained with members and stopped duplication. It was expected that the Board would comprise the Chairs and Vice-Chairs of the Scrutiny Committees and would strategically drive forward the scrutiny function.

It was proposed that the Board would 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.

There had been positive feedback from members on this role and the Centre for Governance and Scrutiny were also supportive of an overarching Board which was commonplace in many large authorities. Transparency was important to the Council, and it was therefore proposed

that the Board was a formally constituted body which was open to the public. This meant that the Board would be politically balanced.

Following consideration by the Democracy and Standards Committee it was proposed that the Scrutiny Management Board would determine call-in requests. The benefits of this were 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 was likely to prove most productive. The alternative was that the individual Committees determine call-in requests.

Scrutiny Committee – Health

The Council had a statutory duty to scrutinise health. There was a strategic role in reviewing how the integration of health, public health and social care was working to ensure maximum outcomes could be achieved for the benefit of the public. This was a statutory role and there had been no negative responses that this needed to be enhanced in any future scrutiny structure.

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 was a better fit than in the Place and Environment Scrutiny Committee. The proposed change was supported by the Democracy and Standards Committee.

It was recognised that scrutiny needed to be outward facing as well as considering the Council's own service delivery. The relationship with key partners was important particularly with partners such as the NHS, the Police etc. The Scrutiny Management Board would have a key role in ensuring partner engagement was enhanced in any new structure and that the agendas were outward facing as well as inward. This was also raised in member feedback as a priority.

Scrutiny Committee - Place and Environment

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

Scrutiny Committee – Corporate

Corporate scrutiny was currently being undertaken by both the Scrutiny Commission and the Finance & Resources Scrutiny Committee. It was widely accepted that this could cause duplication of effort.

There were 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. The Centre for Governance and Scrutiny commented that it had not proved necessary in other councils to have a dedicated Budget Scrutiny however good financial management was key to any organisation.

Scrutiny of the annual budget had been undertaken in an intensive and structured way since the new authority was established. The Council was keen that this continued so that it could evidence good control of its budgets. This work would not be diluted in the new structure and the meetings for this piece of work was 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.

The Corporate Scrutiny Committee would mirror the work of the current Finance and Resources Committee, in that it would scrutinise finance and performance which were integral to each other. It would also scrutinise external partnerships and companies such as the Children's Trust. Currently the Children's Trust was scrutinised across Committees which did not allow members to collate a rounded view of it.

Panels

Panels were 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 would not be included in any maximum number of Panels that could be established. This therefore left a maximum amount of 4 that could be established throughout the year to undertake more detailed work unless there were exceptional circumstances. The recommendation previously from the Centre for Governance and Scrutiny was that a maximum of 3 was recommended and therefore this was a formal increase to current arrangements.

Whilst it was proposed that the Scrutiny Management Board agreed the establishment of Panels, it would direct the formal establishment of it to be undertaken by one of the three Committees, which would formally establish it and set out the name of the Panel, and the terms of reference including relevant dates for completion. This would give ownership of the Panel to the relevant Committee.

General

Feedback from members was included at Appendix C. There was feedback in relation to the political chairmanship of the Committees which was a decision for Council and was not therefore dealt with in this report.

There was also useful feedback on how scrutiny should operate at the Council and whilst this was outside of this review, it would be useful for the Board to consider so that scrutiny continued to add value to North Northamptonshire. A learning and development programme would be created and delivered to all scrutiny members in the new municipal year to ensure that they were supported to have the skills and knowledge for excellent scrutiny.

Some comments were received about the effectiveness of the Executive Advisory Panels which had been subject to a recent review. As these were created at the Leader's discretion, these were not in scope for this review or report.

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 had struggled with capacity, the Finance and Resources Committee had managed its budget workload through a Task and Finish Group which had worked well. The removal of duplication of performance scrutiny would

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 would move the Board would also free up capacity for the Committees. More meetings could be added if the Board felt that this was necessary.

This would amount to 30 meetings per annum in the Calendar of Meetings (excluding Panel work which was extensive), compared to 19 meetings (excluding Panel work) in the current arrangements.

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.

The recommendations were **MOVED** by Councillor Lora Lawman and **SECONDED** by Councillor Andy Mercer.

Councillor Lawman drew Council's attention to the increase in scrutiny committees and welcomed the future ability to scrutinise a wider array of topics in more depth. Comment was made that opposition Members should be considered to chair scrutiny committees.

A Motion without Notice for "the question now be put" was defeated.

There was general support for the recommendations and the proposal to look at external issues in more depth, working with partners.

It was noted by the Leader of the Council that the previous role of opposition Members chairing scrutiny would continue and was welcome.

The expansion of the number of scrutiny committees, the role of the Scrutiny Management Board and the increase in dedicated officer support was noted.

RESOLVED that: -

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

(A Guillotine Motion was MOVED by Councillor Smithers, SECONDED by Councillor Howell, to extend the meeting until completion of all reports and motions detailed on the agenda. The meeting approved this extension of time).

222. Isham Bypass – Virement of Capital Budgets

Full Council received a report seeking agreement to the virement of capital budgets to fund continued progress on the A509 Isham Bypass.

The A509 Isham Bypass formed the first part of a strategy to dual the whole A509 between the A14 south of Kettering and the A45 at Wellingborough.

