

NORTHAMPTON BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE 1
PARTNERSHIPS, REGENERATION, COMMUNITY SAFETY AND
ENGAGEMENT

Tuesday, 5 August 2008

PRESENT: Councillor Andrew Simpson (Chair); Councillor Ifty Choudary (Deputy Chair); Councillors Tony Clarke and Paul Varnsverry

ALSO PRESENT:

Chris Cavanagh, Corporate Manger - For item 5
Steve Elsey, Environmental Health Manager - For item 5
Ruth Austin, Senior Environment Health Officer - For item 5
Tracy Tiff, Overview and Scrutiny Officer

Chris Swinn, individual

1. APOLOGIES

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

2. MINUTES

The minutes of the meeting held on 25 June 2008 were signed by the Chair as a true record.

3. DEPUTATIONS/PUBLIC ADDRESSES

Mr Chris Swinn addressed the Committee on agenda item 5 – Review – Partnership working with West Northants Development Corporation, item 6 – Forward Plan, item 7 – Draft Bill Analysis, item 8 – Work Programme monitoring and item 9 – Communities in control: real people, real power – White Paper – Briefing.

4. DECLARATIONS (INCLUDING WHIPPING)

Councillor Paul Varnsverry declared a non-prejudicial interest in item 5 – Review – Partnership working with West Northants Development Corporation (WNDC), in his capacity as a member of WNDC's joint Planning Committee and NBC's Planning Committee.

5. PARTNERSHIP WORKING WITH WNDC

Mr Chris Swinn addressed the Committee, commenting that he was concerned about the powers that West Northants Development Corporation (WNDC) currently has. He understood that Northampton Borough Council (NBC) was not the Planning Authority and therefore could only make recommendations to WNDC. Mr Swinn queried whether there was a body that would scrutinise WNDC.

Mr Swinn was thanked for his address.

The Chair reminded the Committee that a review of partnership working with West

Northants Development Corporation (WNDC) had been an item on the Committee's work programme for some time. It had been agreed that rather than set up a Task and Finish Group to carry out the investigative work and produce a report, this would be undertaken by the Committee in its entirety. He suggested that the scope of the review would be agreed at this meeting and the next meeting would be dedicated to evidence gathering.

The objective of the Review was suggested:

- 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.

Suggested areas to investigate: -

- WNDC Performance
- WNDC Powers
- WNDC and NBC Partnership Working
- Evidence of Partnership Working

The following were agreed as key witnesses and would be asked to attend the next meeting of this Committee. Core questions were produced on the basis of the above areas are would be circulated to the witnesses in advance of the meeting: -

- Chief Executive and Director of Planning, WNDC
- Councillor Richard Church, Portfolio Holder, NBC
- Councillor Jane Hollis, Chair, NBC's Planning Committee
- David Kennedy, Chief Executive, NBC
- Chris Cavanagh, Corporate Manager, NBC
- Christine Stevenson, Corporate Manager, NBC
- Steve Elsey, Environmental Health Manager, NBC

Core questions for witnesses to be asked to provide written evidence would be circulated to:

- Chief Executives of a variety of local developers
- Department of Communities and Local Government (CLG)
- Housing Minister
- Chief Executives of neighbouring Local Authorities
- Chief Executive, English Partnerships
- Chief Executive, Association of House Builders

There would be three sets of core questions to: -

- Representatives of WNDC
- NBC representatives
- Developers, other Local Authorities, Association of House Builders and English Partnerships

A letter would be sent to CLG and the Housing Minister asking for specific information to inform the Review.

Steve Elsey, Environmental Health Manager, apprised the Committee on Environmental Health's interactions with WNDC. Environmental Health responds to statutory consultations as follows: -

Standard applications – Environmental Health responds to these through Planning services which co-ordinates a Northampton Borough Council response. There is usually a short time scale for these, usually 14 days.

Large applications - Environmental Health has experienced some problems in the past, for example, sewage treatment works delay. This has now improved with WNDC revised 'Team approach' with a central contact adopted for developments within both WNDC and NBC. This appears to be a better model and presently works fairly efficiently from our point of view.

Regarding non-statutory consultancy, there is an agreement with WNDC for Environmental Health to provide a consultancy service currently on an informal basis; a Service level agreement has been drafted and proposed to WNDC for some time. The work involves Environmental Health providing a professional assessment of environmental related issues such as the adequacy of contaminated land reports, noise control schemes, and odour reduction schemes. This service is currently funded by Environmental Health to repay a budget deficit to WNDC for planning fees received by Northampton Borough Council instead of WNDC. If the service continues after this is repaid the service will be charged to WNDC on an actual costs basis. This point may be reached sometime in 2009.

The Committee made comment: -

- There is a need for the Committee to analysis the process of how well WNDC forwards information to NBC and whether it keeps NBC updated on any changes.
- Concerns were conveyed that on a previous occasion WNDC had approved a planning application without prior consultation with NBC. The Chair of NBC's Planning Committee should be asked to attend the next meeting of this Committee to provide evidence.
- There is a need to understand the terms of reference for WNDC and what Central Government has instructed the organisation to deliver.
- The boundaries of the WNDC area appear to make no sense.
- It would be helpful for CLG to provide the Committee with written details of performance indicators that CLG uses to assess the success of WNDC in meeting the objectives set for it by the Government. It would also be helpful to the Review if CLG could provide any comparable performance indicators with other Development Corporations across the country, which could then be used by the Committee as a benchmark on WNDC's performance.
- A copy of other WNDC and other Development Corporation's Annual Reports should be obtained for comparison purposes.

