



# Northumberland County Council

**Your ref:**

**Our ref:**

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**Tel direct:** 01670 622617

**Date:** Tuesday, 21 November 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **COMMUNITIES AND PLACE OSC** to be held in **CONFERENCE ROOM 2 - COUNTY HALL** on **WEDNESDAY, 29 NOVEMBER 2023** at **2.00 PM**.

Yours faithfully

Dr Helen Paterson  
Chief Executive

**To Communities and Place OSC members as follows:-**

**N Oliver (Chair), M Mather (Vice-Chair), D Carr, E Cartie, G Castle, A Dale, B Gallacher, N Morphet, J Lang and J Reid**



**Dr Helen Paterson, Chief Executive**  
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# AGENDA

## PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

### 1. APOLOGIES FOR ABSENCE

### 2. MINUTES

(Pages 1  
- 10)

Minutes of the meeting of the Communities and Place OSC held on 25 October 2023, as circulated, to be confirmed as a true record and signed by the Chair.

### 3. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a) Which **directly relates to** Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b) Which **directly relates to** the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c) Which **directly relates to** their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d) Which **affects** the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.
- e) Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring

Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact [monitoringofficer@northumberland.gov.uk](mailto:monitoringofficer@northumberland.gov.uk). Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

#### **4. FORWARD PLAN OF CABINET DECISIONS**

(Pages  
11 - 18)

To note the schedule of decisions made by Cabinet since the last meeting together with latest Forward Plan of key decisions. Any further changes made to the Forward Plan will be reported to the Committee.

### **SCRUTINY**

The following report was presented to Cabinet on 7 November 2023 by Councillor Wearmouth. Cabinet noted the report.

*The Cabinet Member requested to attend for the following item is Councillor Richard Wearmouth, Deputy Leader, and Portfolio Holder for Corporate Services.*

#### **5.1 Corporate Feedback Performance 2022/2023**

(Pages  
19 - 28)

The report reviews the operation of the complaints process over twelve months (01.04.2022 to 31.03.2023), including statistical data, and provides the local authority with how it keeps itself informed about how effective its current arrangements are for handling customer complaints.

The Committee is requested to consider issues arising from the report.

### **OVERVIEW**

*The Cabinet Member requested to attend for the following item is Councillor Colin Horncastle, Looking After Our Environment.*

#### **6.1 Planning Services Performance Report**

(Pages  
29 - 50)

This report provides an overview of the performance monitoring and assurance arrangements currently in place for the Local Planning Authority (LPA) function of the Council.

### **REPORT OF THE SCRUTINY CO-ORDINATOR**

#### **7. COMMUNITIES AND PLACE OVERVIEW AND SCRUTINY COMMITTEE MONITORING REPORT**

(Pages  
51 - 58)

The Overview and Scrutiny Committee operates within a work programme which is agreed at the start of the Council year. The programme is reviewed at each meeting so that it can be adjusted to reflect the wishes of the Committee and take account of any changes to the latest Forward Plan (which outlines decisions to be taken by the Cabinet). The Committee is asked to review and note its work programme for the 2023/24 council year.

## **8. URGENT BUSINESS**

To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

**IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:**

- Declare it and give details of its nature before the matter is discussed or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

<b>Name:</b>		<b>Date of meeting:</b>	
<b>Meeting:</b>			
<b>Item to which your interest relates:</b>			
<b>Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):</b>			
<b>Are you intending to withdraw from the meeting?</b>		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

## Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**"Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

### Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

### Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative or close associate; or
  - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

## Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
<b>Land and Property</b>	Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
<b>Corporate tenancies</b>	Any tenancy where (to the councillor’s knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
<b>Securities</b>	Any beneficial interest in securities* of a body



	<p>where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <ul style="list-style-type: none"> <li>i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</li> <li>ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</li> </ul>
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\* ‘director’ includes a member of the committee of management of an industrial and provident society.

\* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
  - i. exercising functions of a public nature
  - ii. any body directed to charitable purposes or
  - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

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## NORTHUMBERLAND COUNTY COUNCIL

### COMMUNITIES AND PLACE OVERVIEW AND SCRUTINY COMMITTEE

At a meeting of the **Communities and Place Overview and Scrutiny Committee** held at County Hall, Morpeth on Wednesday, 25 October 2023 at 2.00 p.m.

#### PRESENT

Councillor M. Mather  
(Vice-Chair, in the Chair)

#### MEMBERS

Carr, D.	Gallacher, B.
Cartie, E.	Lang, J.
Castle, G.	Morphet, N.
Dale, A.	Reid, J.

#### CABINET MEMBERS

C. Horncastle	Looking After Our Environment
J. Riddle	Improving Our Roads and Highways

#### OFFICERS IN ATTENDANCE

D Laux	Head of Highways and Transport
S. Nicholson	Scrutiny Co-Ordinator
J. Stewart	Strategic Housing Manager
N. Turnbull	Democratic Services Officer
K Westerby	Highways Delivery Manager

1 member of the press.

#### 19. APOLOGIES

Apologies for absence were received from Councillor Oliver.

#### 20. MINUTES

Minute No 16.2 Presentation by the Portfolio Holder for Looking After Our Communities

It was agreed that:

- The following sentence in the first paragraph should be amended to read:  
“All portfolios had regard to inequalities and health.”

- The reference in the third bullet point should refer to e-motorbikes, not e-bikes.

**RESOLVED** that the minutes of the meeting of the Communities and Place OSC, held on 27 September 2023, as circulated, be confirmed as a true record and signed by the Chair, subject to the above amendments.

## 21. FORWARD PLAN OF CABINET DECISIONS

The Committee considered the schedule of decisions made by Cabinet since the last meeting with the latest Forward Plan of key items (Schedule enclosed with the signed minutes).

In response to a query regarding the timing of the Food and Feed, Safety and Standards Service Plan, the Scrutiny Co-Ordinator commented that it was normal for the report to be considered during the year that it related to.

**RESOLVED** that the schedule of decisions made by Cabinet and the Forward Plan of key items be noted.

## 22. OVERVIEW

### 22.1 Homelessness and Rough Sleeper Strategy for Northumberland 2022-2026 Action Plan Progression

The purpose of the report was to present members with an update of the progression against the Homelessness and Rough Sleeper Strategy for Northumberland 2022-2026 Action Plan following approval by Cabinet and consideration by the committee earlier in the year. (A copy of the report is enclosed with the signed minutes).

Julie Stewart, Strategic Housing Manager, highlighted:

- There had been a significant increase in the demand for temporary accommodation and would be the subject of focus in the next few months due to the pressure on other services. The reasons for this included:
  - The number of decisions on asylum applications by the Government in recent months and the authority's duty to relieve homelessness if the asylum seekers wished to continue to reside in Northumberland.
  - Demand by residents whose homes were no longer affordable.
  - There were a higher number of individuals in bed and breakfast accommodation.
  - There had been a delay with some social housing providers turning around void properties which meant that clients were stopping in temporary accommodation longer. Priority was being given by the Council's Void's Team Leader where incoming tenants were currently in temporary accommodation to get them moved as quickly as possible into their permanent homes.

- There had not been the anticipated demand by Homes for Ukraine resettlement who continued to reside with hosts or had planned moves to other accommodation.

Councillor Colin Horncastle, Portfolio Holder for Looking After Our Environment, commented on the progress that had been made within the previous 6 months, which was a relatively short period of time.

Information provided in response to issues raised by members included:

- Asylum seekers were generally placed in properties in the urban areas or south east of the county in Ashington and Blyth but some were also residing in Widdrington and Haltwhistle. They often preferred to remain in the areas where they first settled. Whilst they should be given 28 days' notice before being made homeless but in some cases, this had been as little as 4 or 5 days, which placed extra demands on the service. Officers were working very closely with the Mears Group, who delivered housing services for asylum seekers on behalf of the Home Office. Many local authorities in the North East were experiencing similar issues. The North East Migration Partnership was collating data to assess the impact and raise the issue with the Home Office.
- Bernicia and Karbon Homes were actively liaising with Council officers and working to improve void turnarounds. They had brought some properties forward more quickly when this had been needed.
- Placing individuals was challenging if they have been in prison as it required risk assessments. Eligibility also depended on the nature of an offence. The Probation Service were developing a programme and acquiring properties to provide accommodation for 84 days for prisoners on their release before they were moved to more settled accommodation. The degree of influence over social housing landlords, such as the Riverside Housing Group, was limited as they had their own criteria although applications would also be assessed banding under the Common Allocation Policy. The Council hosted and provided the administration for the Northumberland Homefinder housing allocation service.
- Further work needed to be carried out with tenants to assess the housing service and what had worked well, could be done differently or improved. Generally past surveys had only been completed by those tenants who had been unsatisfied with the housing service. Discussions were being held with other local authorities to explore how others carried out assessments.
- The provision to assist those in the armed forces or veterans was held in high regard with dedicated armed forces case workers and recent recertification of the Gold award to the Council by the Ministry of Defence's Employer Recognition Scheme.
- Housing worked closely with Children's Services for young people who were aged 17 or 18 years old and were homeless. Advice that they should ring 999 was to be investigated and comparison made with information given by other local authorities.
- The current economic climate was having a noticeable impact on the number of Section 21 notices being served. Many properties were being sold by landlords due to increases in mortgage costs for property owners.

Local authority housing allowance rates did not match rent levels and many tenants could not afford to pay the difference. Officers were in the process of investigating an insurance product for the non-payment of rent or damage. The insurance premium would be paid by the Council to give security to private landlords.

- It appeared that an earlier version of the Action Plan had inadvertently been circulated with the agenda papers. The most up to date version would be circulated by email after the meeting.
- The Private Sector Housing team had good relationships with a core group of landlords, and more were being actively recruited through marketing and information on the Council's website with the offer of accreditation and other incentives. Some referrals were also received via prospective tenants.
- The Homelessness and Housing Options team were undertaking a pilot to collate information and data to assess demand, how data could be better managed, the types of queries, including information around domestic abuse. Information collected under the pilot would also be analysed to ascertain any gaps in service provision.
- The homelessness response service was commissioned through Changing Lives, but funding was limited. The provider had also experienced difficulties recruiting individuals to posts.
- The 'Somewhere Safe to Stay' project placed rough sleepers somewhere safe overnight and provided assistance finding accommodation. This was due to be recommissioned in August 2024 with a procurement exercise and identification of funding. The Gypsy Roma Traveller Liaison Officer provided assistance with unauthorised encampments which could include rough sleepers, if the Homelessness Response Service was unavailable. There were only a few officers who were able to respond, and challenges where individuals could safely be placed. Some individuals preferred to sleep rough and these numbers were increasing slightly, particularly in Tyne Green, Hexham. Regular counts were undertaken. More would be done if grant funding was available and by working with partners.

Councillor Horncastle reported that up to date information would be given to Council on housing voids at its meeting the following week in response to a question. He added that Syrian and Afghan asylum seekers were also located in the southeast of the county to enable easier access to mosques and halal food whereas Ukrainian refugees were more spread out across the county including Hexham and Rothbury. Research into the development of an insurance product had been initiated following discussions to enable Ukrainian refugees to rent in the private sector but was being investigated for all.

Members thanked the officers for the report and the work undertaken by the housing team. They also commented that:

- More social housing was needed.
- The insurance product would help Ukrainians who did not have the required length of employment history.
- Homeless figures were possibly suppressed by families living with relatives.
- Families experiencing difficulties with mortgage payments or rent created a difficult environment for children to be brought up in.

**RESOLVED** that the contents of the report be noted and the updates regarding actions that have been taken to meet the priorities identified to supports our residents who are homeless or at risk of homelessness.

## **22.2 Update on Implementation of Fix My Street**

The report provided an update to the Committee on the implementation and operation of the Fix My Street public realm reporting system. (A copy of the report is enclosed with the signed minutes).

Councillor John Riddle, Portfolio Holder for Improving Our Roads and Highways commented that the new software had been launched nearly 5 months previously with only a few minor teething issues. Information was now available to officers much quicker and more easily than previously. The system was enabling processes to be streamlined, was making the workforce more efficient and provided timely updates to the person reporting an issue.

Kris Westerby, Highways Delivery Manager, reported that to date just over 20,000 reports had been made via Fix My Street since it had launched. 17,000 of those have had a response. The next priority would be to look at trends and pressures for the types of issue reported most frequently. These included:

- Roads
- Potholes
- Vegetation
- Parks maintenance
- Gulleys

He explained that:

- They were streamlining processes and making sure that messages were standardised in line with policies to respond consistently to residents across the county. They were also working with partners in Countryside, the National Park Authority and National Highways to refer matters to the appropriate body and respond with accurate information. He explained that whilst the A1 and A69 were under the jurisdiction of National Highways, maintenance activity on the A69 was carried out by the Council but grass and litter on the A1 could also be reported and forwarded to National Highways.
- Other planned improvements included the inclusion of policy information for each category to inform residents of the work that would be prioritised. Improvements had already been made regarding the different categories of problems associated with trees and the Council's responsibilities. They also thought it would be beneficial to share information on how gulleys worked.
- Alloy, a new back office system had also been implemented which allowed integration with Fix My Street and automatic updates following inspection,

improved analysis of data and peaks and where service improvements could be made.

- Out of the 20,000 reports, there had been approximately 20-25 reports which required further investigation and resolution of a significant problem or system change required.
- Use of Fix My Street had worked well in the recent storms allowing connection to road closures and network information. It also provided an audit trail and allowed asset data to be mapped and at the moment this included surveys of yellow grit bins which would allow analysis of how the 2,000 bins were being used. In 2024 they intended to map the areas where grass was cut.

David Laux, Head of Highways and Transport, commented that although the Highways Delivery Manager had led on the project, it also incorporated Neighbourhood Services and Public Protection with grass cutting, litter, flytipping, trees, abandoned vehicles etc. A major benefit of the system was the integration with Alloy and One Network with a number of areas identified for further development. The system was to be embedded corporately within the Council including Customer Services and IT via the BEST programme. The strategic team was also looking at failure demand.

It was intended that by Christmas 2023 that all process for Fix My Street would be finalised with a suite of documents available to explain how the system operated to new employees including where matters should be referred if not the responsibility of the Council.

Several members expressed their appreciation to the Highways Delivery Manager and other officers involved in the implementation of the Fix My Street system and commented on the benefits it provided to officers and members of the public.

The following information was provided in response to queries from Members:

- Fix My Street Pro allowed integration with 3 back-office systems (Mayrise, Alloy and PlaceCube, a new system to be used by Customer Services).
- Power BI was a Microsoft reporting system which allowed reports to be generated automatically from Fix My Street data. This would enable Area Managers in Highways and Neighbourhood Services to understand the problems and demands within their areas.
- The process for reporting problems to the Council would be improved with the implementation of PlaceCube and the Council's new website.
- Discussions were ongoing regarding the management of queries regarding public conveniences and improvements to be implemented in the system in the near future.
- It was more beneficial for members of the public to create an account so they could receive updates on any issues they reported.
- Any emergencies out of hours, including winter services and storms, should be reported via the Contact Centre to ensure that incidents were passed to on call officers. Those calls would also be logged on the Fix My Street system internally.



