

NORTHAMPTON BOROUGH COUNCIL

Overview and Scrutiny Committee 1

Partnerships, Regeneration, Community Safety and Engagement

2 September 2008

PRESENT:

Councillor Andrew Simpson (Chair); Councillor Ifty Choudary (Vice-Chair); Councillors Tony Clarke, David Perkins, Kevin Reeve, Paul Varnsvery, Councillor David Garlick substituting for Councillor Sadik Chaudhury, Councillor Christopher Malpas substituting for Councillor John Caswell and Councillor Pam Varnsvery substituting for Councillor Portia Wilson

Councillor Richard Church	Portfolio Holder, NBC	For item 5
David Kennedy	Chief Executive, NBC	For item 5
Chris Cavanagh	Corporate Manager, NBC	For item 5
Ruth Austen	Senior Environmental Health Officer, NBC	For item 5
Tracy Tiff	Overview and Scrutiny Officer	
Councillor Tony Woods	Leader of the Council	Observing
Tim Martin	WNDC	Observing
Howard Boots	Head of Scrutiny, Tameside MBC	Observing
Chris Swinn	Member of the public	Item 5

1 Apologies

Apologies for absence were received from Councillors John Caswell, Sadik Chaudhury, David Palethorpe and Portia Wilson.

2 Minutes

Subject to the following amendment, the minutes of the meeting held on 5 August 2008 were signed by the Chair as a true record: -

Mr Swinn informed Councillors that the **Housing and Regeneration Bill** has received Royal Assent.....

3 Deputations/Public Addresses

Mr Chris Swinn addressed the Committee on agenda item 5 – Review – Partnership working with West Northamptonshire Development Corporation (WNDC)

4 Declarations (Including Whipping)

There were none.

5 Review – Partnership working with West Northamptonshire Development Corporation (WNDC)

Mr Chris Swinn addressed the Committee advising Councillors of his concerns regarding the governance arrangements for WNDC. He was particularly concerned that Councillors, who are no longer elected Members, are still members of the Board to WNDC. He concluded by expressing his concerns regarding less frequent Board meetings.

Mr Swinn was thanked for his address.

The Chair reminded Councillors that this item had been part of the Committee's Work Programme for some time and that it had been agreed that the whole Committee would carry out the Review rather than set up a Task and Finish Group to carry out the work. The need for the Review had arisen from the previous work of this Committee, in particular the Historic Buildings Task and Finish Group that had looked at the proposed Needles sculpture as well as historic building protection and WNDC's role, and also monitoring of Planning Performance Indicators. Past work had suggested a Review into WNDC's performance and how it works with NBC would be beneficial to both organisations.

The objective of this Review is to establish how well WNDC is performing and how well Northampton Borough Council and WNDC are working together in Partnership to deliver the regeneration, planning and growth objectives for the town.

The Chair advised that many witnesses had been contacted to provide evidence, either written or oral, but some of the evidence was still awaited, therefore, there was the need for a further meeting to consider this. The additional meeting would be dedicated purely to evidence gathering for this Review.

Councillor Richard Church, Portfolio Holder, addressed the Committee. A copy of Councillor Church's written response to the Committee's core questions is attached to the minutes.

Supplementary questions were put to Councillor Church:

Councillor Church advised that he felt that the Council should support West Northamptonshire Development Corporation (WNDC) in its lobbying for adequate funding.

QUESTION (Q)

Q If WNDC did not receive adequate funding, what would the impact be on its partners regarding the delivery of various projects?

Response:

There is no impact on partnership working at present but it could have an impact over time on key project delivery and could lead to houses being built and the infrastructure following on.

Q Overview and Scrutiny needs to be clear of the problems that are in existence

Response:

The main issue is to improve on the arrangements currently in place.

Q Are there any formal documents in place to support the Partnership arrangement, such as a Memorandum of Understanding?

Response:

I am not aware of any such document in existence; however, discussions are taking place regarding the establishment of a Joint Arrangement Protocol.

Q Is it correct that WNDC does not reject a planning application but defers consideration to the next meeting? Does WNDC have the powers to reject a planning application?

Response:

If WNDC's Planning Officers make a recommendation to WNDC's Planning Committee that a planning application is approved, but the Committee is minded to reject the application, consideration of that item is deferred to the next meeting. The reasoning behind this is to provide an opportunity for the reasons for refusal to be drawn up.

Q Should the Borough Council's Planning Committee reject a planning application, reasons for rejection are provided at the meeting that rejects the planning application. Do Members of WNDC's Planning Committee receive the same training to that of the Borough's Planning Committee?

Response:

Members of WNDC's Planning Committee are required to go through the same training process to that of the Borough Council's Planning Committee.

