

Democracy and Standards Committee Monday 15 April 2024

Report Title	Proposed Revisions to the Constitution
Report Author	Sanjit Sull, Director of Legal and Governance (Monitoring Officer) Ben Smith, Head of Democratic Services

Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	N/A
Which Corporate Plan priority does the report most closely align with? Our priorities for the future North Northamptonshire Council (northnorthants.gov.uk)	Modern Public Services

List of Appendices

Appendix A - Proposed revisions to the planning committee's terms of reference.
Appendix B - Table of other constitutional changes.

1. Purpose of Report

- 1.1. To update the committee on proposed revisions to the planning committee structure and associated terms of reference and other minor constitutional changes.

2. Executive Summary

- 2.1 The current planning committee structure and terms of reference have been in place since May 2023.

- 2.2 In light of recent experience and review, it is being recommended that the Area Planning Committees North and South be combined into one planning committee for the whole of North Northamptonshire.
- 2.3 On 4 March 2024, the Constitutional Working Group considered some proposed minor changes to the constitution, which are presented to this meeting for noting and approval as necessary.

3. Recommendations

- 3.1 It is recommended that the Democracy and Standards Committee:
- a) Review and comment on the proposed terms of reference for a single planning committee at appendix A to this report; and
 - b) Note and approve (where necessary) the changes to the constitution outlined at appendix B.
- 3.2 Reason for Recommendation – The proposed planning changes are recommended to ensure the effective discharge of the council’s planning function that maximises efficiency and cost effectiveness from a harmonised service.
- The changes to the constitution are part of its regular review as a key living document of the council.
- 3.3 Alternative Options Considered – An alternative option for the planning committee function would be to retain two area planning committees, however a single planning committee, as operated by a number of other high-performing unitary authorities is considered the preferred model.
- The option of presenting the revisions as part of the programmed review of the wider Constitution at a later date this year was rejected as this would disrupt the delivery of the work of the planning service and general functioning of the Council.

4. Report Background

Planning Committee Structure

- 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 was provided to the council and considered by the

Executive on the 23 December 2022. A copy of the PAS report can be found here: [Planning Advisory Service Peer Review Report](#).

- 4.3 The peer review report set out a series of recommendations for the planning service that were 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.
- 4.4 In response to the Peer Review, the council is undertaking 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.
- 4.5 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.
- 4.6 With regard to the council's planning committee structure, full council on 30th March 2023, following a review by the Planning Advisory Service (PAS), approved the abolition of the authority wide strategic area planning committee and four area planning committees based on the sovereign council planning authority areas, to that of two area planning committees that each also encompass the responsibilities of the previous strategic planning committee.
- 4.7 The revised planning committee structure was formally established in May 2023. Officers have reviewed the revised structure and how it is working. Councillors are advised that the number of applications being brought forward alongside the number of cancelled meetings suggests that it is expedient to move to a single committee. The benefits of moving to a single committee include:
 - i. Consistency – a single committee supports consistent decision making and develops members of the committee as experts;
 - ii. Holistic (one council) approach – a single committee supports a broader understanding of planning applications across the whole administrative area of NNC;
 - iii. Cost – a single committee provides efficiency savings;
 - iv. Accessibility – it is proposed that meetings of the committee take place at the Cube so that they may be live streamed using the specialist AV equipment available. This is not presently possible for the South planning committee.
- 4.8 Research was undertaken as part of the review of the authority's planning structure in 2023 which examined some seven high-performing unitary planning authorities. The outcome of this work was reported to Democracy and Standards Committee on 13 March 2023 which showed that:
 - Six of the seven authorities operate a structure with a single planning committee meeting monthly

- One authority operates a planning committee with two sub-committees (however 33% of its planning committees in 2022 considered a single application)

4.9 It is proposed that the two current area committees therefore be combined into one committee to provide further efficiency and effectiveness for the planning service. For the planning service to be completely joined up, it would be better if there was one committee boundary coterminous to that of the actual authority area.

Other Constitutional Changes

4.10 A fundamental review of the constitution is currently being undertaken, for reporting back to the Democracy and Standards Committee later in 2024. However, it is also important that the constitution remains current and reflects the council's current structure and processes. Therefore, a number of minor changes are reported at Appendix B for the committee's information, which the Constitution Working Group has noted will be exercised by the monitoring officer using the delegated power to make minor administrative changes to the constitution.