- Members could enable settings with an account to see problems logged with their wards or post codes and receive alerts. This could also be embedded into the websites for town and parish councils. Assistance could be provided to anyone requiring help after the meeting.
- Ash die back was a national problem and the Council was aware that it would need to be addressed.
- Residents who did not want to use Fix My Street on the Council's website could continue to report problems by telephoning the Customer Contact Centre. The call handlers would then log the issue via Fix My Street.
- Highways Inspectors would be continuing their schedule of cyclic inspections. When the system was fully embedded, there would be the facility for actionable defects logged by Inspectors to be published and visible to members of the public. This was an option for the future, the Council was not yet in a position to switch this facility on whilst the system was still being developed.
- The categories for reporting issues with trees had been expanded to differentiate between trees next to the highway, parks or countryside to enable more accurate data to be collected on where problems lay. Information had also been added to explain the Council's responsibilities and the work that would be carried out.
- The Highways Delivery Manager would be attending all of the Local Area Committees in November, with the exception of North Northumberland which he had already provided an update at that meeting in September.
- Users had the option to remove some of the pins identifying reported faults to reduce the data on a small mobile screen. Pins would also be removed automatically 10 working days after a report had been fixed or closed.
- Concerns regarding a road surface following works by a utility company could be reported direct to the Streetworks team. The length of the guarantee period varied depending on the depth of excavation. The Streetworks Inspector undertook routine checks and samples of works undertaken by third parties on the network.
- The reference to business readiness process had included interviews with key members of staff in the departments referred to in paragraph 4.4 of the report with 'My Society' to capture and map previous demand for the top 50 items reported to the Council. This had been held to ensure that the correct categories were selected and to manage officers' expectation regarding implementation of the system.
- Automatic updates were provided for highways issues given the integration with the back-office Alloy system. The Alloy system was to be rolled out to other departments, including countryside and street lighting which would then allow automatic updates. Digitisation of records for grass cutting and the rights of way network on one back office system such as Alloy would allow integration and automatic updates for these and other service areas.
- Users were recommended to use the Microsoft Edge browser when using the system to avoid a location being declined. Installation instructions (also available within the Help section for Fix My Street on the Council's website) would be shared by email after the meeting as well as the Highways Inspection Manual which set out the Council's inspection frequency and

response times for the different categories of roads. The latter was to be updated in the near future following implementation of Fix My Street.

- There were separate inspectors for Highways and Streetworks as they undertook different roles. The latter undertook surveys on a random basis to check that work undertaken by utility companies accorded with national specifications. Intelligence gained from Fix My Street and other sources to target the areas where there were known issues. There were 4 inspectors in the Streetworks team. Any reports on Fix My Street which were mis-categorised, could be reassigned.
- The system enabled analysis of issues reported. This was already being seen with different problems being reported in the different geographical areas and also between wards.
- The system allowed reports to be made offline for users with an account, the report would be uploaded when they next received a mobile signal. Some additional work had been carried out following feedback from the Rambler's Association.

Members of the committee made the following comments:

- Data from the system would be useful for the budget setting process.
- It would be helpful to review the terminology used in the automatic response emails when a report was closed without work being undertaken, particularly if the Council was not responsible. This had been addressed with staff training following the launch and the addition of policy information as issues would be investigated before being closed eg, if a pothole did not meet actionable criteria.
- Use of the system by residents enabled more accurate data to be submitted rather than by councillors who were passing information on second hand. It was also reducing the workloads for councillors, enabling residents to log issues themselves. The councillor could also see if an issue had already been logged and could monitor progress.
- The expectations of members of the public needed to be carefully managed, particularly with regard to longstanding complicated issues which required significant investment and public consultation on an optimum solution.
- Whether different colours could be used to depict the different categories of reports, to simplify what was visible on a screen. There was concern that the addition of winter services and grit bins would clog the map further.
- Some Councillors were unable to use Fix My Street on the mobile telephones provided by the Council (but could use it on personal mobiles).
- Further training was welcomed.
- Not all users of the system found it helpful to receive an email / survey asking if a report had been fixed. These were issued by the system automatically.
- Concerns were raised regarding the possible delay in being placed in a queue when trying to report an emergency on the 0345 telephone number. This had been raised with the Customer Services. Others commented on positive experiences during the most recent storm and the speed in which calls had been answered as extra staff had been brought in.

An email received by Councillor Cartie was to be forwarded to the Highways Delivery Manager for investigation and response.

The Chair welcomed the system which enabled communication with members of the public which was positive.

Councillor Riddle thanked scrutiny members for their feedback and particularly the Highways Delivery Manager who had led on the delivery of the system. It was only a few months after the system had been launched which had gone well, although there would be tweaks and further improvements which were planned for the system.

**RESOLVED** that the progress made on the development and implementation of the Fix My Street system be noted.

**23. Communities and Place Overview and Scrutiny Committee Monitoring Report**

The Committee reviewed its work programme for the 2023/24 council year. (Report enclosed with the signed minutes).

The Scrutiny Co-ordinator confirmed that he was liaising with officers to schedule items on the work programme. He also sent email reminders to obtain clarification on matters raised during meetings and recorded in the minutes. These were shared with members as soon as they were obtained, and he tried to do this before the next meeting. This was not always possible due to the nature of some of the information, but this was followed up.

**RESOLVED** that the work programme be noted.

**CHAIR** \_\_\_\_\_

**DATE** \_\_\_\_\_

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# Agenda Item 4

## DECISIONS TAKEN BY CABINET SINCE LAST OSC MEETING AND FORTHCOMING CABINET DECISIONS - DECEMBER 2023 – MARCH 2024

DECISION	CABINET DATE/DECISION
<b>Cabinet Papers - 7 November 2023</b>	<a href="https://northumberland.moderngov.co.uk/ieListDocuments.aspx?CId=140&amp;MId=2258">https://northumberland.moderngov.co.uk/ieListDocuments.aspx?CId=140&amp;MId=2258</a>
<p><b>North East Devolution</b></p> <p>The report asked members to consider and determine if consent should be given to the making of an Order that would abolish the North East and North of Tyne Combined Authorities, whilst at the same time establishing a new North East Mayoral Combined Authority.</p>	<p>7 November 2023</p> <p><b>RESOLVED</b> that:-</p> <ul style="list-style-type: none"> <li>(a) the content of the report be noted;</li> <li>(b) Cabinet agree in principle that the Council should consent to the making of the order;</li> <li>(c) the Chief Executive be authorised, in consultation with the Leader of the Council, to issue the Council’s formal consent to the Secretary of State when requested;</li> <li>(d) the Chief Executive be authorised, in consultation with the Leader of the Council, to finalise the terms of the side agreement regarding the support arrangements associated with these proposals; and</li> <li>(e) the Chief Executive be authorised to take all other steps necessary to implement these proposals</li> </ul>
<p><b>Setting the Scope and Targets for the Climate Change Action Plan 2024-26</b></p> <p>Cabinet was asked to agree the scope and targets to be addressed in detail in the Council’s Climate Change Action Plan 2024-26 and to ensure alignment with the Council’s Environment Policy Statement</p>	<p>7 November 2023</p> <p><b>RESOLVED</b> that:-</p> <ul style="list-style-type: none"> <li>(a) Cabinet agree that the Climate Change Action Plan 2024-26 is a key element of the Council’s wider Environmental Policy Statement, which commits the Council to strengthen the work being undertaken to maintain, protect and enhance the environment through a broad range of policies and activities, including active travel, nature recovery, planning, procurement, public health/disease control and general environmental services provision;</li> <li>(b) Cabinet agree that the Climate Change Action Plan will include a focus on greenhouse gas reduction and climate change resilience through nature in collaboration with the Council’s strategies for wider ecology and biodiversity issues;</li> <li>(c) Cabinet agree to restate the Carbon Neutral target for the county by 2030 and clarify that it refers to carbon dioxide only;</li> <li>(d) Cabinet agree a new target to work with Government and other key stakeholders to achieve net-zero for all</li> </ul>

	<p>greenhouse gases for the county of Northumberland by 2040, a strategy for which will be developed as part of the new Climate Change Action Plan 2024-26;</p> <p>(e) Cabinet agree that the local and regional adaptation response to the risks and impacts of a changing climate be included in the Climate Change Action Plan 2024-26;</p> <p>(f) Cabinet agree a new target to become a carbon neutral organisation by 2030, a strategy for which will be developed as part of the new Climate Change Action Plan 2024-26;</p> <p>(g) Cabinet agree that the scope of the Climate Change Action Plan 2024-26 continues to only include direct, territorial emissions (i.e. those produced in Northumberland) as its focus for projects but that it should do more to raise awareness amongst stakeholders of scope 3 (indirect) emissions (i.e. those produced outside of Northumberland) and how they can be reduced; and</p> <p>(h) Cabinet agree the core structure of the Climate Change Action Plan 2024-26 including a commitment to set out a strategy for planning in relation to the climate change targets.</p>
<p><b>Strengthened Biodiversity Duty and Reporting Obligations</b></p> <p>The report set out the Council's new obligations to take action to conserve and enhance biodiversity and to report on such actions, and proposed a 'first consideration' of such actions as required under S.40 of the Natural Environment and Rural Communities Act 2006 as amended.</p>	<p>7 November 2023</p> <p><b>RESOLVED</b> that Cabinet accept the document attached to the report as a record of the Council's first consideration of actions the Council can take to conserve and enhance biodiversity in accordance with S.40 (1C) of the Natural Environment and Rural Communities Act 2006 as amended, which will then be used by Officers to develop an implementation plan.</p>
<p><b>Approval of the Council Tax Scheme</b></p> <p>The report sought approval for the local Council Tax Support Scheme for 2024-25 to continue to provide support at a maximum level of 92% of council tax liability.</p>	<p>7 November 2023</p> <p><b>RESOLVED</b> that County Council be recommended to approve the Council Tax Support Scheme attached as Appendix 1 to be adopted as the Council's local scheme for 2024-25.</p>
<p><b>Corporate Feedback Performance 2022/2023</b></p>	<p>7 November 2023</p>

<p>The Annual Report reviewed the operation of the complaints process over twelve months (01.04.2022 to 31.03.2023), including statistical data, and provided the local authority with how it keeps itself informed about the effectiveness of its current arrangements for handling customer complaints.</p>	<p><b>RESOLVED</b> that the findings of the report on complaint handling within the authority be noted.</p> <p><b>This report will be considered by the Communities and Place OSC on 29 November 2023.</b></p>
<p><b>Corporate Performance Quarter 1 2023-24</b></p> <p>The report provided a summary of the progress against the Council's three Corporate Plan priorities using the Council's performance at the end of Quarter 1, 2023/24 (Q1).</p>	<p>7 November 2023</p> <p><b>RESOLVED</b> that progress against the three Corporate Priorities as summarised in the report be noted.</p>
<p><b>Summary of New Capital Proposals considered by Officer Capital Strategy Group</b></p> <p>The report summarised proposed amendments to the Capital Programme considered by the officer Capital Strategy Group.</p>	<p>7 November 2023</p> <p><b>46.1 Kyloe House CCTV Upgrade</b> <b>RESOLVED</b> that:</p> <p>(a) Cabinet approve the receipt of the capital grant of £0.221 million from the Department for Education (DfE); and</p> <p>(b) Cabinet approve the amendment to the Capital Programme to include the funding and spend.</p> <p><b>46.2 Replacement of Boating Pontoon in Wansbeck Riverside Park</b></p> <p><b>RESOLVED</b> that Cabinet approve the proposed spend on the Boating Pontoon and amend the Capital Programme in 2023-24. Note that the project will be wholly grant funded under an agreement with Cambois Rowing Club.</p> <p><b>46.3 Highways Laboratory Expansion</b></p> <p><b>RESOLVED</b> that:-</p> <p>(a) Cabinet approve the expenditure of the £0.615 million which is already included in the MTFP under Highways Laboratory Expansion project; and</p> <p>(b) Cabinet note that a portion of the allocation will be slipped into financial year 2024-25. This is currently anticipated to be 50% but will be dependent on the date of approval.</p> <p><b>46.4 North East Bus Service Improvement Plan (BSIP)</b></p>

**RESOLVED** that:-

- (a) Cabinet note the agreement for the North East Joint Transport Committee (JTC) to release BSIP capital funding to assist scheme promoters with development of the programme;
- (b) Cabinet approve the BSIP capital funding to develop the “Bus Priority Infrastructure – Tranche 1” programme; and
- (c) Cabinet approve the amendment to the Capital Programme to include £0.121 million funding from Transport North East (TNE) to enable development of the BSIP Tranche 1 programme.

**46.5 Parks Enhancement Capital Programme**

**1. Cleasewell Hill Park**

**RESOLVED** that:-

- (a) Approve capital expenditure of up to £0.240 million for the refurbishment scheme at Cleasewell Hill Park;
- (b) Approve the reallocation in the Capital Programme of £0.200 million from the existing Parks Enhancement Programme and £0.040 million contribution from Choppington Parish Council which has been agreed in principle subject to formal approval; and
- (c) Note that if funding of £0.040 million from Choppington Parish Council is not received works will be scaled back and expenditure will be limited to £0.200 million.

**2. Gallagher Park**

**RESOLVED** that:-

- (a) Cabinet approve capital expenditure totalling £0.019 million for car park repairs, overflow provision and fencing at Gallagher Park; and
- (b) Cabinet approve the reallocation in the Capital Programme of £0.010 million from the existing Parks Enhancement Programme and £0.009 million from Cllr Robinson, Cllr Taylor, and Cllr Wilciezk’s Members’ Local Improvement Scheme funds.

**3. Plessey Woods – Bouldering Park**

**RESOLVED** that:-

- (a) Cabinet approve capital expenditure totalling £0.159 million for Plessey Woods Bouldering Park; and



(b) Cabinet approve the reallocation in the Capital Programme of £0.088 million from the existing Parks Enhancement Programme, £0.067 million from Section 106 contributions and £0.005 million from Cllr Robinson's Members' Local Improvement Scheme funds.

#### **46.6 Strategic Regeneration Investment**

**RESOLVED** that:-

(a) Cabinet accept grant funding to establish the Northumberland Stewardship and Rural Growth Investment Programme as follows, noting that the establishment of the programme and projects below was previously agreed by Cabinet in February 2023:

- Accept grant funding of £4.810 million including £2.000 million capital and £2.810 million revenue for the Northumberland Small Business Service (NSBS).
- Approve the addition of the £2.000 million capital funding to the Capital Programme in line with the three-year funding profile further in the report.
- Accept grant funding of £3.510 million including £1.543 million capital and £1.967 million revenue for the Rural Asset Multiplier Programme (RAMP).
- Approve the addition of the £1.543 million capital funding to the Capital Programme in line with the three-year funding profile further in the report.

(b) Cabinet approve the below projects and the reallocation of capital funds of £0.600 million in 2023-24 from the Ashington North East Quarter Redevelopment (Phase 2). The Strategic Regeneration Projects budget will reallocate £0.600 million to the Ashington North East Quarter Redevelopment (Phase 2) project in 2024-25. Note that the Ashington North East Quarter Redevelopment (Phase 2) does not require the funds in 2023-24 due to slippage in the project delivery.

- Approve the allocation of capital funds of £0.500 million in 2023-24 for Hexham HSHAZ Public Realm Scheme.
- Approve the creation of a new capital project in 2023-24 for the Berwick Gateway and approve the allocation of capital funds of £0.050 million in 2023-24 for the Berwick Gateway.
- Approve the allocation of capital funds of £0.010 million in 2023-24 for the detailed design of the Royal Border Bridge Floodlighting Scheme.

