

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, 27 September 2023 at 2.00 p.m.

PRESENT

Councillor N. Oliver
(Chair, in the Chair)

MEMBERS

Cartie, E.	Mather, M.
Dale, A.	Morphet, N.
Gallacher, B.	Reid, J.

CABINET MEMBERS

C. Horncastle	Looking After Our Environment
G. Stewart	Looking After Our Communities
J. Watson	Promoting Healthy Lives

OFFICERS IN ATTENDANCE

L. Bankier	Senior Archivist - Berwick
G. Binning	Chief Fire Officer
D. Brown	Strategic Policy, Risk and Performance Officer
S. McMillan	Director of Economic Development and Growth
J. Murphy	Development Management Area Manager (South East)
C. McLaughlin	Interim Ceremonial Coordination Team Leader
S. Nicholson	Scrutiny Co-Ordinator
N. Turnbull	Democratic Services Officer
N. Walsh	Director of Stronger Communities
D. Wright	Senior Librarian - Children and Young People

13. APOLOGIES

Apologies for absence were received from Councillors Castle and Lang.

14. MINUTES

An update on the Blyth to Bebside cycle corridor was requested.

In answer to a question, the Scrutiny Co-ordinator reported that the Leader had withdrawn his suggestion for an Environment Task and Finish Working Group.

There was a brief discussion regarding the budget setting process and whilst opposition group members did not set the budgets, they could highlight concerns and areas which they felt should be prioritised through the consultation process.

The Chair suggested that concerns regarding maintenance of cycle routes and trimming of branches next to street lighting columns should be raised with the officers and portfolio holders in the first instance and an opportunity given for them respond. If it was felt that there was a wider problem the committee would need to consider if there was an issue which required scrutiny.

RESOLVED that the minutes of the meeting of the Communities and Place OSC, held on 26 July 2023, as circulated, be confirmed as a true record and signed by the Chair.

15. 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).

A written response was to be circulated to the committee on the timing of the Food and Feed, Safety and Standards Service Plan 2023/24 which Cabinet was scheduled to consider on 10 October 2023, when the plan was mid-way through the period.

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

16. OVERVIEW

The Chair commented that the following presentations by officers and portfolio holders were to inform the committee of key works streams and projects that would be taking place in the areas within the next 6-12 months.

It was not intended therefore that the individual issues be discussed in detail but to gain an understanding and identify areas which should be scrutinised. The timing of when items should be included would be discussed after the meeting between officers and the Scrutiny Co-ordinator.

16.1 Presentation by the Portfolio Holder for Promoting Healthy Lives

Councillor Jeff Watson, Portfolio Holder for Promoting Healthy Lives, commented on the changes that had been made to the portfolio and a new improved way of working for the separate elements of health and well-being which had previously worked independently. He was extremely proud of the staff that were developing the service and highlighted the following:

- Leisure and Sports Development – increasing physical participation by residents and reducing inactivity to improve health and well-being.
- Reviewing management of community assets to see where they would be better managed.
- The Berwick Living Barracks project conversion to residential units and new archive facilities.
- Playzone funding to create outdoor facilities at 16 sites across the county.
- Libraries - commitment not to close any facilities; completion of mobile library pilot. Success of the summer reading challenge with 2,400 participants.
- Culture – new cultural attractions including the Berwick Culture and Creative Zone.

Nigel Walsh, Director of Stronger Communities, introduced Linda Bankier, Senior Archivist and Diane Wright, Senior Librarian. He explained that benefits of the restructure were being seen with the creation of the new directorate incorporating Public Health, Stronger Communities and Inequalities. He referred to:

- The progress made with Library Service re-design. The library strategy was due to be refreshed in 2024 to incorporate new government guidance. Area prospectus or delivery plans were to be developed to match resources with need in the 5 locality areas.
- More agile mobile library vehicles.
- Closer collaboration between customer facing services including customer services, libraries, tourist information, Northumberland Communities Together to maximise use of and investment in the Council's leisure facilities, address inequalities in alignment with the BEST programme.

Sarah McMillan, Director of Economic Development and Growth, referred to the powerpoint slides which had been circulated with the agenda papers (a copy of the presentation is enclosed with the signed minutes). She highlighted the following within Visitor Economy and Culture:

- The number of visitors to the county was increasing, although not yet at pre-Covid levels but with higher spending which was a positive impact on the visitor economy.
- Visit Northumberland had been designated as one of the first 15 Local Visitor Economy Partnerships (LVEP), following a national review of destination management organisations.
- Participation in the Destination Development Partnership (DDP) with the NewcastleGateshead Initiative and Visit Durham, as part of the sole national pilot. To improve partnership working to support the visitor

economy including sustainability, skills, infrastructure to inform national arrangements in the future.