4.11 In reviewing the changes, the Constitutional Working Group is also recommending for this committee's consideration a proposal to vary the current delegation to the monitoring officer to make consequential and minor amendments to the constitution, to provide for greater efficacy and compliance with the law. This proposed change is also contained in Appendix B.

5. Next Steps

5.1 The committee is requested to consider the revisions to the planning committee structure and terms of reference and the minor change to the monitoring officer's delegated power, for recommending approval to full council.

6. Implications (including financial implications)

6.1 Resources and Financial

6.1.1 The planning proposals are designed to improve the efficiency of the planning committee system. 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 12 less evening committees per year).

6.2 Legal and Governance

6.2.1 The proposals will require amendments to the council's constitution in order to introduce the proposed changes to the planning committee structure.

6.2.2 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.

6.3 Relevant Policies and Plans

6.3.1 These proposals will assist in delivering the actions as set out in the NNC Planning Action Plan, as agreed by the Executive on the 23 December 2022, designed to respond to the PAS Peer Review findings and recommendations.

6.3.2 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.'

6.4 Risk

6.4.1 Should the council choose not to progress the proposals in this report that responds further to the PAS recommendations, there is a risk that the council continues a sub optimal planning service that cannot fully meet the expectations of its customers and that fails to realise the efficiencies that can be delivered through transforming the function into a single, fully harmonised planning service.

6.5 Consultation

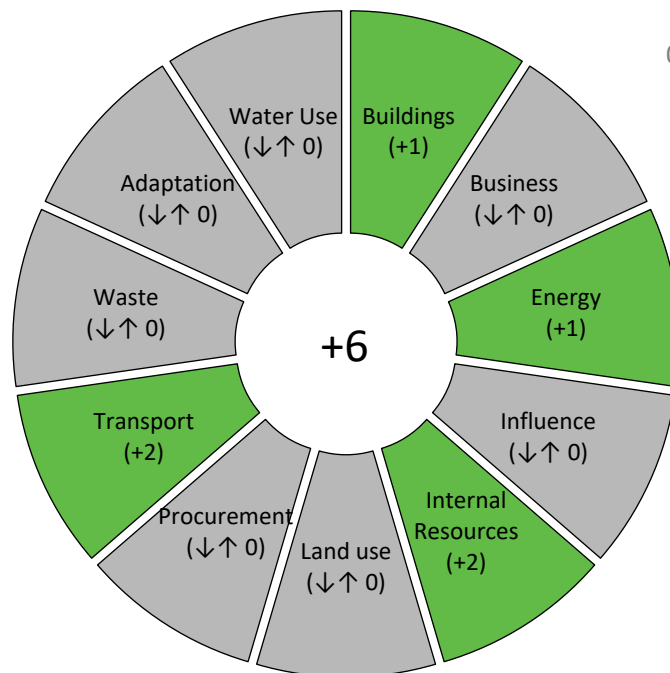
6.5.1 The Constitution Working Group were consulted on the proposed minor amendments to the constitution including the change to the monitoring officer's delegated power on 4 March 2024.

6.6 Equality Implications

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

6.7 Climate Impact

Generated
05/04/24 v1



North Northamptonshire Council has committed to being a carbon neutral organisation by 2030, 5 yrs & 8 mos away.

6.7.1 The council has an opportunity through the planning committee proposals to realise efficiencies that will have a positive climate and environment impact. A potential reduction in 12 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.

6.8 Community Impact

6.9 The proposals seek to ensure that planning committee meetings remain accessible to members of the public. Whilst future planning meetings would only be held in Corby, this is a venue which benefits from state-of-the-art webcast facilities which allows the meetings to be viewed from any location both live and after the event. The current venue for Area Planning South does not have webcast facilities which reduces the public engagement available at Swanspool House.

6.10 Crime and Disorder Impact

6.10.1 None

7. Background Papers

7.1 [NNC Council Constitution](#)

7.2 [PAS Peer Review Report](#)

7.3 [Corresponding NNC Planning Transformation Board Action Plan](#)