	<ul style="list-style-type: none"> <li>• Approve the allocation of capital funds of £0.020 million in 2023-24 to finalise the successful Rural Business Growth Service project.</li> <li>• Approve the allocation of capital funds of £0.020 million in 2023-24 for the detailed design of the Alnwick Cobbles Streetscaping scheme.</li> </ul> <p><b>46.7 Great Northumberland Forest Tenant Lead Pilot</b></p> <p><b>RESOLVED</b> that:-</p> <p>(a) Cabinet approve the proposed spend of £2.550 million for the Great Northumberland Forest Tenant Lead Pilot and note the funding of £2.550 million from the national Nature for Climate (NfC) fund; and</p> <p>(b) Cabinet approve the inclusion of an additional £2.550 million (2023-24 £1.500 million and 2024-25 £1.050 million) in the capital programme.</p>
<p><b>Delegate Authority to Award Leisure Contract</b></p> <p>The report sought permission to delegate authority to enable the contract award of the Northumberland Community Leisure and Well-being Service to the preferred bidder, following final evaluation by the panel</p>	<p>7 November 2023</p> <p><b>RESOLVED</b> that Cabinet delegate authority to the Executive Director of Public Health, Inequalities and Stronger Communities in consultation with the Leader, also Portfolio Holder for Environment and Local Services, the Deputy Leader, also Portfolio Holder for Corporate Services, the Portfolio Holder for Healthy Lives, the Director of Law and Corporate Governance and the Executive Director of Transformation and Resources to award and enter into a contract for the Northumberland Community and Wellbeing Service with the preferred bidder.</p>

## FORTHCOMING CABINET DECISIONS

<p><b>Adaptions for Disabled People</b></p> <p>To report on additional Disabled Facilities Grant funding received from Government, and to ask the Cabinet to consider the case for revisions to the Council’s discretionary grants policy.</p>	<p>12 December 2023</p>
<p><b>Budget 2024-25 and Medium Term Financial Plan 2024-28</b></p> <p>This report provides an update on the development of the 2024-25 Budget and the Medium-Term Financial Plan (MTFP) covering the period 2024 to 2028, prior to the receipt of the Local Government Finance Settlement 2024-25 in December 2023.</p>	<p>12 December 2023</p>
<p><b>Corporate Risk Management</b></p> <p>To inform Cabinet of the latest position of the County Council's corporate risks following review by Executive Management Team.</p>	<p>12 December 2023</p>
<p><b>Education, SEND and Skills Annual Report</b></p> <p>Annual Report of the Director of Education, SEND &amp; Skills.</p>	<p>12 December 2023</p>
<p><b>Merger of North and South Northumberland Coroner Areas</b></p> <p>To seek approval from Cabinet to agree to the merger of the North and South Northumberland coroner areas, to become one Northumberland area effective from 1 April 2024.</p>	<p>12 December 2023</p>
<p><b>Northumberland Leisure and Wellbeing Procurement and Provision</b></p> <p>The purpose of the report is to provide an update on the Northumberland Leisure and Wellbeing Procurement and Provision.</p>	<p>12 December 2023</p>
<p><b>Financial Performance 2023-24 – Position at End of September 2023</b></p> <p>The report will provide Cabinet with the revenue and capital financial performance against budget as at 30 September 2023.</p>	<p>12 December 2023</p>
<p><b>Q2 Corporate Performance Report</b></p>	<p>12 December 2023</p>
<p><b>PFI Furniture, Fixtures and Equipment (FF&amp;E) Responsibilities</b></p> <p>This report seeks governance approval for NCC to take over responsibility for the provision of FF&amp;E for the PFI Fire and Rescue Service buildings at West Hartford and Pegswood, with an annual saving on the PFI unitary charge of £79,471 amounting to £1,192,065 for the remainder of the contract.</p>	<p>12 December 2023</p>
<p><b>Outcomes of the Tender for New School Buildings for Astley High and Whytrigg Middle Schools</b></p>	<p>12 December 2023</p>

Update Cabinet on the outcomes of the tender process for the construction of new school buildings for Astley High School and Whytrig Middle School and seek the delegated approval to award the construction contract.	
<b>Setting of the Council Tax Base 2024-25</b>  To advise Cabinet of the tax base calculation for 2024-25 for all domestic properties liable to pay council tax.	12 December 2023
<b>Summary of New Capital Proposals considered by Officer Capital Strategy Group</b>  This report details the Capital Proposals considered by the Capital Strategy Group on 30 October 2023.	12 December 2023
<b>Notification of the Estimated Collection Fund Balances 2023-24 – Council Tax and Business Rates</b>  The report will advise members of the estimated surplus or deficit balances on the Collection Fund in relation to Council Tax and Business Rates at 31 March 2024. The Local Government Finance Act 1992 (as amended) requires the Council as the Billing Authority to calculate a Council Tax Collection Fund estimate by 15th January each year. The Non-Domestic Rating (Rates Retention) Regulations 2013 require the Council as the Billing Authority to calculate a Business Rates Collection Fund estimate on or before 31st January each year.	16 January 2024
<b>Budget 2024-25, Medium Term Financial Plan 2024-28 and 30 Year Business Plan for the Housing Revenue Account</b>  The report presents to Cabinet, the updated Budget 2024-25, Medium Term Financial Plan 2024-28 and 30 year Business plan for the Housing Revenue Account	16 January 2024  Council 17 January 2024 21 February 2024
<b>Climate Change Action Plan 2024-26</b>  To replace the expiring Climate Change Action Plan 2021-23 and to set out our intended strategies for reaching our climate change targets across the next three years and beyond.	12 March 2024
<b>Financial Performance 2023-24 – Position at end of December 2023</b>  The report will provide Cabinet with the revenue and capital financial performance against budget as at 31 December 2023.	12 March 2024



## Northumberland County Council

### Cabinet

7 November 2023

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### **Corporate Feedback Performance 2022/2023**

**Report of** Councillor Richard Wearmouth, Deputy Leader, and Portfolio Holder for Corporate Services

**Executive Director:** Gill O'Neill, Executive Director of Public Health, Inequalities and Stronger Communities  
Julie Dennitts, Corporate Complaints Manager

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#### **1. Purpose of the report**

The purpose of the Annual Report is to review the operation of the complaints process over twelve months (01.04.2022 to 31.03.2023), including statistical data, and to provide the local authority with how it keeps itself informed about how effective its current arrangements are for handling customer complaints.

The same statutory reporting framework does not govern the Corporate Complaint process as Adults and Children's Complaints; however, it is deemed best practice to provide an analysis of Corporate Complaints received from customers. It should be noted that Corporate Complaint Annual reports from here on will be produced in alignment with the framework for Adult and Children's Complaints.

#### **2. Background**

The 2020/2021 Annual Report advised that the Corporate Complaints Manager had reviewed the current reporting mechanisms as part of the broader Complaints Improvement Framework. One of the main improvements identified was to update the case management system.

The existing system needs to be updated and bespoke for complaints management; it is cumbersome, and staff engagement could be more consistent. This makes data retrieval and analysis challenging and unreliable. A new case management system has since been procured, and work is being undertaken to start using it from October 2023.

However, this report is based on the current data sets available within the confines of the existing software.

#### **3: Summary**

The key findings in this report are:

- 111 complaints were resolved within 24 hours and recorded as informal resolutions.

- 1484 stage 1 complaints were received, and 83 (5.5%) were escalated to stage 2.
- 1048 (80%) stage one complaints were closed in timescale, and 40 (63%) stage two complaints were completed in timescale.
- 16 cases were upheld by the Local Government and Social Care Ombudsman (LGSCO) following detailed investigations.

#### **4. What we did well**

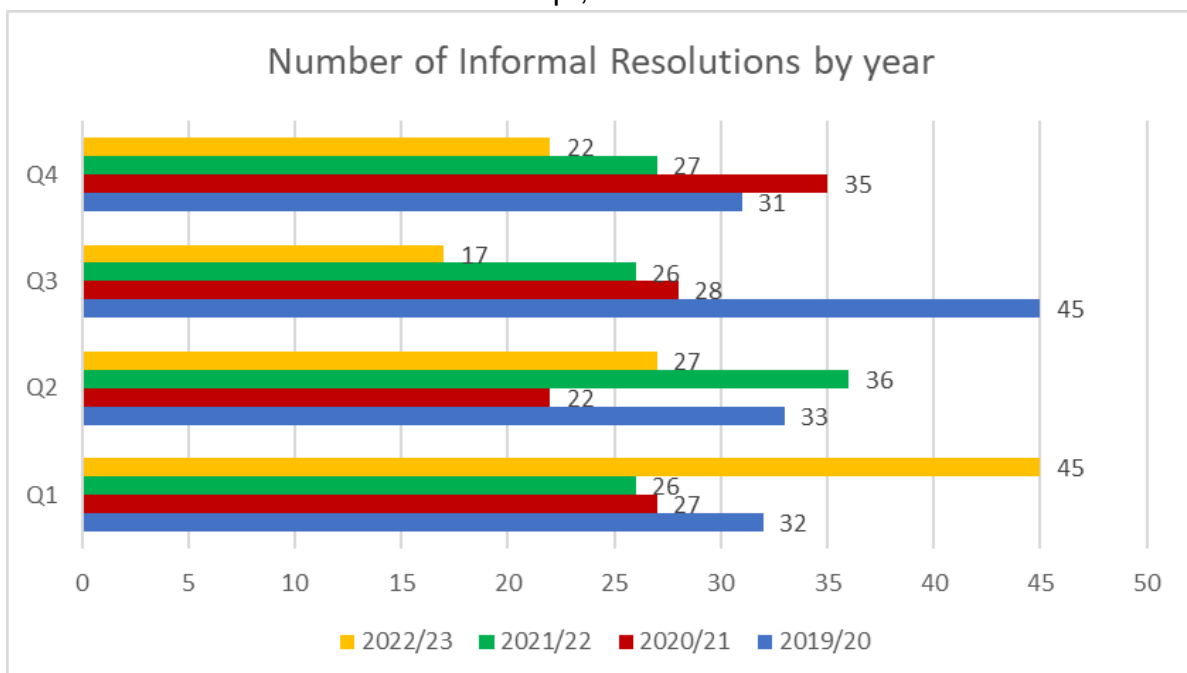
- Understand that sometimes, the best way to deal with a complaint is to initiate local resolution. As a matter of course, any staff member being presented first-hand with a complaint will attempt to resolve the issue.
- Continuously review processes to ensure these are consistent and current.
- Able to resolve complaints at stage one, negating the need to escalate to stage two.
- Demonstrated a positive culture to the LGSCO about the benefits of responding to and learning from complaints.
- Identifying individual needs and treating everyone respectfully
- Continuously review processes to ensure these are consistent and current.
- Manage complaints in line with policy and legislation.

#### **5. What do we need to improve?**

- Keep sight of what we do well.
- Share trends and outcome reports more widely across the service area to ensure everyone handling complaints can view and consider these.
- Provide guidance and training sessions on all aspects of complaint management.
- retrospective sessions with the service to consider what could have been done better and highlight areas of good practice.

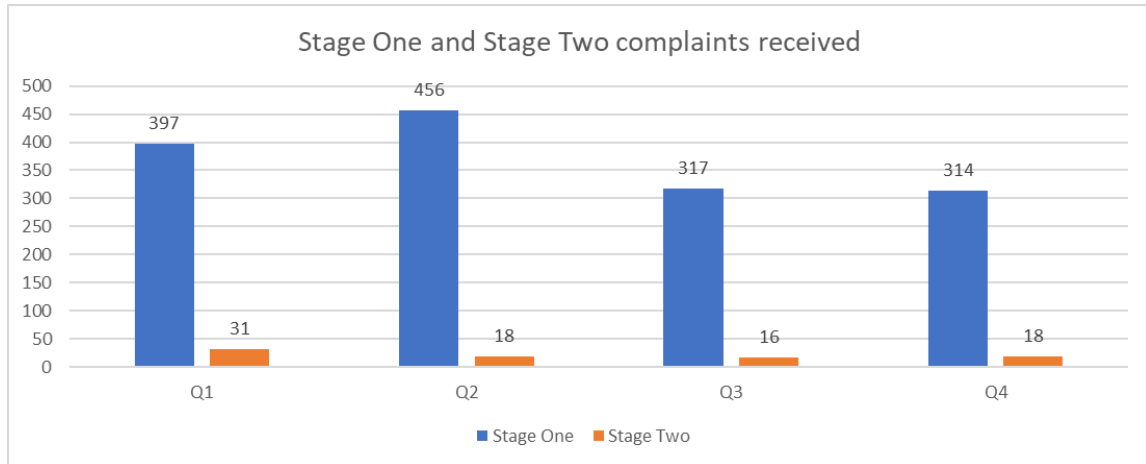
#### **6. Informal Complaints**

The current process for corporate complaints involves customers submitting their complaint, which is then sent to the appropriate service area. If the service can fully resolve the matter within 24 hours of receipt, it can be closed as an informal resolution.



## **7. Complaints Received**

During 2022-2023, the County Council received 1484 Stage One corporate complaints. Of these, 83 (5.5%) stage one complaints were escalated to stage 2.

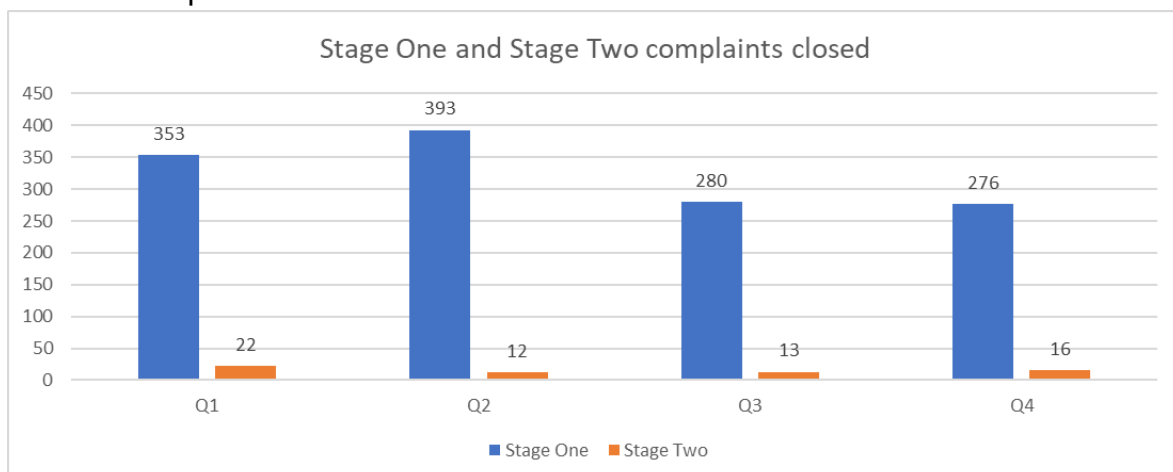


## **8. Closed Complaints**

Closed complaints have been allocated an outcome, and a response has been given to the customer. The number of closed complaints differs from the number of received complaints. This is because some 2022/23 closed complaints were received in 2021/22. Similarly, some 2022/23 complaints will be completed in 2023/24 because their target date falls into the next reporting cycle.

Of the 1484 Stage 1 case received, 1048 (80%) were closed in timescale, and of the 83 Stage 2 cases received, 40 (63%) were completed in timescale. This indicator represents the number and percentage of complaints at each stage closed in full within the predetermined timescales of 15 and 20 working days. However, it doesn't recognise those cases where extensions exceeded those timescales agreed in advance.

Services are encouraged to analyse those complaints escalated to stage 2 to see what was done differently to resolve these. The aim is to establish some practical learning that can be provided to those staff who deal with complaints at stage 1 to reduce escalation and resolve complaints earlier for the customer.



## **9. Local Government Ombudsman (LGSCO)**

The (LGSCO) is the organisation that handles complaints about public services in England. The Ombudsman service is independent of the government and must act impartially. The LGSCO also shares learning from its work to improve service delivery across the spectrum of public service in England. The office carries out awareness-raising activities with the public and bodies under their authority and promotes good complaints handling by public service providers.

The LGSCO does not differentiate between Corporate or Statutory Complaints when providing annual data; therefore, the following includes oversight of all complaint functions within the County Council. The Ombudsman upholds complaints when they find fault in an authority's actions, including where the authority accepted fault before they investigated.

### **10. LGSCO detailed investigations**

The Ombudsman upholds complaints when they find some form of fault in an authority's actions, including where the authority accepted fault before they investigated. Out of 19 detailed investigations, the Ombudsman upheld 16 complaints (84%). It is important to note that in 2022/23, 34% fewer cases were accepted by the Ombudsman to carry out complete detailed investigations.