- Development of the Northumberland's Destination Management 10-year Plan (DMP) which set out the vision and actions for sustainable visitor economy. This included examples of business development.
- Culture – previously mentioned projects in Berwick, use of Borderlands funding for the Ad Gefrin distillery and visitor centre, Lilidorei at Alnwick Garden and Blyth Culture hub with Placemaking programme in development to support the use and bring visitors to the town centres. The world heritage status of Hadrian's Wall and importance to the county had also been recognized within the plan and included within the cultural events programme for the North of Tyne Combined Authority and Borderlands funding to maximise the asset in the county.

Linda Bankier commented on the cooperation and partnership working that was taking place to progress the projects in Berwick and gave a brief description of the connection between the Living Barracks and Maltings projects which would lead to a permanent home in the future for archives in Berwick.

Issues raised by members included:

- Annual Review by Active Northumberland and presentation by the successful organisation following the procurement process for leisure services and future plans for leisure services in the county. To be included within the work programme.
- Interaction between library services and local schools varied due to the diverse nature of library facilities across the county and proximity of schools. Those schools that were in close proximity to libraries worked closely with each other; initiatives such as reading facilitators targeted hard to reach communities to work with schools and support learning. It was suggested that ward councillors could visit their closest premises and advocate reading programmes through sharing newsletters on social media.
- Woodhorn Museum was managed by Museums Northumberland with elected member representation on the Board. Opportunities for external funding were explored to enhance services in the south-east of the county.
- Sustainability of projects was essential.
- Adjacent local authorities participated in regular meetings for the management of the Hadrian's Wall world heritage site with statutory partners and other local organisations. The Hadrian's Wall Partnership Board was responsible for the management of the trail. The DDP and DMP were to be included within the work programme.
- Reincorporation of services within facilities such as The Spetchells Centre, Prudhoe to provide 'one stop shops'. The service hoped that librarians would be able to provide such a service and answer simple questions from members of the public and direction to services such as the Fix My Street system. Larger facilities were likely to include an element of tourism.
- Information regarding the library service local areas prospectus could perhaps be provided to Local Area Committees.

- Whether a joint meeting should be held with the Corporate Services and Economic Growth OSC to look at broadband and the impact on tourism businesses as well as residents. To be included within the work programme.

The Chair reminded members that the purpose of the presentations was to identify areas for inclusion in the work programme and not to discuss any workstreams or projects in detail.

RESOLVED 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:

- Annual Review by Active Northumberland
- Presentation by future leisure services provider
- DDP and DMP
- Joint review with CSEG ESC on broadband.

16.2 Presentation by the Portfolio Holder for Looking After Our Communities

Councillor Gordon Stewart, Portfolio Holder for Looking After Our Communities referred to recent changes in personnel within the organisation and directorate. He looked forward to working with the new officers who were passionate, enthusiastic and knowledgeable for the benefits of residents and businesses in the county. All portfolios had regard to inadequacies and health. He reported that results were awaited from the recent inspection by His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS). He introduced Clare McLaughlin, Interim Ceremonial Coordination Team Leader and highlighted the following within his portfolio:

- Registration Service – impacts the lives of all residents through births, marriages and bereavement. Weddings in the county attracted visitors, jobs and income to the county. The workload could be a potential area for review. Implementation of the impact of death notification service 'Settld'.
- Coroner service - hospitals, prison and arterial routes A1, A19, A68, A69 impacted on the work of the service.
- Fire and Rescue Service – challenges included the increasing number of residents, homes and vehicles on the county's roads given the location of fire stations and use of retained firefighters in rural areas. Charging of electric vehicles including e-scooters and e-bikes within residential properties as well as the dangers of their use on roads. The impact of climate change and wildfires which NFRS officers had taken a leading role on the National Fire Chiefs Council. Protection of firefighters from contaminants was to be researched with financial support being agreed in principle by Cabinet.

Councillor Stewart was proud of the staff working within his portfolio who were extremely professional and a credit to the council. He introduced Deborah

Brown, Strategic Policy, Risk and Performance Officer and Graeme Binning, Chief Fire Officer to provide further information. Reference was made to the 4 year Community Risk Management Plan and the information on page 36 of the PowerPoint slides which the service would be focussing on in the next 12 months. (A copy of the presentation is enclosed with the signed minutes.)

a) Northumberland Fire and Rescue Service Annual Performance Report

The Chief Fire Officer presented the Northumberland Fire and Rescue Service Annual Performance Report 2023/24. He hoped that the report could be presented on annual basis, to give assurance to residents and the Council that the service was delivering the service that was required. He drew the committee's attention to information on page 61 of the papers which detailed priorities and outcomes in the NCC Corporate Plan 2023-26 and the scale of work undertaken by the service.