Q Since the conception of WNDC's Planning Committee, NBC's Planning Committee has been a consultee for planning applications. Often NBC's Planning Committee has responded commenting that it has no objections, subject to certain clauses being implemented. Around five of which have been presented to WNDC's Planning Committee by its Planning Officers that Northampton Borough Council has no objections. Could this be considered as ultra vires?

Response

I would expect the views of NBC's Planning Committee to be fully reported to WNDC's Planning Committee and if the process reported above is the process followed I would not support this.

The Chair suggested that advise on this issue be sought from a Planning Lawyer. **Action Point**

Q One of NBC's nominations to WNDC's Board is no longer an elected Member but he still sits on the Board representing the Borough Council.

Response:

WNDC Board members are appointed on a three-yearly basis. If they cease to be an elected Member during that time they continue to sit on the Board until the end of term. Although the representative is nominated by NBC he does not represent the Borough Council.

Councillor Tony Woods is also a Member of WNDC's Board and he keeps Councillors informed of WNDC Board issues by presenting reports to Full Council on a regular basis.

Q Why do you have to sit on WNDC's Daventry Planning Committee and the Leader sits on Towcester's. Why cant you both sit on WNDC's Northampton Planning Committee?

Response:

I was asked to resign as a member of Northampton area Planning Committee when I was appointed to WNDC's board.

This question regarding process should be directed to WNDC.

Q Is WNDC now fully engaged with NBC?

Response:

WNDC is more engaged with NBC than it was. At various levels, there is good partnership working with Officers but there is still room for improvement.

Q Regarding funding for WNDC, is it possible to benchmark against other Local Development Corporations and provide details to the next meeting of this Committee?

Response:

NBC Officers should be able to provide this information to the Committee.

ACTION POINT

Q Could the attendance figures of the Market Square Steering Group be provided to the Committee?

Response:

NBC Officers should be able to provide this information to the Committee. **ACTION POINT**

Councillor Richard Church was thanked for his address.

The Chair suggested that following Councillor Richard Church's evidence that as Mr Lee Barron was nominated to the WNDC Board by NBC he should be asked to provide evidence to the next meeting.

ACTION POINT

From the evidence gathering process with the Portfolio Holder, the Committee suggested the following potential recommendations for inclusion in its report:

Potential Recommendation: If Councillors are nominated to WNDC's Board and cease to become an elected Member during that time, a Protocol should be in place that requires them to step down.

Potential Recommendation: NBC Councillors should be able to sit on WNDC's Northampton Planning Committee rather than have to travel outside the Borough to Planning Committees of Daventry and South Northants.

David Kennedy, Chief Executive, Northampton Borough Council, addressed the Committee. A copy of David Kennedy's written response to the Committee's core questions is attached to the minutes.

David Kennedy elaborated upon his responses to the Committee's core questions, emphasising that it was important that Northampton Borough Council (NBC) works with West Northamptonshire Development Corporation (WNDC). He also reminded the Committee of the role of WNDC.

The Committee put supplementary questions to David Kennedy.

QUESTION (Q)What are the issues between WNDC and NBC around local accountability?

Response:

Local accountability is not very strong. Under current legislation there is no option to introduce more local democratic accountability. Targets need to be set for elected Agencies working with WNDC. A good example of joint working was the St John's area master planning. NBC engaged both Northamptonshire County Council (NCC) and WNDC. Staff at NBC will continue to forge strong relationships with WNDC for the future.

Q Is there a Consultation Protocol in place?

Response:

At this stage relationships are being built upon. There is no written Consultation Protocol at present.

Q Part of your written response to one of the core questions (What Could Northampton Borough Council do to help WNDC improve its performance?) appeared rather negative: -

The Council can help WNDC by providing support to WNDC in pressing Government and other Agencies to act in a way that supports the sustainability of growth. For instance, if WNDC needs to lobby to get the right infrastructure improvements then NBC could assist, as could other local authorities. However, for this to be effective then WNDC must also be willing to share these issues with the Council and engage this and other Councils in a transparent and supportive partnership.

Response:

There are times when WNDC could be more open with the Council.

Q Are you satisfied that there are no conflicting commercial interests?

Response:

It is possible for this to occur but I have not experienced it to date. There are potential tensions between the agenda.

Q Planning is a complicated system. For example, should a developer want to set up a business, they would have, in planning terms, the difficulty of a two tier authority – NCC and NBC, then WNDC and its respective Planning Committees, giving a total of around six Committees to go through. If you were a developer would you go through this process?

Response:

I am not a developer. The system is complicated. The Borough Council has not designed how Government works. It is the developer's responsibility to acquire help through the process.