The Committee heard: -

- WNDC does not have enforcement powers. If WNDC approves a planning application, the enforcement is inherited by NBC.
- Development Corporations focus on land assembly and bringing forward negotiations with utility companies to provide for development to come forward.
- WNDC does have a number of powers that could be used to promote regeneration,

including the ability to trade, acquire land and enter into joint ventures.

- Other Local Development Corporations have not taken on development control powers; however, this has been taken on by WNDC.

AGREED:

- (1) That the objective of the 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.
- (2) That the next meeting of this Committee be dedicated to evidence gathering for this Review.
- (3) That key witnesses be asked to attend and provide evidence to the next meeting:
 - Chief Executive and Director of Planning, WNDC
 - Councillor Richard Church, Portfolio Holder
 - Councillor Jane Hollis, Chair, NBC's Planning Committee
 - David Kennedy, Chief Executive, NBC
 - Chris Cavanagh, Corporate Manager, NBC
 - Christine Stevenson, Corporate Manager, NBC
 - Steve Elsey, Environmental Health Manager, NBC
- (4) That witnesses be asked to provide written evidence for the next meeting: -
 - Chief Executives of a variety of local developers
 - CLG
 - Housing Minister
 - Chief Executives of neighbouring Local Authorities
 - Chief Executive, English Partnerships
 - Chief Executive, Association of House Builders
- (5) That a list of core questions be circulated to the witnesses in advance of the meeting.
- (6) That copies of other WNDC and other Development Corporation's Annual Reports be obtained for comparison purposes.

6. FORWARD PLAN

Mr Chris Swinn addressed the Committee. He informed Councillors of his concerns of the speed of reports going through the Cabinet system. He understood that some items were not denoted as key decisions on the Forward Plan but he felt that they were actually key decisions. Mr Swinn emphasised the need for pre-decision scrutiny. He concluded by conveying his concerns about the amount of time that the public is allocated to address Cabinet at its meetings.

Mr Swinn was thanked for his address.

The Committee made comment: -

- The work of the Public Engagement Task and Finish Group would be re-visited and public addresses at Council Committees would be looked at.
- Elected Members also have just three minutes to address Cabinet. There is a need to ensure that key complaints and views are heard.
- Some items were on the Forward Plan scheduled for the Cabinet meeting of 4 August, but these items were not on the Cabinet agenda of this date.
- It was suggested that the Chair writes to the Leader of the Council asking how he can assist Overview and Scrutiny on items that Overview and Scrutiny may wish to consider on the Forward Plan. The Committee's concerns would also be conveyed regarding some items being on the Forward Plan but these items not being on the Cabinet agenda on the date stated on the Forward Plan. The Leader would also be asked to provide an update on items that have not come forward on the Forward Plan such as Grosvenor Greyfriars, European Communities and Council Fraud Strategy.

AGREED:-

- (1) That the Chair writes to the Leader of the Council asking how he can assist Overview and Scrutiny on items that Overview and Scrutiny may wish to consider on the Forward Plan. The Committee's concerns would also be conveyed regarding some items being on the Forward Plan but these items not being on the Cabinet agenda of the date stated on the Forward Plan. The Leader would also be asked to provide an update on items that have not come forward on the Forward Plan such as Grosvenor Greyfriars, European Communities and Council Fraud Strategy.

7. DRAFT BILL ANALYSIS

Mr Swinn addressed the Committee. He informed Councillors that the Community Empowerment, Housing and Regeneration Bill had received Royal Assent on 22 July 2008 and that this was not widely known. He felt that full consultation was not carried out on Government Draft Legislation.

Mr Swinn was thanked for his address.

The Committee commented that all Northampton Borough Council Councillors receive through email, information regarding Government Draft Legislation.

It was suggested that when information is available on the Heritage Protection Bill that details be provided to a future meeting of this Committee.

Councillors were reminded that Overview and Scrutiny Committee 2 (Housing and Environment) would receive a briefing on the Community Empowerment, Housing and Regeneration Bill at its next meeting on 9 October. As this Bill crossed over the remit of this Committee too, all members of Overview and Scrutiny Committee 1 were invited to attend for consideration of this item.

AGREED: That when information is available on the Heritage Protection Bill that details be provided to a future meeting of this Committee.

8. WORK PROGRAMME MONITORING

Mr Swinn addressed the Committee conveying his concerns regarding consultation issues, in particular, Voluntary Sector Funding Partnerships. He felt that the Council did not engage as well as it did previously.

Mr Swinn was thanked for his address.

The Committee discussed its Work Programme 2008/2009. Northamptonshire County Council would be holding an event to launch the Alcohol Related Violence/Polycarbonate glasses Review in September. The implementation of the recommendations of the Community Engagement Review were due to be monitored at a future meeting of this Committee.

AGREED: That the Work Programme for 2008/2008 for Overview and Scrutiny Committee 1 be noted.

9. COMMUNITIES IN CONTROL: REAL PEOPLE, REAL POWER - WHITE PAPER - BRIEFING

Mr Swinn addressed the Committee, welcoming the White Paper, he did however, convey concerns regarding the Neighbourhood Partnership Board for the ward where he lived.

Mr Swinn was thanked for his address.

The Committee noted the briefing.

10. REPORT BACK FROM NORTHAMPTONSHIRE COUNTY COUNCIL'S HEALTHIER COMMUNITIES SCRUTINY COMMITTEE

Consideration of this item was deferred to the next meeting.

11. URGENT ITEMS

There were none.

The meeting concluded at 7:50 pm