The Strategic Policy, Risk and Performance Officer highlighted the following:

- The incident profile for the identification of risks for 2022/23 (page 50) – the total number of incidents had increased by 25% over the last 10 years, following the national trend. Two risks were being closely monitored due to rising numbers of incidences and to understand the possible implications on resource:
 - Effecting Entry/Exit – Support provided to North East Ambulance Services in 2017/18 to use powers of entry mainly where there was a medical emergency.
 - Assist of Agencies.
- Monitoring of 22 core measures was carried out by the management team on a monthly basis, a quarterly Strategic Performance Board and the Assurance and Challenge Panel to ensure regular review.
- Response standards (page 55) – provision of the service in a large rural county was challenging and review of the standards and particularly those below target were to be undertaken as a priority of the Community Risk Management Plan 2022-26. However, implementation of actions within fire control had resulted in an improvement in CM17 (page 56) from 64.98% to 78.63% in June 2023.
- Analysis of the economic and social value of the NFRS was being undertaken with Nottingham Trent University and the service was participating in a pilot to support community and risk management planning.

The Chief Fire Officer referred to his vision and value of the NFRS and contribution to services provided by the county council, with a high level of integration. He was participating in work on the Inequality Strategy and had been co-opted on the Health and Well-Being Board.

Members welcomed the information, layout of the annual performance report and excellent service provided by the NFRS. The following points were raised:

- The icons for road traffic collisions and rescues on page 51 needed to be swapped.

- Clarification to be provided within the report that the total number of incidents could include more than incident type and therefore totaling the individual incidents would not equate to the figure provided.
- Civil Contingencies - Further information be provided on the Stronger Local Resilience Forum pilot and COMAH exercise.
- Whether further scrutiny was required of the NFRS core measures and Economic and Social Values toolkit. Reference was made to the recent introduction of additional scrutiny of the core measures by the Assurance and Challenge Panel which included elected members. It was therefore agreed that a summary report on core measures and the E&SV toolkit be provided to the committee when the next annual performance report was considered.
- Clarification was provided on the dangers of charging mobile phones, e-scooters and e-bikes *within* residential dwellings, particularly when this took place overnight.
- Bereavement services (Settld) provided by the Registration Service was sympathetic and helpful. Weddings also aided the visitor economy, and it was suggested that the service did not require scrutiny.
- NFRS had employed a dedicated Communications Officer as a result of comments made after the 2018 inspection by HMICFRS. This had raised the level of communication of key messages on social media by NFRS with articles planned on a 4-week basis. The benefits of this had been seen with 2,000 visitors to the open day at West Hartford Fire Headquarters which had solely been promoted on social media. Articles had also aided the recruitment of retained firefighters. Use of 'local' social media pages could be beneficial for very local issues and work would be undertaken to assess how these could be identified and best used.
- The difficult work undertaken by the Coroner Service was acknowledged. It was agreed that information recently considered by the Health and Well-Being OSC would be circulated to committee members before consideration of whether any further scrutiny was required.

RESOLVED that

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&SV toolkit.
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 :
 - Stronger Local Resilience Forum pilot and COMAH exercise.

17. LGSCO PUBLIC INTEREST REPORT

The committee were informed that a Public Interest Report had been issued by the Local Government and Social Care Ombudsman (LGSCO) in relation to a complaint raised by a neighbour of a residential property that had been

granted planning permission or a rear extension. (A copy of the report is enclosed with the signed minutes).

In accordance with Section 31(2) of the Local Government Act 1974, 'The report shall be laid before the authority concerned and it shall be the duty of that authority to consider the report and, within the period of three months beginning with the date on which they received the report, or such longer period as the Local Commissioner may agree in writing, to notify the Local Commissioner of the action which the authority have taken or propose to take.' Members were asked to consider recommendations made to rectify the situation in response to the Ombudsman's findings.

Judith Murphy, Development Management Area Manager (South East), provided a brief summary of the circumstances which had led to the complaint to the Ombudsman. She explained that a thorough assessment of the planning application had been carried out, but due to the number of householder planning applications, a very short report had been written which had not documented all of the material planning considerations that had been assessed. The Ombudsman had concluded that he was unable to determine whether those material considerations had been fully assessed as the report had not documented them all.

It was confirmed that revisions had been made to the Procedure Notes for Householder Applications to require within the documentation that the various elements of an application had been assessed, even if there were no concerns.

Members commented on the commitment required to take a complaint to the LGSCO as many were not progressed past the earlier stages. They welcomed the report; it was hoped that the actions that had been taken would lead to a reduction in complaints in the future.