Q With the 'credit crunch' and the roof tax of £25,000 per property, will developers still build in Northampton?

Response:

The roof tax in Milton Keynes has not prohibited development.

WNDC has calculated that £38,000 would be required per property to invest in the infrastructure.

The S106 agreement has to be debated – what are the correct channels through the taxpayer or the developer? This is a huge issue that needs to be debated nationally. However, if funding was not available for the infrastructure in Northampton, there would become a point when there were no new housing developments in the borough.

Q A letter from Rt. Hon. Caroline Flint, MP. regarding WNDC, comments that the organisation was established as an Urban Development Corporation in 2004 as the most appropriate model of delivery vehicle to respond to the significant and complex challenges in West Northamptonshire. It received its strategic planning powers in April 2006 and subsequently development control for Northampton was brought in-house in January 2007 due to a failing planning service in NBC.

Government will soon be undertaking a review of WNDC and therefore it could provide an opportunity for this Authority to inform Government that the system will only work properly if there is more joined up thinking and action with a strong democratic process. This Council should take part in Government's review.

Response:

Government will ask this Council and other local authorities for their views on WNDC and how it can be improved. If WNDC was not in existence, another such organisation would be needed, wider than NBC. If WNDC was to change there would be a need to ensure that any changes would improve the process.

WNDC was created under an Order signed on 4 May 2004. On 3 March 2006 a further Order made WNDC the Planning Authority for a range of matters in West Northamptonshire. In Northampton this included significant planning powers across the whole Borough. The Order does not give a reason for this.

Mr Kennedy emphasised that Northampton will be bigger than Derby before too long.

Q What could NBC do to make this power better, for example, merge development control powers?

Response:

A joint Development Control Unit would be a muddle, but could be reviewed, however, caution should be expressed. A simpler solution could be for WNDC to sub-contact development control work to NBC.

It would be highly unlikely for there to be any shift of powers before the Government's review of WNDC, if at all.

When NBC's Planning Officers are consulted by WNDC, they respond on behalf of the Council.

Q When looking at growth in Northampton, the cost of delivering houses must be the highest in the country per dwelling. This question will be put to NBC's Planning Services. A response to the Committee's core questions from Planning Services is also required.

David Kennedy was thanked for his address.

Chris Cavanagh, Corporate Manager (Regeneration and Growth), addressed the Committee. A copy of Chris Cavanagh's written response to the Committee's core questions is attached to the minutes.

Supplementary questions were put to Chris Cavanagh:

QUESTION (Q)

Do you have evidence to indicate that West Northamptonshire Development Corporation (WNDC) is not receiving the funding it needs? Is there anything this can be benchmarked against?

Response:

Mr Cavanagh commented that he thought WNDC was genuinely under-funded given the wide scope of its remit.

He drew parallels with other organisations including former Urban Development Corporations (UDC's). The Growth Agenda requires significant financial pump priming in order for it to be delivered.

Information should be publicly available to be used as comparators. Mr Cavanagh said that he would expect CLG to have this information but also undertook to apply some limited resource to collect some information for the Committee. He will report on progress at the next meeting.

ACTION POINT

Q Is there a lack of integration?

Response:

There has been some good partnership working between Northampton Borough Council (NBC) and WNDC, where resources and information has been shared. Progress is being made and there is evidence to suggest more positive partnership working in the future.

NBC has successfully led the St Johns master-planning project, and achieved cost savings in developing strategic plans. Whilst initially difficult, there has been good partnership on this project together with Northamptonshire County Council (NCC) and the East Midlands Development Agency (EMDA).

WNDC has led and took forward much work on the Dallington Grange master-planning. NBC did not initially have sufficient resources although over the past nine months NBC and WNDC have worked more closely and successfully together on helping to bring this project forward.

A key issue between the respective organisations is in respect to their priorities. WNDC has formulated its priorities whilst NBC has already formed its view on its priorities, although helpfully there is overlap. Given the scale of the task, there have been fairly scant resources available at both NBC and WNDC. If priorities are different there will clearly be problems in achieving each other's goals.

Mr Cavanagh's view was that WNDC should be working with local authorities in respect of bringing forward jointly owned priorities.

Q Are there adequate WNDC resources in place to address strategic infrastructure services?

Response:

This is seen as a priority and recently WNDC has appointed a Director responsible for infrastructure led regeneration. This might have been addressed earlier.

Q Do WNDC concentrate on development control rather than on regeneration and growth?

Response:

Whilst development control plays a key part in delivery of regeneration and growth, the facilitation of the growth agenda is primarily for land assembly and infrastructure delivery. Development control services would then follow to assist delivery.

Q There appears to be an inconsistent approach by WNDC to partnership working with a random public consultation ?