The Ombudsman recommends ways for authorities to put things right when faults have caused injustice and monitor their compliance with their recommendations. Failure to comply is rare, and a compliance rate below 100% is a cause for concern. Out of 15 cases, the Ombudsman were satisfied that all action was undertaken (100%).

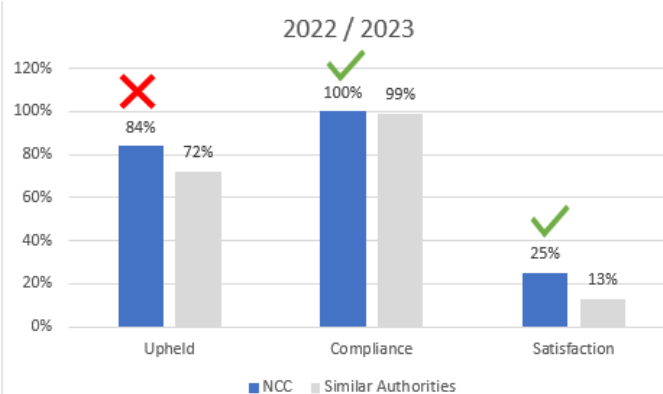
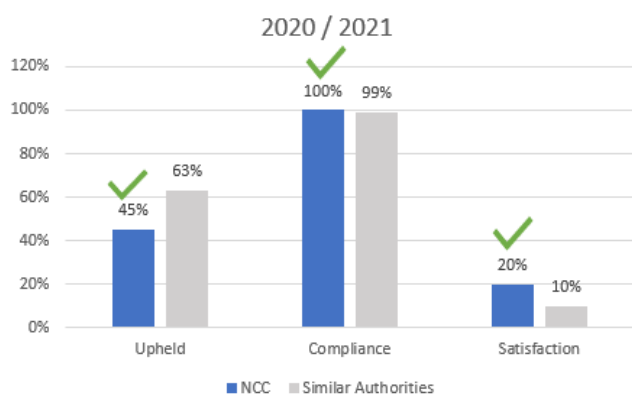
If the Ombudsman determine there has been a satisfactory remedy provided by the authority, this means the authority upheld the complaint, and they agreed with how it offered to put things right. They encourage the early resolution of complaints and credit authorities that accept fault and find appropriate ways to put things right.

Out of 16 detailed investigations, the Ombudsman were fully satisfied with 4 remedies (25%).

A Public Interest Report - was issued concerning a complaint raised by a resident regarding the Post 16 Transport Policy. In August 2022, the Local Government and Social Care Ombudsman issued a Public Interest Report into what they identified as "flaws" in the Council's Post-16 Transport policy. The LGSCO believed the Council were not clear enough within their policy regarding how they considered progression through course levels and distance from learning establishments when making decisions concerning post-16 transport applications. The decision to issue a Public Report rather than an individual finding, was due to the case being considered a *"significant topical issue and represents systemic problems and wider lessons"*.

The LGSCO compares the three key annual statistics with similar authorities to provide an average performance marker. It is noted that the Council continues to perform well against other similar authorities.





## 11. LGSCO recommendations for upheld complaints

The final decisions and recommendations made for the 16 upheld cases were as follows:

<p><b>Adult Care Services Domiciliary Care 16-May-2022 (21 016 410)</b></p> <p>Summary: We upheld a complaint about end-of-life care. The Care Provider will apologise and review its procedures for record-keeping.</p>
<p><b>Adult Care Disabled Facilities Grants 05-Jun-2022 (20 014 396)</b></p> <p>Summary: Mr X and his parents, Mr and Mrs Y complained about the Council's failure to ensure adaptations to their property, funded by a Disabled Facilities Grant, were carried out to an acceptable standard and related matters. We have found the Council to be at fault because it did not properly record variations to the Schedule of Works. The Council has agreed to apologise for the frustration caused to the complainants. We have not identified any other areas of fault. The Ombudsman is unable to interfere with the Council's professional assessment that the overall standard of the adaptation was acceptable.</p>
<p><b>Adult Care Safeguarding 21-Jun-2022 (21 011 766)</b></p> <p>Summary: The Council was at fault for ending its support of Mr X without warning and without considering referring him to an advocate. The Council has agreed to apologise to Mr X, pay him £500 and take action to improve its service.</p>
<p><b>Commercial and Contracts 29-Jun-2022 (21 011 559)</b></p> <p>Summary: Ms X complained about the Council's handling of her request to use its land for car parking. We found no fault in the Council's substantive decision making. But its poor communication caused Ms X avoidable distress and frustration, which it had suitably put right with its apologies and offer to waive its £250 legal costs. The Council also agreed to formally adopt and publish a policy about use of its land for car parking.</p>
<p><b>Planning Applications 24-Jul-2022 (21 014 608)</b></p> <p>Summary: Mr X complains about the Council's granting of planning permission for his neighbour's extension and its failure to take enforcement action due to increases in the height of the extension and patio. We do not find fault in how the Council considered the retrospective planning application for the increased extension height. However, the Council has accepted it failed to consider the increased patio height and the impact this would have on neighbouring amenity when granting planning permission. This fault has caused a loss of amenity for Mr and Mrs X. To remedy this, the Council has agreed to apologise to Mr and Mrs X and make them a payment.</p>
<p><b>Disabled Children 02-Aug-2022 (21 009 137)</b></p> <p>Summary: Mrs X complains the Council failed to provide adequate support to her daughter during the transition to new services, which meant she did not receive support. Mrs X also complained about how the Council communicated about the timeframe for the transition. The Ombudsman intends to find fault with the Council for how it managed the transition to the new provider. The Ombudsman does not intend to find fault with the Council for how it decided the timeline for the transition. The Ombudsman recommends a financial remedy and service improvements.</p>
<p><b>School Transport 17-Aug-2022 (21 004 235)</b></p> <p>Summary: Miss X complained about the Council's decision not to provide her son, Y, with transport to college. Miss X said the Council failed to properly consider Y's circumstances and her appeal, and its communication was poor.</p>
<p><b>Child Protection 24-Aug-2022 (21 015 998)</b></p>

Summary: Miss X complained about the way the Council handled the child protection process for her child, S, about delays in the statutory children's complaints procedure and about the Council's refusal to accept one element of the stage 3 panel's findings. The Council was at fault for not actively engaging with Miss X's domestic abuse support worker and for delays in the complaints process. It should apologise and pay Miss X a further £150, making a total payment of £250, to remedy the frustration and distress caused.

**Planning Applications 25-Aug-2022 (22 000 583)**

Summary: Ms B complained that the Council failed to properly consider an application for planning permission for a development next to her property. We find the Council was at fault in that there were inaccuracies and omissions in the case officer's report. However, we do not consider this affected the decision on the planning application. The Council has provided a satisfactory remedy for the injustice caused to Ms B.

**Childrens Care Services 31-Oct-2022 (22 009 991)**

Summary: We have upheld this complaint that the Council failed to adhere to the timescale set out in the statutory procedure for children's services. The Council has agreed to resolve the matter by providing a suitable remedy.

**Childrens Care Services 31-Oct-2022 (22 009 991)**

Summary: We have upheld this complaint that the Council failed to adhere to the timescale set out in the statutory procedure for children's services. The Council has agreed to resolve the matter by providing a suitable remedy.

**Assessment and care plan 20-Dec-2022 (22 002 090)**

Summary: We found fault in the way a Council, Mental Health Trust and GP Practice supported a vulnerable man in the community for over two years. Each of the organisations has accepted its failings and the impact of them and has taken steps to prevent recurrences, so we have not recommended any further action. We also found a Hospital Trust failed to properly assess the man's mental capacity while he was an inpatient. This has left the man's family with uncertainty which is an injustice to them. The Hospital Trust has agreed to provide an apology and to offer a small financial payment to address this.

**Local Welfare Payments 06-Jan-2023 (22 006 688)**

Summary: Mrs F complained the Council failed to publish the discretionary energy rebate scheme in a timely manner. She also said it provided her with misleading information and its complaints handling and communication was poor. We find the Council was at fault for its communication with Mrs F and its complaints handling. The Council has agreed to our recommendations to address the injustice caused by fault.

**Planning Applications 12-Jan-2023 (22 001 758)**

Summary: Mrs X complains her home is overlooked because the Council failed to properly consider a planning application. There was fault by the Council, but this did not cause injustice to Mrs X.

**Enforcement 13-Jan-2023 (21 013 353)**

Summary: Mr X complains about the Council's handling of a planning enforcement investigation about a gazebo built by his neighbour. We find the Council at fault for failing to consider the correct distance between the structure and Mr X's boundary. But we do not find this caused Mr X a significant injustice as the incorrect measurements were unlikely to change the Council's decision not to take formal enforcement action. The Council has accepted it failed to fully respond to Mr X's emails and provide timely responses. We find the Council has suitably remedied the uncertainty and frustration this caused Mr X as it has apologised to him and carried out a related service improvement.

**Childrens Care Services 17-Jan-2023 (22 012 112)**

Summary: We will not investigate this complaint that the Council has delayed consideration of a complaint under the statutory procedure for complaints about children's services. This is because the Council has upheld the complaint and offered a suitable remedy for the injustice caused by the delay.

Not all cases referred to the LGSCO are accepted for detailed investigation. On occasions cases may fall outside their investigative remit or be directed to the authority for further local resolution.

## **12. Comparative analysis against previous years**

The Ombudsman has advised that nationally their average uphold rates for all investigations has increased this year, and the organisations may find the uphold rate is higher than in

previous years. Comparing previous years should carry a note of caution. Although the percentage of overall complaints upheld has increased for the authority, it is essential to note that there has been an overall reduction of 34% of complaints (10) accepted by the Ombudsman compared to 2021/22. The Annual Report does not consider this but should be considered when understanding our performance.

The authority was compliant with 100% of the recommendations in 25% of the upheld cases, they found that the authority had provided satisfactory remedy before the case reached the Ombudsman.







The authority continues to perform well compared to similar organisations, although it is disappointing to note that over a quarter of cases did not complete remedies within the agreed timescale. All services must agree with the Ombudsman's findings or provide a good reason that they do not agree. Although this is rare, and our compliance rate is 100%. However, recommendations can sometimes become entrenched in more comprehensive projects or benefit from having a more specific line of responsibility.

The authority continues to deliver a framework developed to improve complaint handling within the authority; this includes a new case management system due to go live by November 2023. A welcomed function within the system will allow for detailed action plans to be completed, owners assigned to tasks and through a configurable task system and improved reporting, progress can be monitored to ensure compliance.

While the evidence outlined in this report suggests that overall complaint handling performance is reassuring, due to the issues highlighted in the 2019-20 Annual Complaints report concerning the use of the system and inconsistent ways data is captured, it is proving unreliable as performance data.

It should be stressed that the number of complaints taken alone is not necessarily a reliable indicator of performance.

The volume of complaints should be considered alongside the uphold rate (how often we found fault when we investigated a complaint). This new indicator will be incorporated into future frameworks and reporting mechanisms when using a new case management system capable of more granular analysis.

Feedback Type	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	Direction of travel
Informal Complaints	153	141	112	115	111	
Stage 1 Complaints	970	1328	1366	1758	1484	
Stage 2 Complaints	50	65	83	94	83	
Stage 1 closed within the timescale.	683 (70%)	902 (81%)	1038 (79%)	1317 (75%)	1048 (80%)	
Stage 2 closed within the timescale.	28 (56%)	30 (85%)	31 (42%)	79 (84%)	40 (63%)	
LGSCO complaints upheld	15 (83%)	9 (35%)	10 (45%)	15 (52%)	16 (84%)	

### **13. Service update**

Given the amount of contact the Council received in the past year, these figures suggest that the Council is well placed to deal with customer concerns as they occur effectively and, where possible, can either resolve the matter or provide an adequate explanation.

Similarly, to the data provided in the 2021/22 report, it is widely accepted that the authority performs well compared to similar authorities in 2021/22. Authorities in the Northeast hold the lowest amount of total upheld complaints.

The authority was compliant with all Ombudsman recommendations, evident by the 5% increase in offering satisfactory remedies that the authority increasingly recognises the importance of being open and accountable.

This year, the Ombudsman has highlighted the continued view that complaint functions have been under-resourced in recent years, a trend only exacerbated by the challenges of the pandemic. The Ombudsman urges organisations to prioritise complaints, particularly regarding capacity and visibility. Adequately resourced complaint functions that are well-connected and valued by service areas, management teams and elected members can provide valuable insight into an organisation's performance, detecting early warning signs of problems and offering opportunities to improve service delivery. The authority continues to deliver a framework developed to improve complaint handling within the authority, including various ways to utilise complaints as a positive learning tool, increase resources, and procure a bespoke case management system.

### **7: Implications**

<b>Policy</b>	By collecting and analysing corporate feedback, services can use the results to determine, shape and influence future policies.
<b>Finance and value for money</b>	There are no financial implications directly associated with this report.

<b>Legal</b>	Where appropriate, advice is sought from the Legal Team on specific matters regarding complaints.
<b>Procurement</b>	Not applicable
<b>Human Resources</b>	Not applicable
<b>Property</b>	Not applicable
<b>Equalities</b> (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
<b>Risk Assessment</b>	Not applicable
<b>Crime &amp; Disorder</b>	Not applicable
<b>Customer Consideration</b>	As a Council, customers must give us feedback and feel that their views and opinions are fully considered and dealt with appropriately.
<b>Carbon reduction</b>	Not applicable
<b>Wards</b>	All

**Background papers:**

Local Government and Social Care Ombudsman's Annual Letter 2021/22

**Report sign-off:**

***Authors must ensure that officers and members have agreed the content of the report:***

	Name
Monitoring Officer/Legal	Neil Masson
Service Director Finance & Interim S151 Officer	Jan Willis
Relevant Executive Director	Gill O'Neill
Chief Executive	Helen Paterson
Portfolio Holder(s)	CLlr Richard Wearmouth

**Author and Contact Details**

Julie Dennitts, Corporate Complaints Manager  
07870 365966

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## Northumberland County Council

Communities and Place Overview and Scrutiny Committee

Wednesday, 29 November 2023

### Planning Services Performance Report

**Report of Councillor(s)** Councillor Horncastle,

**Responsible Officer(s):** Simon Neilson, Executive Director - Place and Regeneration

#### 1. **Link to Key Priorities of the Corporate Plan**

- **Achieving Value for Money** – The Council aims for continuous improvement and innovation in all its services to residents. This is underpinned by a clear understanding of the direction of travel for service performance and assurance.
- **Tackling Inequalities** – Everything the Council does across its services can make a positive impact on tackling inequalities therefore it is important to track performance and understand which key performance measure relate to tackling inequalities outcomes.
- **Driving Economic Growth** – The Land Use Planning function of the County Council plays a key role in facilitating jobs, investment, housing and infrastructure to deliver sustainable economic growth.

#### 2. **Purpose of report**

This report provides an overview of the performance monitoring and assurance arrangements currently in place for the Local Planning Authority (LPA) function of the Council.