It was suggested that the performance of the planning section should be reviewed, given the availability of staff, recruitment difficulties particularly with the numbers of planning applications as well as retrospective applications. It was recommended that a review should include development management, enforcement, legal and details of complaints at all stages of the process.

In answer to a question regarding recruitment on the fifth action on page 76 of the papers, the Development Management Area Manager, stated that the service had ran a number of recruitment exercises in recent months to address staffing vacancies with a limited number of applications. Consideration was being given to the reasons for this. The Chair referred to a workforce report considered by the Corporate Services and Economic Growth OSC and an explanation given by the Director of Workforce and Organisational Development that additional payments could be made in some technical areas although posts were governed by local government pay scales.

It was confirmed that LGSCO decisions of this nature, where a fault had been found with the process, were rare, particularly as over 3,500 planning applications had been received in the current year to date. Many complaints were not investigated as the complaint related to a grievance against the outcome or no fault had been found with the process.

It was believed that if the revised process had been in place for this application, the complaint to the LGSCO would have been dismissed as the planning report would have documented the assessment of all of the material planning considerations. The committee also noted the size of the payment that the LGSCO had recommended be made. It was not known which budget this had been paid from but there would be more significant costs against the Council on other cases and it was requested that information on these should be included in the review.

An additional amendment to the planning process required case officers to upload reports to the system, which were checked by a senior officer before a decision could be issued by the Central Registry team. It was believed that the additional safeguards within the process prevented a decision being issued without a case officer report being uploaded to the system. It was also confirmed that presentation of the report to the committee was within the time specified; the date of the LGSCO's email could be circulated if this was required.

RESOLVED that:

1. The LGSCO's Public Interest report (at Appendix A), be received. (The LGSCO has confirmed via email on 27th July 2023 that it is satisfied that the Council has completed all remedy actions as set out above, and that a report is to be considered by Members of Communities and Place Overview and Scrutiny Committee on 27th September 2023.)
2. The Communities and Place OSC noted that officers have acted on recommendations in the report in that:
 - a. Mr X has been sent a letter of apology and been paid the remedy of £300 in recognition of a degree of loss of his privacy, his time and trouble in bringing his complaint to our attention, and the disappointment and frustration caused by what has happened.
 - b. Discussed with the applicants the matter of attaching screening to the balcony, which has now been done. An offer of payment by the Council was made, however, the applicant had attached screening of their own volition;
 - c. Investigated the lack of response from enforcement and offered an apology for the delay. An enforcement officer met with the applicant to discuss the points of complaint made by Mr X around use of materials and concluded that whilst some materials used were slightly different to those approved, they were acceptable. Mr X was advised of this position;
 - d. Have reviewed the use of standard paragraphs within officer reports in line with the Ombudsman's recommendations and produced a revised procedure note;

- e. Recruitment and Retention has been a significant concern within the Planning Department for a long period of time. Recently, we have successfully recruited into a number of posts which is envisaged will assist with high workloads.
3. The revisions to the Council's policy (as set out at Appendix B), be noted.
4. A report on planning performance including numbers of applications, resourcing, enforcement including the legal process and costs of decisions against Council decisions.

18. 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 had been liaising with officers and Portfolio Holders regarding the presentations at the meeting in July and they would be scheduled at a time to when they would be most effective. An update on the Fix My Street system was to be considered at the next meeting in October.

The Chair reported that:

- A request had been received from Councillor Dodd, a former member of the committee, on a number of matters relating to resilience and these would be incorporated within the joint broadband review discussed earlier in the meeting.
- A response from Openreach to the report of the Storm Arwen Task and Finish Group sent to a dormant mailbox would be circulated to members of the committee.

In answer to a question, Councillor Mather, the Vice-Chair, agreed to raise the issue of contacting elected members in emergency situations when he met with the Business Resilience and Emergency Planning Lead to discuss rural communications.

Issues debated by members for possible inclusion in the work programme included:

- Issues with fleet services when a problem was discovered with a new vehicle had resulted in it being taken out of service for 14 weeks and returned to the manufacturer for modification works. Members had previously suggested the retention of older essential vehicles. Promotion of landowner responsibilities and the impact of fallen trees or lack of maintenance of private land which impacted on the highway network. It was agreed that a meeting would be arranged with the Director of Environment and Transport, Chair, Vice-Chair and Scrutiny Co-ordinator to consider the best way forward with details circulated to committee members by email in due course.

- Consideration be given to changes to policing arrangements when a response to correspondence to the Police and Crime Commissioner and Chief Constable for Northumbria Police was received.
- An update on progress of the Storm Arwen Action Plan. Feedback would be sought from members on the Openreach response, review of broadband and consideration be given to a standalone meeting.

RESOLVED that the work programme be noted.

CHAIR _____

DATE _____