Response:

The source of problems and issues are well discussed between partners at a service delivery level. NBC Officers have a programme led consultation, which is project management driven.

Q With reference to the Rt. Hon. Caroline Flint, MP's letter that states that "..... subsequently development control for Northampton was brought in-house in January 2007 due to a failing planning service in Northampton Borough Council", what are your views?

Response:

I am not aware of this letter, and have not seen it previously. I am not aware of the reasoning behind this statement. It is fact that NBCs Planning Service was not performing well enough. However, the decision to provide a separate Development Control Service within WNDC has, in my opinion, made matters worse overall. My view is that a Partnership approach whereby WNDC helps strengthen the Local Authority services would have been a better overall approach.

Q Is there a lack of expertise in the Development Control Team at WNDC?

Response: I am not aware of any such weakness.

Q What could NBC do to help WNDC do to improve its performance regarding development control?

Response:

Mr Cavanagh referred to his written evidence with proposed suggestions. He referred to intervention levels for NBC and WNDC and suggested that these could be changed to help NBC deal with larger applications and to help WNDC focus more on infrastructure and land assembly issues.

Initially, NBC could ensure that it has sufficient resources to appoint appropriately qualified professionals to enable effective partnership working to focus on developing plans more quickly and project delivery. WNDC has focussed resources mainly on setting up an in-house Development Control Team and their resources to address infrastructure and development have been strengthened but only fairly recently.

Q WNDC's aim is to deliver 47,000 new houses over a ten-year period. This equates to around 5,000 dwellings per year. The new delivery target for 2008/09 is over 11,000 houses and over 200,000m2 of commercial floor space. Is this achievable given the 'credit crunch'?

Response:

Mr Cavanagh said that this would appear to be an 'ambitious' target, but he would not criticise WNDC for being ambitious.

Ruth Austen, Senior Environmental Health Officer, addressed the Committee. A copy of Ruth Austen's written response to the Committee's core questions is attached to the minutes.

Supplementary questions were put to Ruth Austen:

Question (Q): Northampton Borough Council (NBC)'s Planning Committee is consulted by West Northamptonshire Development Corporation (WNDC)'s Planning Committee on planning applications. Often the Committee responds that it has no objections, subject to certain conditions being implemented. If you found out that these conditions had not been adhered to, would you object?

Response:

Potentially yes.

Q Is it a burden that a Service Agreement has not as yet been agreed for work that NBC undertakes on behalf of WNDC?

Response:

There is a level of uncertainty. It is not causing any major problems at the moment but it could make it difficult to plan for the future.

Q What format do you receive feedback from WNDC?

Response:

Environmental Services are not informed whether conditions to a planning application suggested by NBC have been implemented. This can cause problems, for example, should there be a nuisance problem. It would be beneficial to receive written details from WNDC stating whether conditions to a planning application have been implemented.

Q What is the level of partnership working with WNDC?

Response:

WNDC is good at signposting people to NBC, for example, contaminated land requirements at the pre-application stage.

On a wider scale, NBC's input is somewhat limited.

Q Is there uncertainty regarding how long the consultancy work that NBC provide to WNDC will continue?

Response:

Environmental Services is not sure whether this will be a long-term agreement and will continue once the `debt' has been paid. It could potentially continue for another two years, however, there is a need for this to be clarified.

Ruth Austen was thanked for her address.

Following the witness submissions the Committee further realised the need for another meeting that would be solely dedicated to further witness evidence. Further witness evidence would include:-

- NBC nominated members to WNDC – Mr Lee Barron and Councillor Tony Woods
- Councillor Jane Hollis, Chair, NBC's Planning Committee
- Corporate Manager responsible for Planning Services
- All NBC Councillors would be asked to provide comment.

The Committee would be asked to submit potential recommendations to Tracy Tiff, Overview and Scrutiny Officer.

ACTION POINT

6 Report back from Northamptonshire County Council's Healthier Communities Scrutiny Committee

Consideration of this item was withdrawn.

7 Urgent Items

There were none.

The meeting concluded at 8pm

Northampton Borough Council



Overview & Scrutiny Committee 1

Partnerships, Regeneration, Community Safety and Engagement

Tuesday, 2nd September 2008

West Northants Development Corporation (WNDC) and Partnership Working with Northampton Borough Council

Objective of Inquiry:

To establish how well WNDC is performing and how well Northampton Borough council and WNDC are working together in Partnership to deliver the regeneration, planning and growth objectives for the town.

Response by David Kennedy, Chief Executive to the
Core Questions to NBC witnesses

WNDC Performance

- **What are the major constraints holding WNDC back from achieving its goals? How can these be addressed in a democratically accountable way?**

In answering this question, it may be useful to outline the role that WNDC has to perform.