#### 3. **Recommendations**

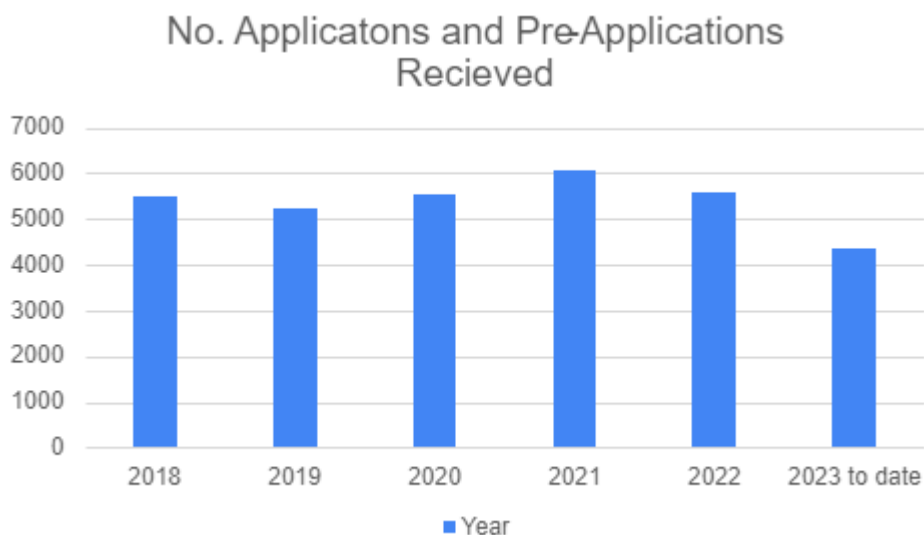
- i. Consider the contents of the report,
- ii. Suggest other information or analysis to be included in the next iteration of the report.

#### 4. **Forward plan date and reason for urgency if applicable**

This report was requested by OSC at its last meeting

## 5. Background

Local Planning Authorities (LPA) in England deal with very large volumes of important and sometimes controversial decisions. A total of approximately 400,000 applications are submitted to LPAs per annum in England. The County Council is the top 50 of all LPA's for application numbers, typically dealing with 4,000-6,000 applications PA. In the last three years it has been in the top 15 of LPAs for the number of major applications.



Perceived delays and “barriers” to growth (especially for volume house building applications) have meant that planning functions have been under intense scrutiny for many years by successive central governments. Conversely, all LPAs receive significant numbers of complaints from affected communities that insufficient controls or constraints are being placed upon new development.

This has meant that government has put in place a performance regime focussed on quick delivery. Service complaints relate to more generic customer service matters, and others (the greater number) stem from the fundamental roles of the LPA in decision making. This is a particular issue in front line planning functions, especially those interfacing with planning applications or the enforcement of alleged breaches of planning control.

There is ultimately an unavoidable bias towards binary decision making in LPA functions. This logically results in the unavoidable situation where one of (at least) two interested parties may be potentially dissatisfied with *any* eventual decision. Given that several parties may have significant emotional or financial interests vested in a decision, complaints or appeals are generally not made on a casual basis. This also means that a disproportionate number of planning service complaints progress through all stages of internal process before being lodged with the Local Government Ombudsman.



As a single tier authority, the County Council handles all types of LPA planning application permissible under the English Planning system. The breadth of application types adds to the complexity of service delivery. For context, the standard types of planning application are listed at Appendix 1.

The combination of these issues have resulted in a dense and complex landscape of performance management. The statutory and non-statutory LPA functions of the County Council are subject to a large number of measures and assurances. These exceed other more “typical” functions of Local Authorities

The performance monitoring and management regime can be broadly broken down into the following headings;

- Central Government quarterly performance statistics, focussing primarily on speed
- Central Government annual performance statistics, focussing primarily on quality, compliance and delivery related matters (with an emphasis on housing)
- Local Key Performance indicators, which mirror the above and incorporate stretch targets
- Local Outcome measures, which focus on contextual and output indicators.
- Local Complaint monitoring and Complaints made to the Local Government Ombudsman

Given the priority of Planning Performance to a range of Government agendas, there also exists a linked “Special Measures” regime. This allows Government to remove powers or supersede local decision making by the LPA if core indicators are not met.

This is no idle threat from government. At the time of writing, 10 LPAs were a risk of being placed in Special Measures purely for speed, including Calderdale, Portsmouth City and Guildford. Other LPAs have faced interventions on quality or housing delivery measures.

The following sections give an overview of the key monitoring measures and current performance.

## **Overview of Performance**

### **1. Overall Approach to decision-making**

In terms of *overall* decision making, complaints about NCC being either too pro- or anti-developer must be seen in context. There are more than 400 LPAs in England. An analysis of CLG data suggests that LPA grant between 54% and 99% of planning applications made to them.

***Analysis of NCC decisions reveals that for the last 4 years, the approval rate was 90.6% for all applications determined. This compares closely with a national overall average of 88% applications approved.***

### **Commentary**

While this grain of analysis does not reflect a range of wider and local factors (including speed or quality of decision), it is possible to state that NCC does not, at least superficially, apparently have an unreasonable bias towards favouring developers or objectors in its planning decisions.

This higher-than-average approval rate is however by necessity a compromise. The Planning Team attempts to facilitate good quality development in the County by working with applicants to amend and improve schemes, and to address the concerns of the public or consultees. Some of the fastest performing LPAs have a low rate of approval and see therefore a corresponding lower level of development schemes being delivered on the ground or a higher appeal loss rate.

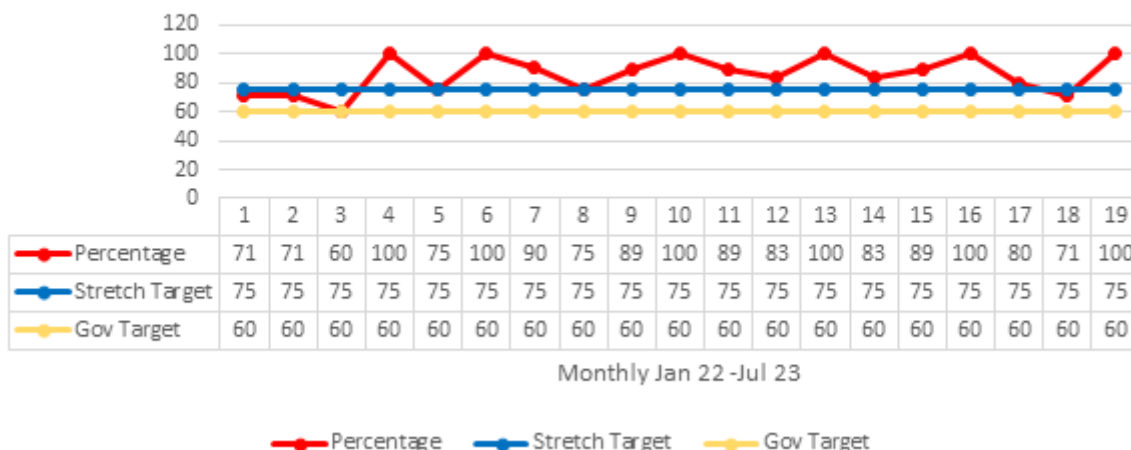
## **2. Headline Speed/Key Designation Metrics**

The Council reports to Central Government on a quarterly basis the number of planning applications made, and permissions decided. Applications are categorised into Major, Minor and All Other Developments. Once a planning application has been validated, the local planning authority aims to make a decision on the proposal as quickly as possible, within the statutory target unless a longer period is agreed in writing with the applicant.

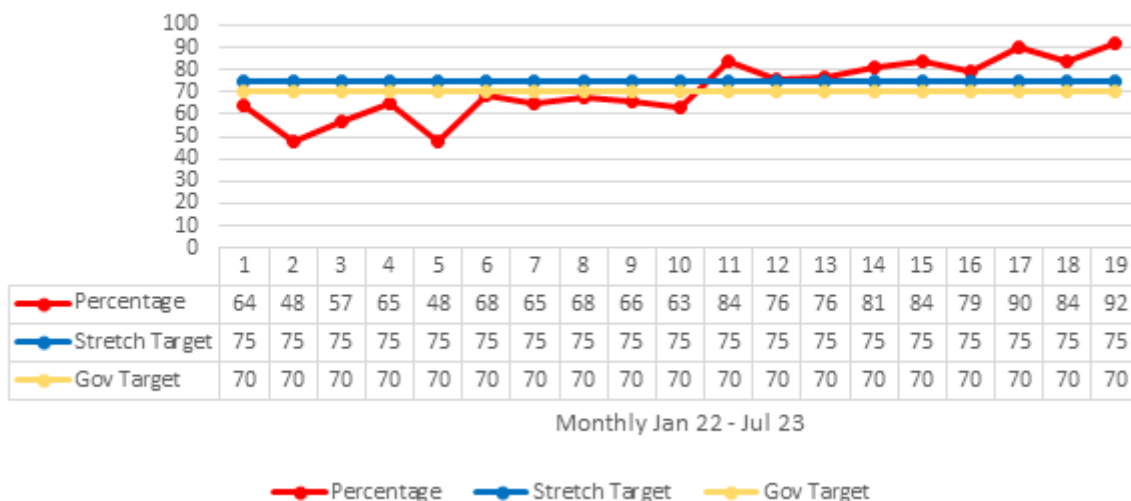
The statutory time targets are usually 13 weeks for major development applications and 8 weeks for all other types of development (unless an application is subject to an Environmental Impact Assessment, in which case a 16-week limit applies).

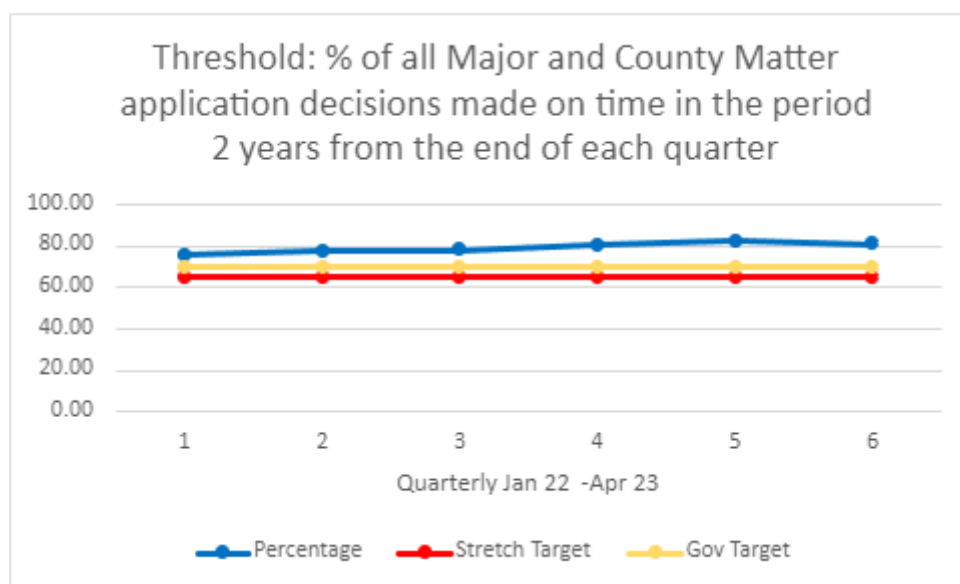
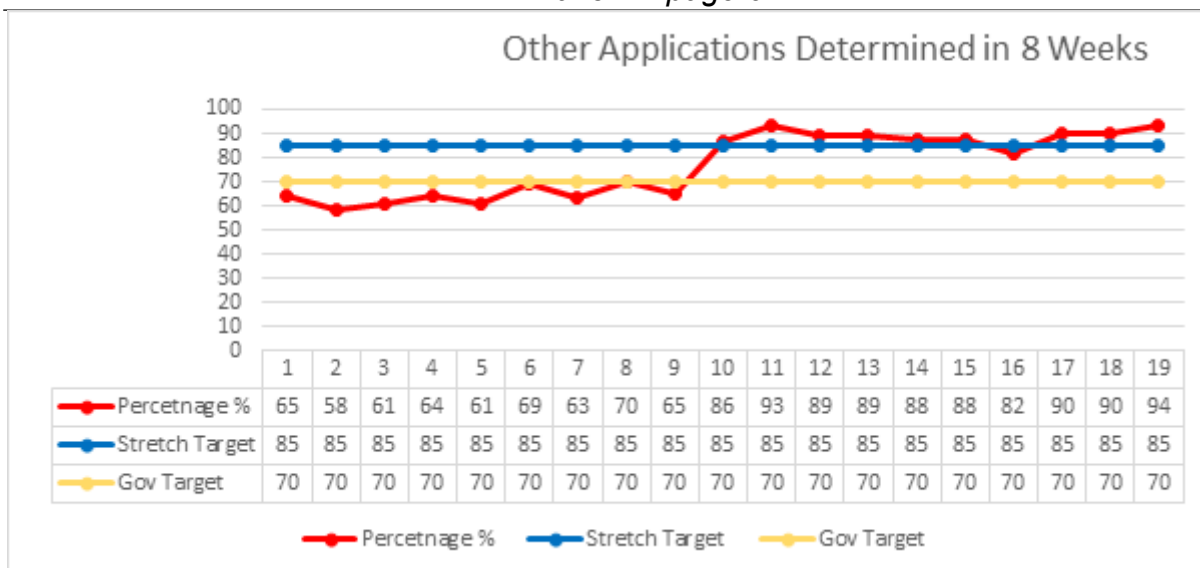
The targets by application type are Major 60%, Minor 70%, Other 70%

### Major and County Matter Applications determined within 13 weeks



### Minor Applications Determined within 8 weeks

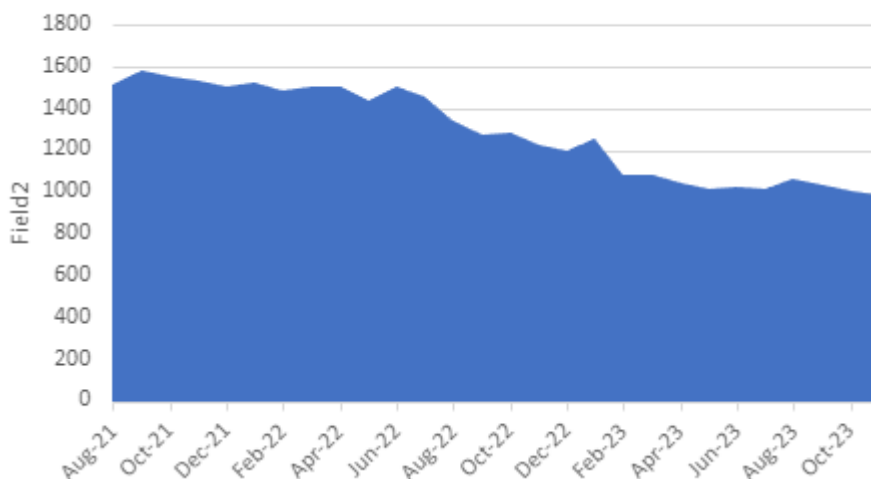




## Outstanding applications

There has been a focus on determining outstanding “backlog” applications. This has been successful as the table below sets out