As reported to Executive in November 2021, funding totalling £2.798m had been secured to develop the Outline Business Case and planning application for the scheme.

Since securing this funding it had become apparent that the work required was more extensive than previously thought and additional funding of £1.573m was required.

It was proposed to provide the additional funding through the virement of £0.742m of 2021/22 Integrated Transport Block funding, £0.558m of 2022/23 Integrated Transport Block funding and £0.273m of accumulated surplus Section 278 fee income.

The recommendations were **MOVED** by Councillor Graham Lawman and **SECONDED** by Councillor Clive Hallam.

RESOLVED that: -

- (i) Council approved the virement of £1.3m of capital budget from the 2021/22 Integrated Transport Block allocation (£0.742m) and the 2022/23 Integrated Transport Block allocation (£0.558m) to the A509 Isham Bypass; and
- (ii) Council approved to increase the capital budget for the Isham Bypass by £0.273m, which would be funded from the surplus Section 278 fee income.

223. Political Balance on Council Committees

The report before Council confirmed the methodology proposed to be applied to determine the revised political balance of the authority following the recent by-elections for Northall and Rushden South. It also proposed the apportionment of seats on committees in accordance with the application of the calculations.

Following the election on 6th May 2021, 78 Members were elected to the newly formed unitary authority for the first time.

Following the Northall by-election of 2nd February 2023 and the Rushden South by-election of 23rd March 2023, the report set out the revised political balance of the council as of 27th March 2023, how many voting seats were available and set out political group's nominations for allocation to those seats.

The Council must allocate seats on committees and sub-committees in accordance with the provisions set out in the Local Government and Housing Act 1989 ("the 1989 Act").

The recognised political groups will be invited to submit their nominations for the revised committee seats allocated to them.

The impact of the proposed changes would be as follows –

- Kettering Area Planning Committee: the Green Alliance Group representation to reduce by one, with the Labour Group awarded the vacant seat.

- Licensing & Appeals Committee: the Conservative Group reduce by one, with the Labour Group awarded the vacant seat.

The recommendations were MOVED by Councillor Jonathan Ekins and SECONDED by Councillor Andy Mercer.

RESOLVED that: -

- (i) Council approved the revised allocation of seats for the committees set out in Appendix A to the recognised political groups in accordance with the proportionality provisions and the Constitution.

224. Motions on Notice

Four Motions on Notice had been submitted. The Chair agreed the order of debate was changed.

Motion 3

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 views of victims into the probation decision making process to ensure victims feel heard and considered;*
- (iii) *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.*

The motion was MOVED by Councillor Mark Pengelly and SECONDED by Councillor Lyn Buckingham.

There was cross-Chamber support for the motion and the Leader of the Council indicated his full support. The role of Collette's sisters, local media and the local MP in highlighting the campaign was acknowledged.

RESOLVED that: -

- (i) The Motion be agreed.

(Councillor Pengelly left the meeting at this point).

Motion 1

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.

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.

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.

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.

This motion calls on this Council to -

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.

Councillor Anslow MOVED the motion, SECONDED by Councillor Lee SECONDED the motion.

In moving the motion, Councillor Anslow explained the background to bringing the motion forward to seek further "checks and balances" into the planning process to ensure that full consideration was taken in future deliberations of the consequences to the local environment including the potential for the felling of trees.

A number of Members spoke in favour of the motion, particularly with reference to recent events in Wellingborough. There was a need to ensure that decision makers were fully furnished with the facts around future applications, and the potential impact on trees.

(Councillor Best left the meeting at this point).

RESOLVED that: -

- (i) The Motion be agreed.

(Councillors Griffiths and Armour left the meeting at this point).

Motion 2

Motion 2, included on the Agenda, was requested by Councillor E Fedorowycz (Mover) and Councillor Lyn Buckingham (Seconder) to be withdrawn until the next ordinary meeting.

Motion 4

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. 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. 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. 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.

Councillor Dalziel MOVED the motion, SECONDED by Councillor Lyn Buckingham. The motion requested that the Council's highway contractors develop an action plan, in consultation with the Council, to address the issue of pot holes within the area. Any action plan developed to be presented to a future meeting of the Executive for consideration.

A recorded vote was requested.

Those voting in favour of the motion: - Councillors C Brown, Lyn Buckingham, Leanne Buckingham, R Carter, J Currall, A Dalziel, E Fedorowycz, D Dell, K Harrington, J Hakewill, A Lee, J Addison, P McEwan, J McGhee, Z McGhee, J Smyth, S Tubbs, V Anslow, K Watts.

Those voting against the motion: - Councillors L Wilkes, M Binley, J Bone, D Brackenbury, S Brown, A Weatherill, L Bunday, J-P Carr, D Howes, H Harrison, K Watt, P Irwin, I Jelley, K Lawal, J Ekins, S Edwards, C Hallam, B Jenney, H Howell, G Lawman, L Lawman, D Maxwell, P Marks, A Mercer, G Mercer, M Nichol, A Pandey, E Prentice, R Roberts, M Rowley, G Shacklock, J Smithers, C Smith-Haynes, M Tebbutt, M Ward, M Coleman.

Those abstained from voting: - Councillors B Jackson, L Henson.

RESOLVED that: -

- (i) The Motion fell.

225. Urgent Items

There were no further Urgent Items on this occasion.

226. Close of Meeting

Meeting closed at 22:42 pm.