The role of WNDC is to promote and deliver sustainable housing growth and regeneration in the three towns of Northampton, Towcester and Daventry. To do this, WNDC has three key activities to perform. They are :

- Delivering new homes and the infrastructure to support new homes
- Ensuring new homes meet design and environmental quality standards and are integrated with existing communities
- Ensuring new homes are supported by infrastructure, employment and town centre regeneration.

The vision of WNDC is that "Northampton will be transformed into a prosperous and dynamic regional city, with a growing knowledge-based economy. Daventry and Towcester will become successful and distinctive market towns".

WNDC was created for this purpose under an Order signed on the 4th May 2004. On the 3rd March 2006, a further order made WNDC the Planning Authority for a range of matters in West Northamptonshire. In Northampton this included significant planning powers across the whole Borough, particularly for larger developments (e.g. more than 50 dwellings / 1 hectare) and wider planning powers in relation to a central planning functions area – mainly the Town Centre.

A Board of 11 members plus chairman and vice-chairman, none of whom are elected for this purpose, runs WNDC. Planning decisions are taken by appointed Planning Committees.

WNDC is therefore responsible for some very significant goals. The performance of WNDC in achieving these goals is constrained by a wide range of factors. Prime amongst these is the operation of the housing market, which is of course a major current constraint. Factors such as the availability of funding through development and from Government and other agencies for infrastructure also affect WNDC's ability to deliver.

WNDC would need to be asked this question to give a fuller explanation of the factors currently affecting their performance.

Addressing these constraining factors requires WNDC to be lobbying for further support from Government, and working with developers and other agencies. WNDC are actively engaged in discussion with all these bodies, but these discussions happen separate from the Borough Council. It is therefore hard for me to form a judgement about the quality of these relationships.

WNDC is accountable to Government, and thereby Parliament, for their performance. There is clearly a lot that Government could do to unblock constraints on WNDC, in particular through Government's leadership of MKSM and their responsibility for other key agencies.

Under current legislation there is no option to introduce more local democratic accountability. However the Council has made clear that it stands ready to support WNDC in ensuring that growth is controlled in

the most sustainable fashion in Northampton, for example through the response made by the Council on the issue of the Community Infrastructure Levy. Making common cause on key issues to Government should be a key activity for all local partners.

- **What are the areas of service that WNDC undertakes effectively? Are there any areas that are not effectively undertaken?**

WNDC must comment on this. I am not aware of all the performance targets set for them by Government, nor their performance against these targets.

I am aware that WNDC has one of the lower performance levels against national targets for the time it takes to process planning applications. The factors behind such performance can be many and varied. Although the Council's performance is currently much better, this has not always been the case.

WNDC and all partners face a major problem in attracting the funds required to create the infrastructure needed to support the growth in Northampton. WNDC have taken a positive step forward with the Community Infrastructure Levy but even if it is implemented, this levy does not meet the infrastructure needs of growth. There is much for WNDC to do, with the support and engagement of partners including the local authorities, to find the funding needed to ensure that infrastructure expectations are met.

We are all also experiencing the effects of the downturn in housing. There is not a lot that can be done at local level about this, by WNDC or the local authorities, unless Government takes steps to enable more active intervention.

- **What could Northampton Borough Council do to help WNDC improve its performance?**

The first and most important thing that NBC can do is to perform its own responsibilities well.

The Council already provides key services to WNDC. I have no reason to believe that there are any defects in the level of service provided.

The Council can help WNDC by providing support to WNDC in pressing Government and other agencies to act in a way that supports the sustainability of growth. For instance, if WNDC need to lobby to get the right infrastructure improvements then NBC could assist, as could other local authorities. However for this to be effective then WNDC must also be willing to share these issues with the Council and engage this and other Councils in a transparent and supportive partnership.

The Council can also help WNDC develop more local support and democratic legitimacy for its activities. WNDC is not an elected body, but can be open to local discussion and accountability if it wishes.

The Council can also help WNDC by taking an active role in the forthcoming review of WNDC required by the Order establishing WNDC in May 2004. This review is currently planned to commence in Autumn 2009.

I also think that there could be some advantage to the Council once again carrying out some Development Control activity on behalf of WNDC, particularly as the Council establishes its own planning department once again.

WNDC and NBC Partnership Working

- **How do WNDC and NBC work together?**

It is clear that working relationships have not always been positive, but I am confident that they have improved over the last year and will continue to improve as long as the Council and WNDC continue to pursue effective partnership.

There are various connections between the Council and WNDC. At Chief Executive level there are close working relationships, and both Mr Hayes and I are regular attenders at various joint meetings including joint Town Centre meetings of both officers and members.