### Outstanding Applications

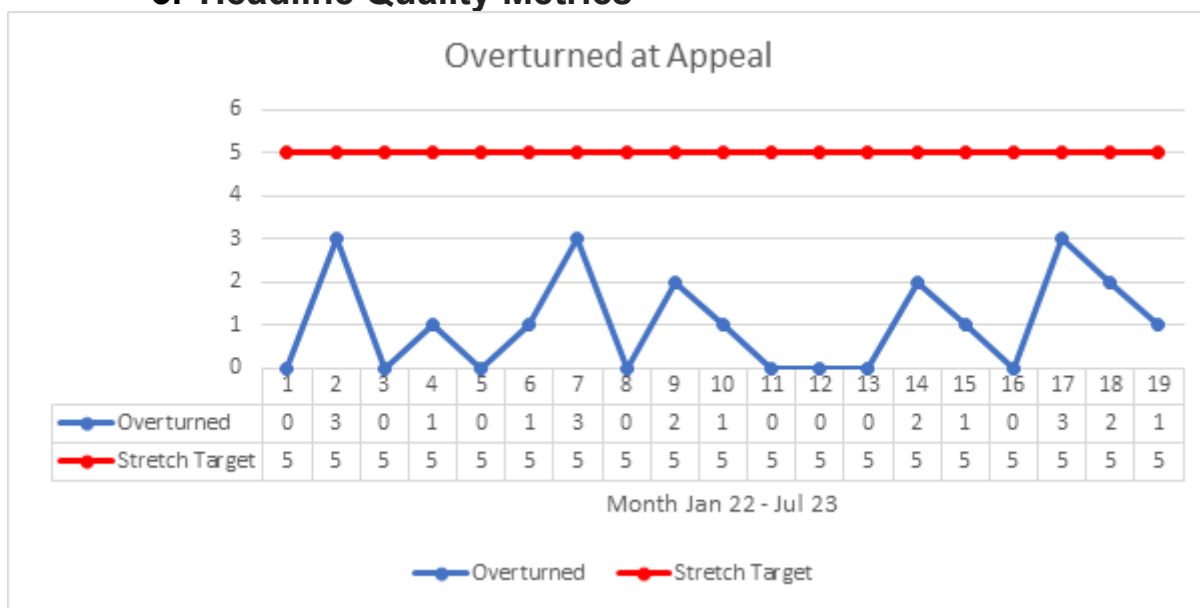


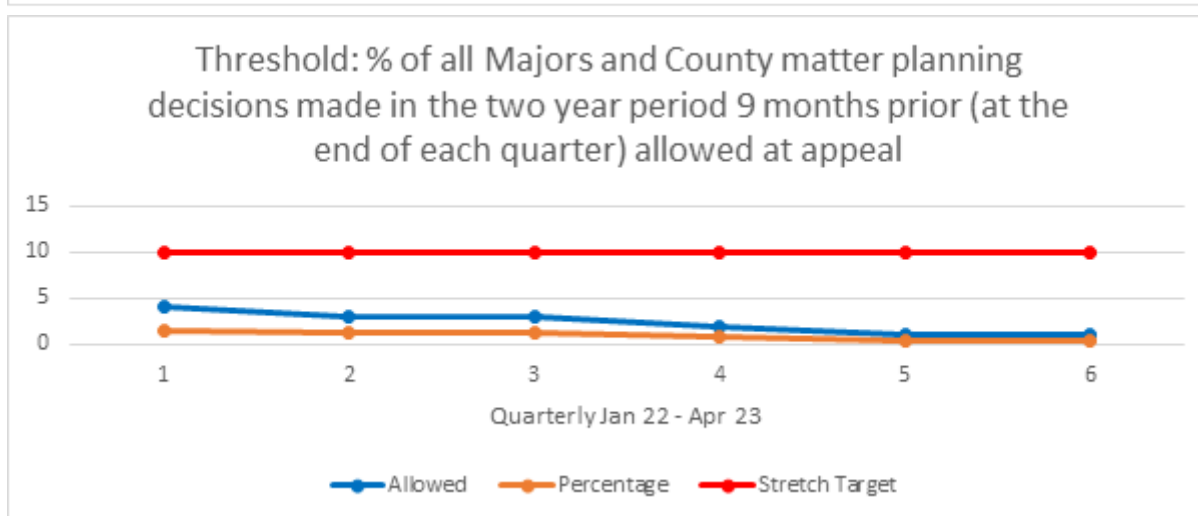
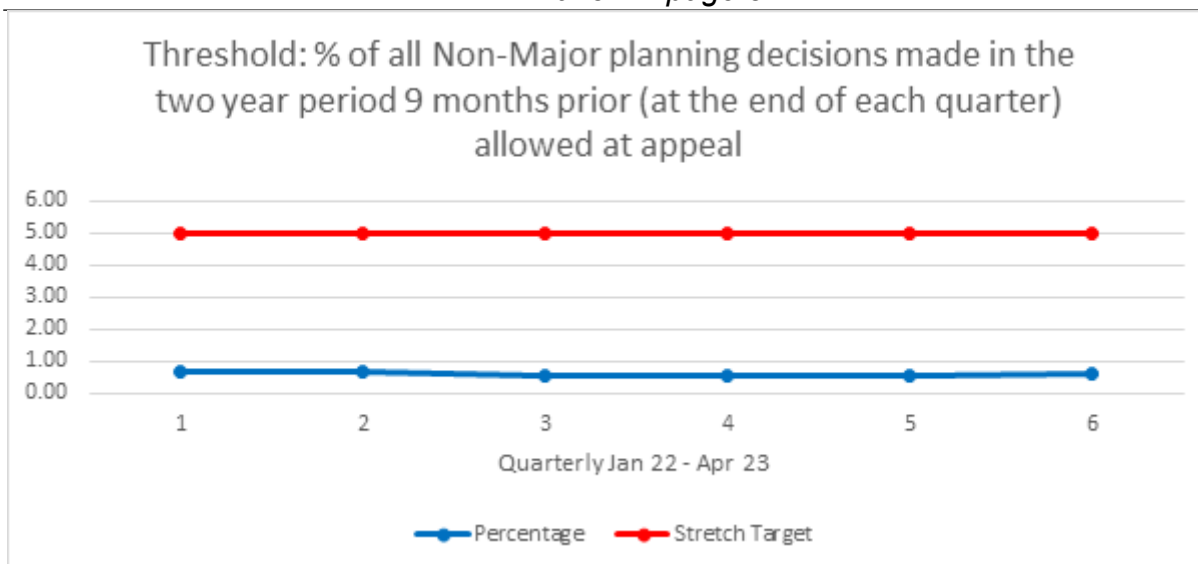
### Commentary

The first three metrics are a clear demonstration on the effects of management prioritisation. During lockdown a conscious decision was made to focus officer capacity on Major and other employment generating schemes. During the last twelve months there has been increased emphasis on minor applications.

These graphs do not expose the differences between a focus on facilitation vs coarse grain performance management.

### 3. Headline Quality Metrics





### Commentary

A key measure of quality of decision making is the number of LPA decision overturned by the Planning Inspectorate (PINS).

The County Council has a consistently strong record in winning planning appeals against its decisions. The average % dismissed rate for all LPAs is approximately 63%

	Appeals Dismissed	Total Appeals	% Dismissed
2019	74	88	84
2020	56	74	76
2021	47	59	80
2022	57	68	84

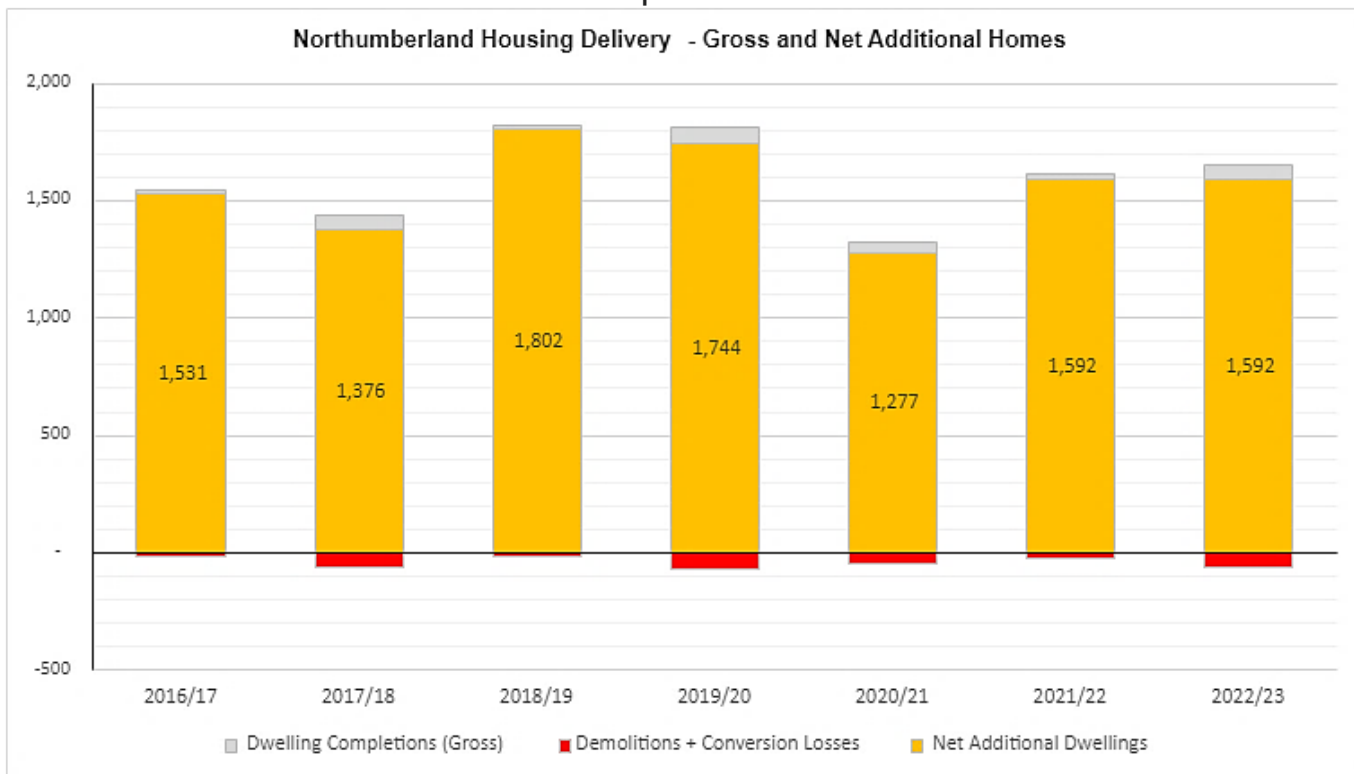
Note: Data lag due to appeals taking up to one year plus for PINS to determine

### Contextual and output metrics

In addition to the examples of statutory statistical measures listed above, there are a range of contextual, output and “outcome” measurements. Some of these also form the basis of designation by central government if targets/thresholds are not met.

### Net additional homes

The Council reports to Government on an annual basis the number of dwellings completed. Since the start of the Local Plan period in April 2016, the number of net additional homes delivered per annum has consistently, and significantly exceeded the average local plan requirement of 885 dwellings per annum. For the last 2 years, 1,592 net additional homes were delivered per annum.



### Housing Delivery Test

The Government assesses the delivery of homes using the Housing Delivery Test (HDT). This measures delivery over a 3-year period against the minimum Local Housing Need figure using the Government’s standard method. The latest official Government published result for Northumberland is **280%** for the 3-year period 2018-2021. The latest provisional result using the same method for the period 2020-2023 is **271%**. This test result places the local planning authority within the top 10, or top 5% nationally.

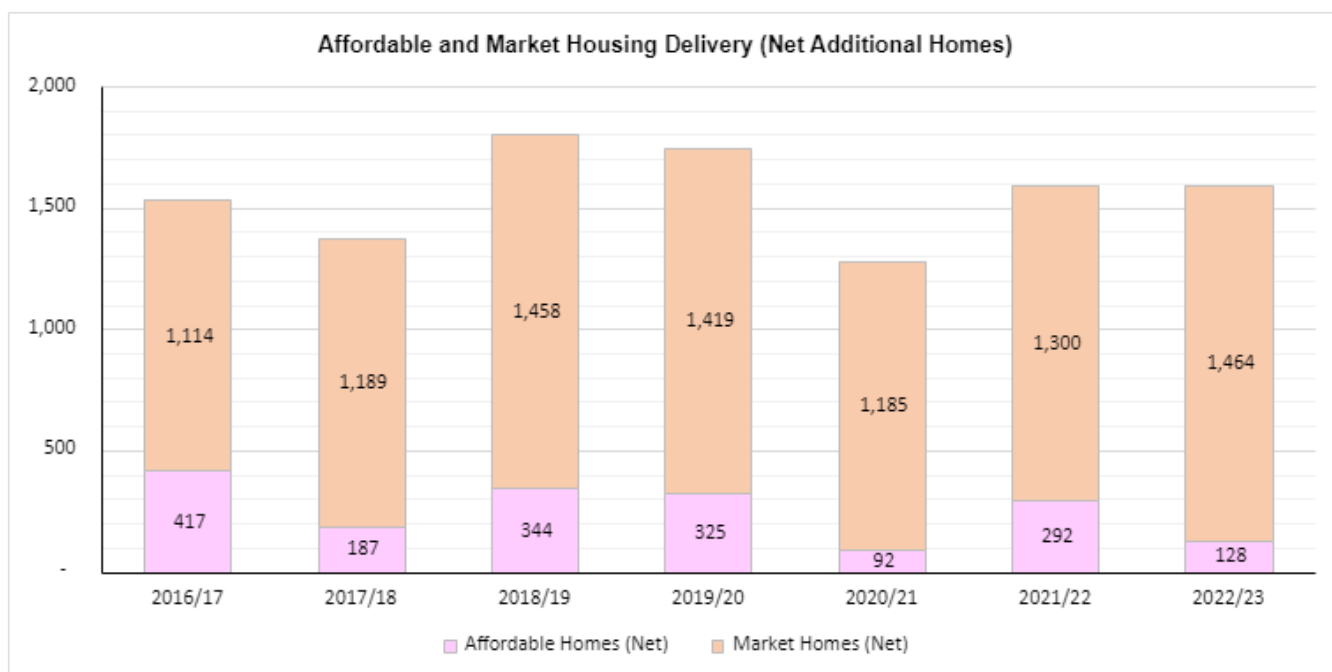
While the HDT reflects past performance, the Council is required to demonstrate that it has sufficient land available to delivery housing over the next 5 years. Not having a 5-year supply of housing land can weaken the strength of the development plan in decision making.

For the period 2023-2028, a deliverable supply of 7,295 net additional dwellings has been identified. This equates to 248% of minimum housing requirement for this period and is the equivalent of a **12.4 year supply**. The Council’s strong 5-year supply position is within the top 10 local authorities nationally. In October 2023 39% of English LPAs were unable to demonstrate a five year housing land supply

### **Affordable housing delivery and permissions**

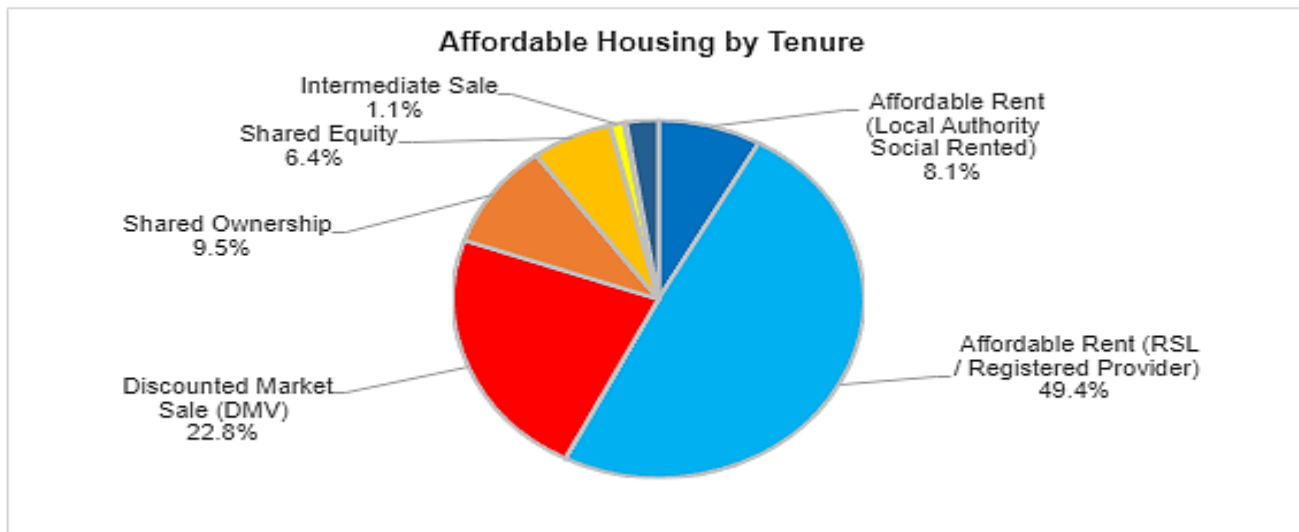
The number of affordable homes delivered, and the percentage of affordable homes permitted on applications including housing are both local key performance indicators.