WNDC are invited to joint strategic planning meetings, although they are not a strategic planning authority. I actively encourage openness in dealings with WNDC and I believe that increasingly this is reciprocated from WNDC.

I believe that WNDC and the Council could work together, with other local partners, on making constructive proposals for the development and enhancement of WNDC in the forthcoming review.

- **How would you characterise the relationship between WNDC and the local councils? What is WNDC doing to improve relationships?**

I can only discuss relations with NBC.

There have been some issues between WNDC and NBC in the past. However relationships have improved significantly as the Council has improved its performance.

WNDC have taken steps to help relations improve, but there is still more that could be done to share responsibilities and working arrangements.

Evidence of Partnership Working

- **What evidence is there that demonstrates good partnership working?**

The best example of joint working has been the St. Johns area masterplanning supported by the County Council and WNDC and led by NBC. This project is of critical importance and by virtue of all working together, has provided a key chance to show to the public that an agenda can be shared and driven by all three agencies.

- **How does WNDC feed back on the service that NBC's Environmental Health is providing for it?**

I have had no feedback on this.

General

- **Are there any other matters regarding partnership working between the WNDC and NBC you would like to bring the Committee's attention to ?**

The creation of WNDC was a decision taken by Government and Parliament over 4 years ago. WNDC's planning and other powers can only be changed by Parliament. A review is planned of WNDC in about a year's time, and this will be important. However it is probably unlikely that such a review will lead to any major changes.

The development challenge to Northampton is not solely within the Borough boundary. Many, possibly most, of the things needed to make the future Northampton sustainable, ensure that the right infrastructure is in place, and manage environmental and economic impacts, require actions outside the Borough's boundaries.

WNDC provides an arrangement to co-ordinate local delivery and has the goal to ensure that this is sustainable and the right thing for the future Northampton. There may be other arrangements that could achieve this short of an urban development agency like WNDC. However the fact is that WNDC has been created and all partners working positively together best serves the interests of the residents of Northampton.

Achieving a more positive partnership environment between NBC, NCC, WNDC, South Northants and Daventry, has been a key priority for me since my appointment, and is a priority for the Council. A number of steps have made progress, but there is still more to do.

Statement to Overview & Scrutiny 2nd September 2008

Cllr Richard Church Portfolio holder for Regeneration

I strongly opposed the creation of WNDC as I did not believe that it was the correct vehicle for delivering the government's growth agenda.

I have not changed my view, but we now have to ensure the growth targets set by government for our town are achieved in the most sustainable way and with maximum benefits to new and existing residents. In doing that I support WNDC's objectives for sustainable development, and recognise the need for close partnership working between the Borough Council, the County Council and WNDC. That is why I accepted my appointment to WNDC as a nominee of the County Council.

I am however responding to the questions in my capacity as the portfolio holder for Regeneration on Northampton Borough Council. Specific answers to the questions asked by the committee will be given by officers.

To achieve its objectives, WNDC has two key functions. Firstly, to deliver the infrastructure required to support the growth required in West Northamptonshire and secondly to provide a planning service to support the major new developments required.

In response to the question on what are the key constraints holding WNDC back from delivering its goals, I would identify two key ones.

- (1) Finance- The Government have not met WNDC's bid for GAF funding to deliver the infrastructure required to support the growth. If we are to meet the objectives of sustainable growth, adequate government support is needed. As a council we should strongly support WNDC in its bid for adequate funding for infrastructure.
- (2) The credit crunch. The slow down in the housing market has had a huge impact on major house builders. There is clearly a slow down in the pace of development which will effect the housing targets. Equally important, the slowdown will make it more difficult to secure developer contributions to deliver the infrastructure we need.

WNDC needs to focus on securing and delivering the infrastructure to support growth. Determining planning applications should be the responsibility of democratically accountable local government.

The Council would wish to secure the return of responsibility for minor planning decisions in Northampton Town Centre as a first step to the return of large development control decisions. The Council's improved performance in determining planning applications and the investment we have made in

improving our planning service demonstrates that we are building the capacity to determine these applications.

The main interface between WNDC and the Borough council at member level is through councillor membership of the WNDC board. The presence of two members of this council (myself and Tony Woods) on the board is only due to my nomination from the County Council. The second nominee of the Borough Council is Mr Lee Barron, which means there is no councillor representative of the opposition parties on the WNDC board.

The next level of member involvement is through the Northampton Area planning committee. We have three councillor nominations while the majority of the committee are WNDC board members. Nominees of the Council and their substitutes are interviewed and the appointment made by the secretary of state. The current rules prevent WNDC board members who are Borough Councillors serving on the Northampton Area planning committee, I therefore sit on the Daventry area planning committee and Tony Woods on the Towcester area planning committee.