A total of **1,785 affordable dwellings** have been completed in Northumberland in the last 7 years since the start of the 2016-2036 plan period for the Northumberland Local Plan, at an annual average **255 per annum**. This equates to **16.4%** of all net additional housing completions over this period. The falls just short of the 17% requirement identified in the latest countywide needs assessment.





The affordable tenure of these homes is set out below. Approximately 57% of affordable homes were for rent, with remainder offering routes to affordable home ownership.



While the Local Plan sets out varying affordable housing requirements for new developments across the county based on value areas, the latest overall need requirement is 17%. The percentage of affordable homes permitted on applications including housing gives an indication as to how we will meet needs in the future. During 2022-23 of the 526 new dwellings permitted, 132 were affordable. This equates to **25% of new homes being affordable**.

### Self-build housing

Local authorities have a duty to maintain a self-build register, and to grant planning permissions for enough suitable serviced plots to meet the level of 'demand'. At the end of October 2022, the number of potential self-build plots permitted was 663, against a requirement to permit 334 plots. The Council is therefore **more than fulfilling its duty** in this regard.

### Plan Making

One of the fundamental performance criteria for government is having an up-to-date Local Plan. The Northumberland Local Plan was adopted in March 2022. If no plan had been adopted, it is likely that the County Council would have faced direct intervention by the Secretary of State **on this performance measure alone**.

The timetable for the preparation and review of Local Plan documents is set out on the Local Development Scheme and delivery against this target is a KPI. Until the last quarter, delivery of a new Gypsies, Travellers and Travelling Showpeople Local Plan, and an update in relation to Open Space has been on track. The LDS will need to be

updated to reflect that the Council is now proposing to meet the needs of Gypsies and Travellers directly through the development management process, and to reflect some slippage in timeframe for the open space work.

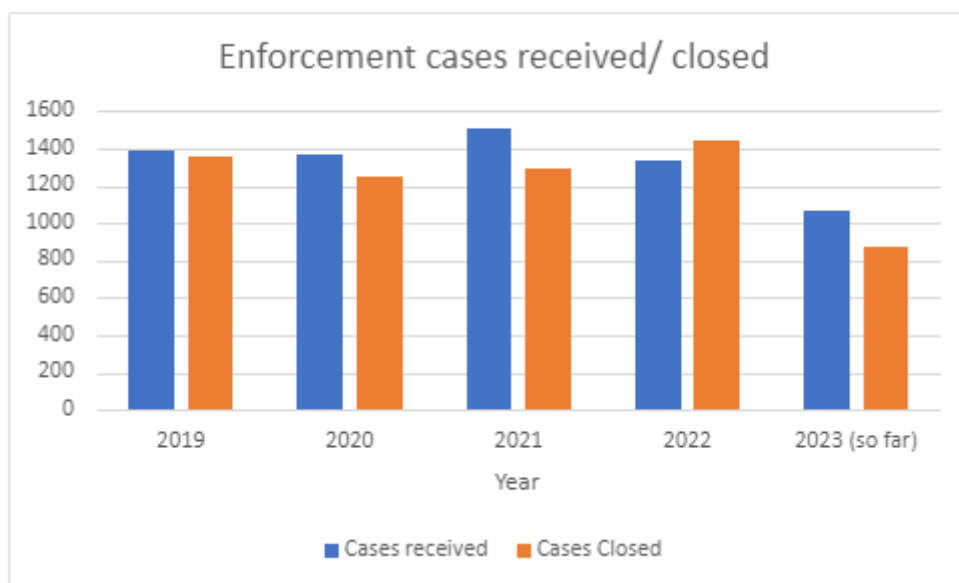
During 2022-23 and the first 2 quarters of 2023-24, 8 area Neighbourhood Areas were designated for neighbourhood planning purposes. **All of these areas were designated in accordance with the regulations.** This is also a local KPI.

### **Commentary**

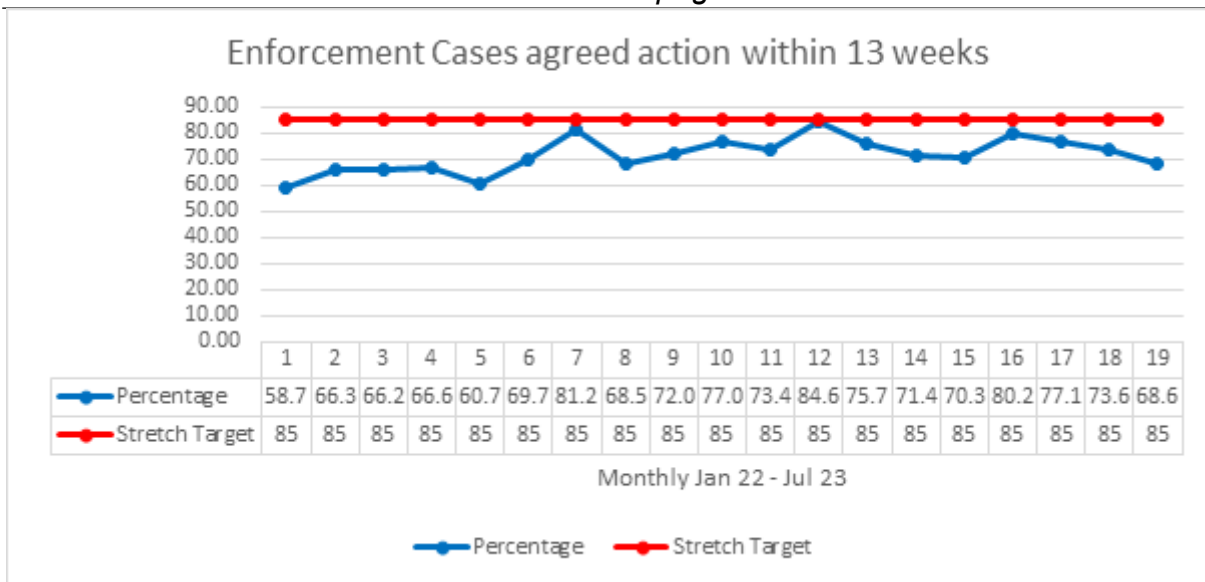
The Housing Delivery Test and the 5-Year Housing Land Supply measures are key performance matters. If these targets are not met there are a range of possible sanctions from government, both in terms of direct intervention and empowering the role of the Planning Inspectorate to directly overturn decisions made by the LPA.

### **Planning Enforcement**

There are no nationally set targets attached to the planning enforcement function, apart from the overarching measure in relation to the appeal success rate.

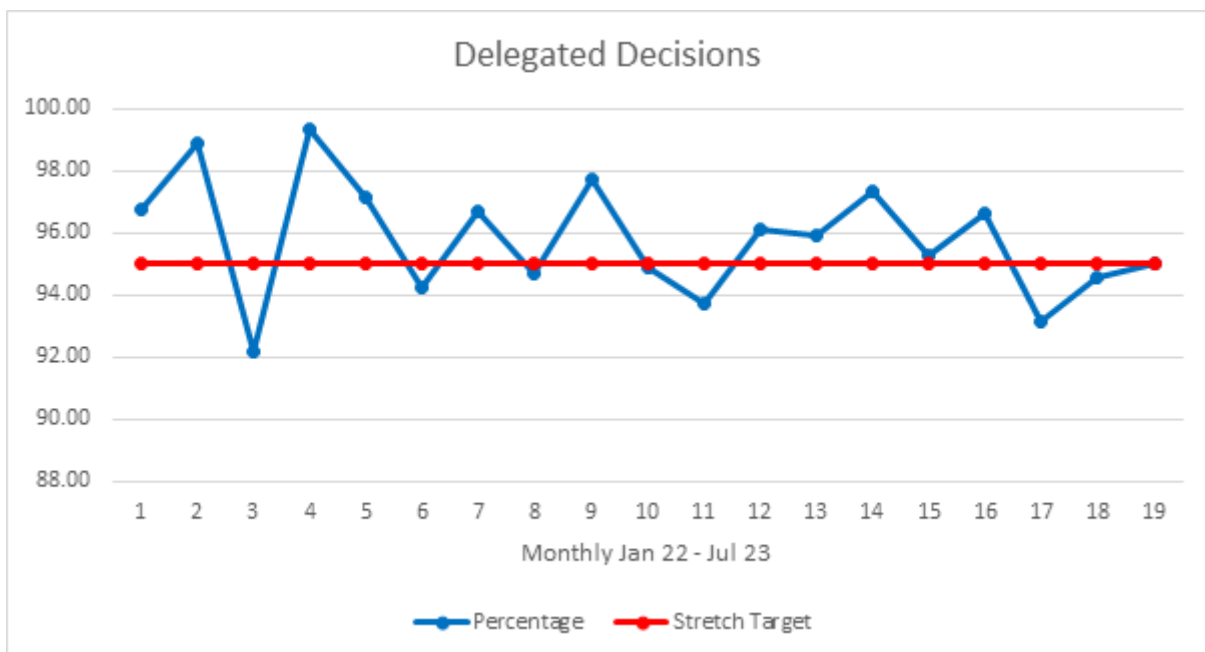


Since review and subsequent adoption of the new Local Enforcement Strategy there has been a significant increase in the numbers of formal Enforcement Notices served. This increase was the greatest of any of the 50 largest LPAs in England.



### Planning Committees

NCC currently operates 5 Local Area Planning Committees and a Strategic Planning Committee. Managing this Committee cycle takes significant time and resource. This is one of the highest number of Planning Committees of any English LPA. There is now a formal referral process for the Chair, Vice Chair and Director to agree which matters are decided by Committee and which can be handled under delegation arrangements. These decisions (committee or delegated) are publicly available, and this approach is regarded as good practice.



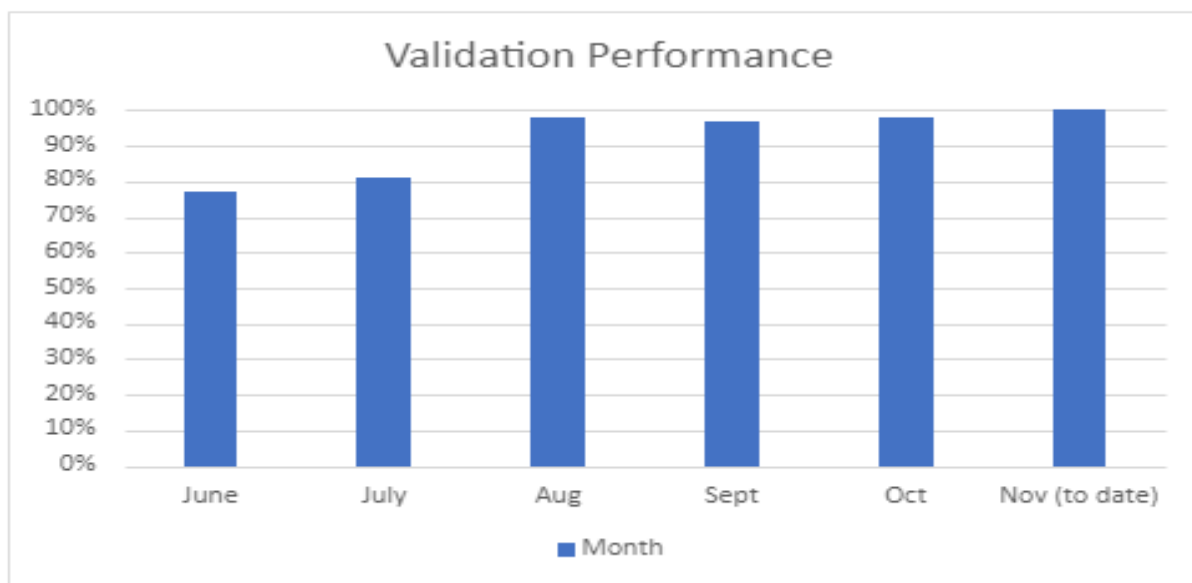
### Validation

The validation of planning application upon submission is a key part of the Development Management process. The “target clock” starts when

applications are submitted, not when they are validated, unless they formally decided to be invalid and returned.

During the lockdown period the majority of LPAs experienced escalating delays in the validation of planning applications. In Northumberland this delay peaked at 21 days. At the same time, Newcastle City Council was experiencing delays of c.30 days. A new Validation Checklist for applicants was implemented on the 4<sup>th</sup> July 2022. The performance now is;

Target 5 working days. Current performance 3-4 working days



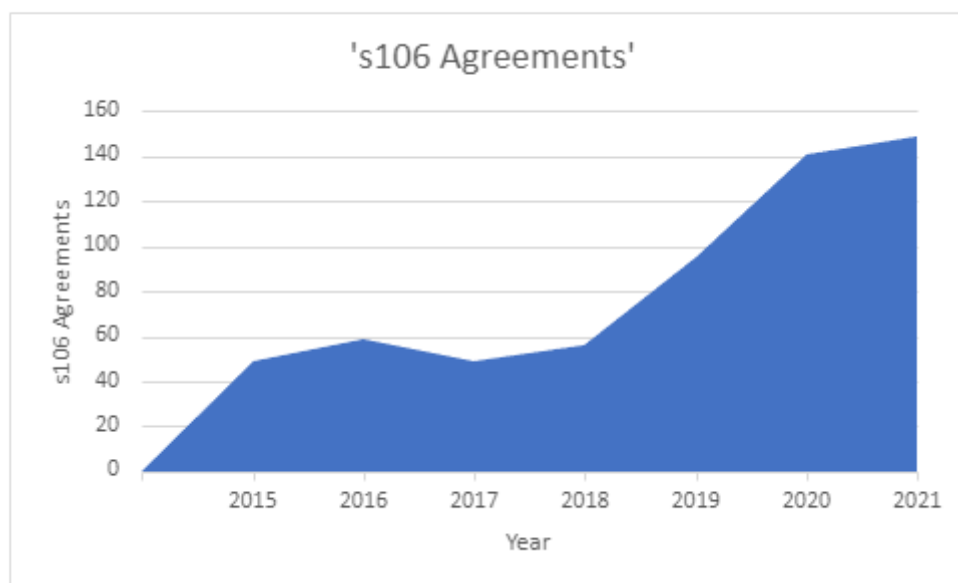
One area that has led to delays in determining minor/other applications has been the lack of appropriate detail and quality when submitted. This has led to excessive officer time being spent carrying out tasks that applicants should normally be expected to address. Prior to the implementation of the new Validation Checklist 37.5% of applications were returned as invalid. Since the new Validation Checklist was introduced, this figure has increased to 41.4%, but this is now starting to drop as agents become more familiar with the new approach and provide the information we need.

It is also important to note that over the past few years, we have seen the introduction of several new application types, bringing the number of different types of applications to 108 (see appendix A). Each type of application has different validation requirements based on the legislation and land constraints adding to the complexity and time needed to validate.

**S106**

Planning obligations under section 106 of the Town and Country Planning Act 1990 are a mechanism which make a development proposal acceptable in planning terms that would not otherwise be

acceptable. They are focused on site-specific mitigation of the impact of development. The number of agreements entered into each year continues to grow, increasing the time it takes to monitor, invoice and agree and process payments.



### Customer Enquiries/ Feedback

In the past 12 months, the central planning mailbox received 20,011 email enquiries. The mailbox is monitored daily, and all emails are triaged within 48 hours (either responded too or redirected to the appropriate officer). The Service also received 2,170 Lagan cases and closed 2168 (99.9%) during this period.

### Formal Complaints

There can be many areas and reasons why formal complaints are submitted about the Planning Service. Very large numbers of formal decisions are made each week, and as set out in this report, there will unavoidably be at least one aggrieved party in any decision.

Following the internal complaints procedure, matters are sometimes taken by complainants to the Local Government Ombudsman (LGO). The average percentage of complaints against local authority services upheld by the LGO has been 66.2% during the last three years. The corresponding figure for complaints upheld against the Planning Service during this period was **19.6%**. In addition, it should be noted that the outcomes for upheld complaints have normally been advisory matters or the requirement for the Service to clarify advice.

**6. Options open to the Council and reasons for the recommendations**

The above data demonstrates that against **all** statutory government Planning performance measures the County Council Planning Service is archiving targets.

On some measures, such as a minor applications, performance was weaker due to an emphasis on major applications during the lockdown period. Performance is now improving.

Measures such as appeal success rate and the low number of complaints upheld are significantly better than average Local Authority performance. These measures indicate that quality of decision has not been sacrificed in order to meet other performance targets.

On some other measures, including Housing delivery, 5-Year Housing Land Supply, Development Plan work (including all metrics on Neighbourhood Plans) performance is within the top 5% of all English Local Planning Authorities.

What these metrics do not fully expose however is the acute difficulty faced by the Planning Service at this period of historically high work volumes and pressures. Balancing and maintaining performance against a wide range of measures is challenging for all local authorities, and the NCC case officer workloads are amongst the highest in the sector (see table below). This leads to sometimes acute pressures from vacancies, which in turn results in a higher staff turnover rate.

Planning Officer role	Average application case allocation during typical peak periods	Typical English LPA application allocation (RTPI study, 2021)
Principal	45	20
Senior	50	25
Officer	75	40
Technician	75	45 or NA

A further report can be presented to OSC when the new range of Government Planning Performance measures are enacted. Draft measures were announced in the Regeneration and Levelling Up Bill consultation but have not yet been finalised. Local monitoring arrangements at NCC have however anticipated all of these criteria;

- Average time taken to validate applications;
- Number of extensions of time agreements;

- Average number of weeks taken to respond to suspected planning breaches;
- % of open planning enforcement cases that are over six months old;
- % of delegated and committee decisions;
- % of committee decisions to refuse permission against the advice of officers that are subsequently allowed at appeal.
- a new “customer experience metric” to provide “a more holistic picture of a local planning authority’s performance”.

Finally, it is worth noting that all of the issues discussed in this report should be seen within the context of the democratic and stakeholder-based planning system. Members will be aware that as controversial activity, a significant proportion of officer time is spent balancing and addressing a range of concerns on development. This relates to the “triangle of tensions” between PC/neighbour objections, improving schemes so that they can be approved and determining applications as promptly as possible.

Higher performance *can* be achieved by simply refusing more applications shortly after submission, rather than working proactively with applicants and statutory consultees to address issues. This however will impact on two out of the three Corporate Plan objectives; Tackling Inequalities and Driving Economic Growth. It risks having the consequences of reducing/constraining economic activity within the local/sub regional economy, reducing affordable housing delivery and undermining related issues such as renewable energy expansion.

## 7. Implications

<b>Policy</b>	Report on historic decisions and performance, not recommendation to alter how decisions are made or policy.
<b>Finance and value for money</b>	NA
<b>Legal</b>	NA
<b>Procurement</b>	NA
<b>Human resources</b>	Staff capacity issues discussed in report

<b>Property</b>	NA
<b>The Equalities Act: is a full impact assessment required and attached?</b>	No - not required at this point Report on historic decisions and performance, not recommendation to alter how decisions are made.
<b>Risk assessment</b>	Risks of interventions from Government identified on the basis of poor performance identified and explained. All current statutory performance measures are now exceeded.
<b>Crime and disorder</b>	Report on historic decisions and performance, not recommendation to alter how decisions are made
<b>Customer considerations</b>	Customer service issues identified and discussed in report.
<b>Carbon reduction</b>	Non identified, apart from risk of refusing greater % of applications for renewable energy/ carbon reduction infrastructure.
<b>Health and wellbeing</b>	Non identified, apart from risk of refusing greater % of applications for schemes such as affordable housing or ones generating increased economic activity.
<b>Wards</b>	(All Wards);

**8. Background papers**

NA

**9. Links to other key reports already published**

NA

**10. Author and Contact Details**

Rob Murfin

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## **Appendix A**

### **Types of Planning applications (108)**

AAL PA COU Shop to Assembly and Leisure  
ACD PA COU Amusements/Casinos to Dwelling  
ADDS PA Enlargement dwelling additional storey  
ADE Advertisement Consent post April 07  
AEA Additional Environmental Application  
AGRGDO Agricultural Determination Application  
AGTFLX Prior Approval Agric to Flexible Use  
AGTRES Prior Approval Agric to Residential  
ATSN PA COU Agriculture to School/Nursery  
BT BT Request to Remove Phone Box  
CAAD Certificate of Appropriate Alt Dev  
CAC Conservation Area Consent  
CBSD PA COU Commerical to Dwelling  
CCD County Council Development  
CCDEIA County Council Development with EIA  
CCM County Matter  
CCMEIA County Matter with EIA  
CFA PA Collection Facility within  
CFS PA Collection Facilities for Shops  
CLASSR COU Agricultural Building under Class R  
CLEXIS Certificate of Lawful Existing Use  
CLLBC Cert of Lawfulness of Prop Works to LBC  
CLPROP Certificate of Lawful Proposed Devel  
CMU PA Change of use to mixed use  
CNA Consultation by Neighbouring Authorities  
COD PA COU Takeaways to Dwellinghouses  
COU Change of Use  
CROWN PA Cornw of single living accommodation  
CUD PA Change of use to Dwellinghouse  
DBC PA Dwelling on detached building commercial  
DDBF PA Dwelling on detached blocks  
DECO PA New dwelling on detached buildings  
DEDW PA New Dwelling on detached dwelling  
DEDWE PA Demolition and construction Dwelling  
DEMMD PA Demolition of Buildings/Dwellings  
DEMGDO Demolition Determination Application  
DISCON Discharge of Condition  
DTBC PA Dwelling on terrace building commercial  
EDAS PA Enlargement of dwelling add storeys  
EDWM PA Excavations of Waste Material  
EEU PA Erection, extension of university  
ELEGDO Electricity Determination  
FDN 5 Day Notice (Trees)  
FELTPO Application to Fell Protected Tree

FILM PA Temp use Comm Film making  
FISH PA Fish Tank  
FLAT PA New dwelling detached block flats  
FUL Full Application  
FULES Full application with Env Statement  
HAZARD Hazardous Substances Consent Application  
HED High Hedge Complaint  
HEGRMN Hedgerow Removal Notice  
HOURS Modification Construction Working Hours  
HPA Householder Prior Notification  
HVA PA Movable structure  
LBC Listed Building Consent  
LDO Local Development Order  
LDOSUB Local Development Order Submission  
LIC License Applications  
LID PA COU Light Industrial to Dwelling  
LITD PA COU Light Industrial to Dwellinghouse  
MAST GPDO Determination for Telecom Mast  
MINREV Mineral Review Application  
MISC Miscellaneous  
MRVEIA Mineral Review Application with EIA  
MSH PA Movable structure for historic visitor  
MUTF PA COU Commerical to mixed use  
NDBD PA Dwelling detached use as dwelling  
NONMAT Non-Material Amendment  
OFF PA COU Shop to Office  
OFFRES Prior Approval Office to Residential  
OHL Overhead Electricity Lines  
OUT Outline Application  
OUTES Outline application with Env Statement  
PA GPDO Prior Notification  
PIP Permission in Principle  
PREAPP Pre-Application  
PRUTPO Application for Works to Protected Tree  
RAILPA Prior Notification Railways  
RC PA COU Retail to Café  
RECA PA COU Shop to Restaurant  
REG Regulation 77 GDO  
REM Approval of Reserved Matters  
RENE Renewable Energy Developments  
RENEIA Renewable Energy Developments EIA  
RETRES Prior Approval Retail to Residential  
ROAD Prior Notification of Road  
RTL PN COU Retail to Assembly Leisure  
S106A Section 106 Agreement  
SCHNUR Prior Approval to School/Nursery  
SCOPE Scoping Opinion  
SCREEN Screening Opinion

SLA PA Single Living accommodation defence  
SOLAR PA Solar PV Panels non-domestic  
TDD PA Terrace buildings use as dwelling  
TECO PA New Dwelling on terrace commercial  
TEDW PA New Dwelling on terrace dwelling  
TIME Time Extension  
TREECA Work to Trees in a Conservation Area  
TSB PA Temp School Buildings  
TTD PA COU Takeaway to Dwelling  
TTO PA COU Takeaway to Offices  
UNI PA Extension to University  
VAC PA Temp Schools on vacant Comm Land  
VARCCD Variation of Planning Condition on CCD  
VARCCM Variation of Planning Condition on CCM  
VAREIA Variation of Planning Condition EIA  
VARYCO Variation of Planning Condition

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Northumberland County Council

Communities and Place Overview & Scrutiny Committee

Work Programme 2023-2024

## 1. Terms of reference:

- (1) To maintain an overview of the Management Agreements in place between the County Council and Active Northumberland, Woodhorn Museum Charitable Trust and Northumberland Tourism.
- (2) To monitor, review and make recommendations about:
  - Development Planning
  - Neighbourhood Planning
  - Conservation
  - Housing
  - Climate Change
  - Countryside, Biodiversity and Landscape Quality
  - Waste Management and Energy Use
  - Public and Community Transport Network and Travel to School
  - Highway Maintenance, Streetscape and the Local Environment
  - Local and Neighbourhood services
  - Crime, Community Safety, and Fear of Crime, including CONTEST, Prevent and Channel
  - Antisocial Behaviour and Domestic Violence
  - Fire and Rescue
  - Emergency Services and Emergency Planning
  - Customer Services
  - Provision of Cultural and Leisure Facilities
  - Improving Quality of Life through Access to Culture and Leisure;
  - Supporting Economic Growth in the Arts, Culture and Leisure Sectors

## 2. Issues to be Timetabled/Considered

This will include work that the OSC can be more proactive in early stage development work in formulating new policies and strategies; to investigate matters of interest and concern to the wider community, and to keep under review the performance and financial position of the Council. Issues identified by the Committee for inclusion on the work programme are:

- North East Transport Plan

- Local Cycling Walking Investment Plans – development of the programme
- Northumberland Road Safety Strategy – use of members scheme funds and costings.
- Northumberland Rights of Way Improvement Plan
- New Section 106 system
- Green / Open spaces review
- Local Nature Reserve Strategy





Northumberland County Council  
Communities and Place Overview and Scrutiny Committee Work Programme 2023-2024

**31 January 2024**

**Library Service Strategy 2021-26**

To update the Committee on the implementation of the Strategy.

**Active Northumberland Annual Outcome Report**

The Annual Outcome Report will contain a review on how the Active Northumberland Service Plan had been delivered for the previous financial year.

**Northumberland Destination Management Plan**

To examine and consider plans and initiatives to improve the visitor experience in Northumberland.

**28 February 2024**

**Social Housing**

To consider the implications of the new Social Housing Regulations.

**27 March 2024**

**Northumberland Infrastructure Funding Statement**

To consider the annual Infrastructure Funding Statement in respect of Section 106 Agreements

**24 April 2024**

Northumberland County Council  
Communities and Place Overview and Scrutiny Committee Monitoring Report 2023-2024

Ref	Date	Report	Decision	Outcome
1.	31 May 2023	<b>Fire and Rescue – Contamination</b>	<b>RESOLVED</b> that Cabinet be recommended to agree that financial support for the recommendations made by the fire and rescue service be provided to ensure that Northumberland was leading to reduce the risk of contamination and supporting fire and rescue personnel.	Recommendation was agreed by Cabinet on 11 July 2023.
2.	31 May 2023	<b>Food Waste Recycling Pilot</b>	<b>RESOLVED</b> that the presentation be received and food waste trial results to date be noted.	The OSC to receive further updates as appropriate.
3.	27 July 2023	<b>Presentation by the Portfolio Holder for Improving Our Roads and Highways</b>	<b>RESOLVED</b> that the items listed below be included within the Communities and Place Overview and Scrutiny work programme, following discussion between the Scrutiny Co-ordinator and officers, to determine their inclusion at the most appropriate time to enable an effective contribution: <ul style="list-style-type: none"> <li>• Fix My Street (with links to Network Management Plan / road hierarchy)</li> <li>• North East Transport Plan</li> <li>• Local Cycling Walking Investment Plans – development of the programme</li> <li>• Northumberland Road Safety Strategy – use of members scheme funds and costings.</li> <li>• Northumberland Rights of Way Improvement Plan</li> </ul>	The issues identified by the Committee will be integrated into the work programme.
4.	27 July 2023	<b>Presentation by the Portfolio Holder for Looking After Our Environment</b>	<b>RESOLVED</b> that the items listed below be included within the Communities and Place Overview and Scrutiny work programme, following discussion between the Scrutiny Co-ordinator and officers, to determine their inclusion at the most appropriate time to enable an effective contribution:	The issues identified by the Committee will be integrated into the work programme.

			<ul style="list-style-type: none"> <li>• Social Housing Regulation Bill</li> <li>• New Section 106 system</li> <li>• Green / Open spaces review</li> <li>• Local Nature Reserve Strategy</li> <li>• A task and finish group on the environment</li> </ul>	
5.	27 July 2023	<b>Update on the Development of a Tree Management Policy</b>	<p><b>RESOLVED</b> that:</p> <ol style="list-style-type: none"> <li>1. The progress made on developing the Tree Management Policy be noted.</li> <li>2. The draft structure of the Tree Management Policy was supported with comments made as above.</li> </ol>	The Committee will continue to monitor this issue as appropriate.
6.	27 September 2023	<b>Presentation by the Portfolio Holder for Promoting Healthy Lives</b>	<p><b>RESOLVED</b> that the items listed below be included within the Communities and Place Overview and Scrutiny work programme, following discussion between the Scrutiny Co-ordinator and officers, to determine their inclusion at the most appropriate time to enable an effective contribution:</p> <ul style="list-style-type: none"> <li>• Annual Review by Active Northumberland</li> <li>• Presentation by future leisure services provider</li> <li>• DDP and DMP</li> <li>• Joint review with CSEG ESC on broadband.</li> </ul>	The issues identified by the Committee will be integrated into the work programme.
7.	27 September 2023	<p><b>Presentation by the Portfolio Holder for Looking After Our Communities</b></p> <p><b>Northumberland Fire and Rescue Service Annual Performance Report</b></p>	<p><b>RESOLVED</b> that</p> <ol style="list-style-type: none"> <li>1. The contents of the NFRS Annual Performance Report be noted and its review be included in the work programme on an annual basis including information on the scrutiny of core measures and the E&amp;SV toolkit.</li> <li>2. The item listed below be included within the Communities and Place Overview and Scrutiny work programme, following discussion between the Scrutiny Co-ordinator and officers, to determine their inclusion at the most appropriate time to enable an effective contribution:</li> </ol> <ul style="list-style-type: none"> <li>• Stronger Local Resilience Forum pilot and COMAH exercise.</li> </ul>	The issues identified by the Committee will be integrated into the work programme.

8.	27 September 2023	<b>Local Government and Social Care Ombudsman (LGSCO) Public Interest Report</b>	<b>RESOLVED</b> that (a) the report be agreed, and (b) a report on planning performance including numbers of applications, resourcing, enforcement including the legal process and costs of decisions against Council decisions.	A report on Planning performance be added to the OSC's work programme.
9.	25 October 2023	<b>Homelessness and Rough Sleeper Strategy for Northumberland 2022 – 2026 Action Plan Progression</b>	<b>RESOLVED</b> that the contents of the report be noted and the updates regarding actions that have been taken to meet the priorities identified to supports our residents who are homeless or at risk of homelessness.	The Committee may seek further updates on the implementation of the action plan as appropriate.
10.	25 October 2023	<b>Update on Implementation of Fix My Street</b>	<b>RESOLVED</b> that the progress made on the development and implementation of the Fix My Street system be noted.	No further action required.