I believe it is time for WNDC to review the way the planning committee operates. The cumbersome nomination and appointment process has made it difficult at times for the full council representation at planning committees to be achieved.

Another formal partnership arrangement at member level is the Town Centre strategic board. This includes myself and Cllr Woods as the Regeneration portfolio holder and the Leader respectively, plus the leaders of the two opposition parties. The County Council, Northamptonshire Enterprises Ltd and others are also represented. We are supported by the Chief Executive, the relevant director and other staff as required. It provides an overview on key town centre projects and has been helpful, for instance in developing the public realm project in Marefare and Gold St. There are plans to improve the way the board works, and we expect to receive proposals soon. There is no similar member level partnership body to consider wider issues outside the town centre.

There are of course a number of informal contacts, and I have found many WNDC officers helpful and informative in briefing me in my capacity as regeneration portfolio holder.

There is of course partnership working at a whole series of levels between officers. The Council has invited WNDC to attend meetings on a number of key projects, for instance the Market Square steering group, but attendance has not been good. We have similar problems with the Brownfield Initiative group and a number of other steering groups and committees.

Northampton Borough Council



Overview & Scrutiny Committee 1

Partnerships, Regeneration, Community Safety and Engagement

Tuesday, 2nd September 2008

West Northants Development Corporation (WNDC) and Partnership Working with Northampton Borough Council

Objective of Inquiry:

To establish how well WNDC is performing and how well Northampton Borough council and WNDC are working together in Partnership to deliver the regeneration, planning and growth objectives for the town.

**Response by Christopher Cavanagh, Corporate Manager
(Regeneration & Growth)**

I have been asked to provide evidence to the Council's overview and scrutiny panel on the above subject. I do so as the Council's Corporate Manager for Regeneration & Growth, with responsibility for the following professional service areas:

- Regeneration
- Economic Intelligence
- Planning Policy & Conservation
- Housing Strategy
- Programme Delivery

I have over 30 years experience in this and related fields of work encompassing regeneration, development, design, construction, project management, transportation, planning and housing, including 20 years in a variety of management roles.

Of particular relevance I have worked both as an Infrastructure manager and Development Manager for an Urban Development Corporation and managed the completion of the London Docklands Development Corporation inheritance by the Commission for New Towns and English Partnerships. Whilst at English Partnerships, I helped bring forward major development projects supporting the growth of several former New Towns in the South East, project managed and led major regeneration projects on behalf of Local Authorities and several different Government Agencies.

Q1 What are the major constraints holding WNDC back from achieving its goals?

R1 (A) In summary, these are considered to be:

- The current economic climate is a key constraint since it started to affect the development and construction industry earlier this year and is now having a major impact on investments and borrowing.
- Some Key skills and resources have not been appointed until recently, although it is understood that there are strengths in some of these areas at Board level. Engineering and Commercial surveying are key activities for a Development Corporation. It is understood that the strengthening of Engineering and infrastructure resources has commenced earlier this year. This has meant that the organisation has not fully focused on these issues.
- Remoteness of organisation from Local Authorities both in work streams and location.
- Lack of financial resources to tackle the key pump priming required.
- Lack of land holdings. Unable to influence development, although WNDC work could have invested in acquiring key sites or assisted LAs in purchases.
- A variable level of approach to Partnership working, and a lack of integration with experienced partners, although some recent improvements are acknowledged.
- WNDC resources (commensurate with their funding) appears to have been spread too thinly across all of its priorities.
- Some joint working has not been fully inclusive of all Partners although this has improved visibly in the last year together with enhanced Senior Officer relationships.

Q1B **How can these be addressed in a democratically accountable way?**

R1(B) NBC can present its proposals to both WNDC and CLG to help persuade progress of the above issues and lend its support to WNDC to enhance partnership working in these areas.

It is believed that a Development Corporation should support the Local Authorities by assuring the delivery of the Growth Agenda by:

- a) Working with LAs to support development of their integrated and widely supported visions and plans.
- b) Facilitating development and house building through:
 - Supporting private and public sector developers in preparing development land
 - Encouraging and supporting Local Authorities to bring forward their own housing programmes.
- c) Working with utility companies to ensure a programme of strategic services are delivered to provide fully serviced development sites.
- d) Working with the Transport Authority to ensure key transport infrastructure is delivered in support of agreed plans.
- e) Working with the public sector Authorities and Agencies to provide the platform for increased confidence and encourage increased private and public sector investment.
- f) Supporting LAs to provide a fit for purpose planning service able to meet the needs of developer planning applications and provide support to the plan making authorities to provide the right planning framework reflecting both Key Government policies and the wishes of the local community.
- g) Creating an effective communications protocol and promote the area widely to encourage interest from all types of investor in a Community that is seen to be exciting, vibrant and interesting with excellent facilities.

Q2 **What are the areas of service that WNDC undertakes effectively? Are there any areas that are not effectively undertaken?**

R2 • WNDC has created a large resource in its development control role. It is understood, though, that its performance data does not

compare well with the Governments targets or the performance data for Northamptonshire Local Authorities including NBC. This may be the result of resources and skills not comparing favourably with the large increase in Major planning applications due to budgetary constraints.

- It has only recently started to adequately address strategic infrastructure services planning and has not, it is believed, appointed experienced commercial surveying professionals to work with land owners and developers.

There may be work that WNDC has performed in these areas that the writer is unaware of. If this is so, then this supports the need for improved communication/partnership working.

- Improved attendance at Strategic Meetings by WNDC Officers would assist the Council's role in delivering strategies and help WNDC's understanding of the Council's initiatives and priorities.
- WNDC could have used some of its resources to help bring forward Key strategic land for development.
- Supporting Council visions and strategies and plans through their development would have been preferred to developing separate ones.

Q3 What would NBC do to help WNDC improve its performance?

R3 Whilst NBC has provided support to its planning and regeneration functions over the last 3 years, it started from such a low base that there is much more that it could have done.

NBC could ensure that it has sufficient resources to appoint appropriately qualified professionals to enable effective Partnership working to focus on developing plans more quickly and project delivery.

- NBC could approach WINDC to develop a better co-ordinated development control service. It is believed that the levels of intervention should be altered to enable NBC to provide a greater and improved service. This would assist WNDC to re-focus on development and infrastructure.
- Offer to advise and support WNDC using its professionally qualified officers, particularly in regeneration, engineering, commercial property and housing. Improved coordination and Partnership approaches would benefit both WNDC and the Council's effectiveness.

- Offer office space where feasible to help integrate WNDC and NBC officers towards improved joint working.
- Create more joint project teams in addition to joint project boards which have been fairly successful in the last year e.g. St Johns.

NBC Overview and Scrutiny Committee 1
Partnerships, Regeneration, Community Safety and Engagement
2 September 2008

Review – Partnership working with West Northants Development Corporation
Environmental Health responses and comments to core questions

General comment – NBC Environmental Health has two main areas of interaction with WNDC: as a consultee on development control applications (via NBC Development Control Team) and in the provision of non statutory consultancy services. The previous briefing paper (5 August meeting) provides further details of the mechanics of these interactions. The responses to the questions relate solely to those areas where Environmental Health interact with WNDC

WNDC performance

We have no specific comments in respect to points 1 and 2.

3. In practical terms NBC can assist WNDC in ensuring that requests for consultation responses are dealt within the appropriate timescales. We would appreciate some feedback as to whether our responses provide a sufficient level of detail. We consider that there is room for improvement in the understanding of each other's roles and that this could be perhaps be facilitated by an increase in face to face meetings and briefings on specific topics.

WNDC and NBC Partnership Working

1. The previous briefing paper explains the working relationship between WNDC and Environmental Health.
2. There is a reasonable working relationship at individual officer level. The redesigned WNDC website has improved the ability to track the progress of applications and to obtain additional information about the organisation, however it is considered that the site could contain clearer links to allow improved navigation.

Evidence of Partnership Working

1. Our experience of working together relates to Development Control applications. This generally operates in a fairly satisfactory manner. On an

individual officer level interactions are normally carried out by email or occasionally by post or telephone with occasional face to face meetings. WNDC appear to have a good understanding of the benefit of pre-application discussions and they often refer applicants and agents to the relevant officer for discussions to clarify requirements. We have seen good evidence of partnership working in the way some large applications have been handled. For example the way in which the Dallington Grange Masterplan has been developed in workshops involving various stakeholders has involved a range of interested parties and should be considered as an exemplar for other large developments.

2. WNDC provide limited feedback on the consultancy work undertaken by Environmental Health, the monthly submission of the spreadsheet detailing time spent is acknowledged but no feedback has been given on the adequacy or otherwise of the consultancy work undertaken. The draft service level agreement for the work has not been agreed. This would provide a clear benchmark for the level of service expected, timescales for response etc. On occasions we have been contacted requesting a very rapid response and this can conflict with other workloads. We would also appreciate some feedback on the quality and adequacy of the work carried out in order that we ensure that we are providing an appropriate service, with sufficient technical detail to meet the requirements of WNDC.

General

We would appreciate a view from WNDC on the long-term use of Environmental Health to provide consultancy input. This would assist us in long term resource planning.