



Northumberland

County Council

COUNCIL

DATE: 05 JANUARY 2022

REVIEW OF LOCAL AREA COUNCILS

Report of: Leader and Councillor Gordon Castle

1. Purpose of report

The report summarises the discussion and recommendations of the Local Area Council Chairs following a review of the current Local Area Council arrangements as requested by the Leader. Council is requested to consider and approve the recommendations within the report.

2. Background and Introduction

Local Area Councils ('LACs') form an important part of the decision-making structure. They have delegated responsibility for a range of functions where decisions are taken by local members, reflecting local circumstances.

The LACs have wider terms of reference than the previous Local Area Committees including a separate local planning authority decision role and recommending adjustments to budget priorities in relation to local transport plan issues within their area. They aim to empower citizens, strengthen communities, and improve services. They involve councillors for each particular area and their meetings are held in public and may move around venues in the area (pre-covid).

The five Local Area Councils are:

- North Northumberland
- Tynedale
- Castle Morpeth
- Ashington and Blyth
- Cramlington, Bedlington and Seaton Valley.

The LACs replaced Local Area Councils in May 2017. It was proposed that they would enable the Council to be more connected to its communities and would break up the existing centralised committee structure.

The LACs are timetabled to meet bi-monthly and set their own work programmes through a mix of "corporate" and local issues agreed at Local Area Council Chairs' meetings. The Local Area Council (Planning) Committees meet monthly to consider specific categories of planning applications as per the delegated scheme. These are separate to the above and are currently timed to meet concurrently when the bi-monthly dates coincide. In addition, there is a Local Area Council – North Northumberland (Right of Way) Sub-Committee meeting bi-monthly, although on separate days to the LACs.

Although principally set up to provide public engagement and some local decision making, their effectiveness is considered as mixed and variable. Whilst some meetings are well attended by public, particularly Ashington and Blyth, some others in the county are not well attended consistently. There are also operation issues which include timetable matters, overrunning of the statutory elements of Planning and inconsistency of agendas.

The Leader, at the Annual Council meeting in May requested a review of Local Area Councils be undertaken. Initial scoping was carried out by officers to aid discussion and LAC Chairs and Vice Chairs, at their meeting on 30 June were asked whether they wished to carry out the review themselves or allocate it to Scrutiny. Members agreed that LAC Chairs, rather than Scrutiny should carry out the review as they were involved in the process and had knowledge of the benefits and challenges faced in each particular area. Initial evidence was collected and, together with the comments made at that meeting, enabled the work to be scoped, terms of reference agreed and a work plan produced. A separate discussion was held with Planning Chairs and their recommendations are incorporated.

The current terms of reference of the Northumberland LACs, together with those of the area committees of similar authorities: Cornwall Council, Cumbria County Council, Durham County Council, Shropshire Council, and Wiltshire Council were considered. Although some operate exclusively as area planning committees, Cumbria and Wiltshire operate local committees with wide ranging terms of reference and, in the case of Wiltshire, a significantly extended membership to include several local stakeholders. Consideration of the terms of reference are part this review and will depend on recommendations agreed.

The Group considered allocated funding together with the political makeup of the above councils. It should be noted that at the time of writing, the AGMs of many of those Councils had either taken place or were scheduled and some of the figures provided may be subject to change. This review will also consider whether an allocation of a fixed budget may lead to greater local accountability and stakeholder participation.

The Group then agreed terms of reference of the Review and a Work Plan.

3. The Review

The Review was led by Councillor Gordon Castle and comprised of Councillors Grimshaw, Cessford, Hardy, Beynon and Swinburn and supported by Jackie Roll, Rob Murfin and Lesley Little.

A scoping exercise was carried out following the discussion at the Local Area Chairs' Briefing on 30 June. This exercise informed Members of the initial evidence collated from other authorities which, together with the comments made at that meeting, would aid Members in ensuring a robust examination was carried out.

Terms of Reference and a Workplan were produced to agree the areas for review, the desired outcomes and how other organisations, stakeholders and officers fitted into the process. The key drivers were, in summary, to learn from operational/stakeholder lessons and to look for opportunities to increase community engagement and transparency.

Terms of Reference of the Review

1. To investigate the current arrangements for LAC Meetings and highlight any issues of concern or best practice.

2. To report and make recommendations to Council

4. Key issues:

4.1 Venues:

LACs meet at various venues across the County (pre-covid). Covid apart, there has been some concern regarding the suitability of a number of venues, particularly where there is poor IT connectivity, parking, concerns around safety of travel to some areas during winter or inclement weather and confusion over the timing of meetings (considered separately). A key element of the review was to increase public engagement and participation in localised or specific community-based issues. It is the case however, issues with venue quality/location appear to deter greater attendance.

Where venues are available, they may be too small, have poor IT connectivity or have insufficient seating. The problem is compounded by the unavailability of school premises, as the timing of some planning meetings overlap the academic day. Parking can also be an issue at smaller venues. Where there is paid parking, there have been issues, Hexham for example, where meetings have overrun the time allowed or members arriving late and unable to find a parking space.

Members felt it was important to hold meetings in venues across Northumberland, but these needed to address the issues of concern above. Where agenda items/issues were of concern to specific communities, then a suitable venue in that area was preferred therefore some fluidity was required depending on agenda topics. It was noted that streaming or recording of the meetings was not possible in many venues.

RECOMMENDATION 1: A core list of suitable* venues be sourced and agreed for each sub area for LAC meetings**. These to be fluid according to the topics on the agenda. Other local venues be considered where appropriate.

*(*Suitability measures will include capacity, safety, IT provision, parking, location, accessibility etc. ** Planning LAC will use a centralised local venue consistently)*

4.2 Timing of Meetings

The timing issue occurs when the LACs and the LACs (Planning) meet on the same day. There can be occasions when the meetings are scheduled 2-3 hours apart, but problems have been experienced under the following two scenarios:

(a) The planning meeting finishes relatively quickly. This can result in members/officers/public waiting around for significant periods ahead of the start of the later meeting which causes complaints or lack of attendance from public. This is not an efficient or effective use of resources. Although scheduling can be amended prior to the despatch of the (Planning) agenda if there are few applications, this can cause some public confusion.

(b) Conversely, there is concern around the length of time some applications take to be determined, allowing for public speaking and debate. This has led to meetings overrunning past the start time of the following LAC meeting. Planning meetings cannot be “paused” for resumption at later date. There is often little time to set up for the following meeting and confusion and complaints from those waiting for the LAC meeting to start. During the agenda preparation process, consideration is given to how much time should be allotted to the meeting which often necessitates a change to the scheduled start time but again this is an estimate and can be very different on the day.

Whilst agreeing to a 6:00 p.m. start for LAC meetings to encourage more public participation, concern was voiced about Members and Officers travelling late in the evening in winter months. Whilst this may not pose a problem for the 3 urban LACs, it could be considered so for the North Northumberland and the Tynedale meetings which could be held in often remote venues accessed by minor roads.

RECOMMENDATION 2: Planning meetings to be held monthly at 2:00 p.m. and separate from LAC meetings which will be held bi-monthly on a separate date at 6:00 pm. At the Chair's discretion, an earlier or later start time be agreed and advertised in a timely manner.

RECOMMENDATION 2.1: The current temporary arrangement for a maximum of three substantive planning applications per LAC meeting be continued. A larger number of less controversial applications to be considered subject to Chair agreement.

4.3 Membership - Chairs and Vice-Chairs

Members considered whether there was a need to have two Vice-Chairs for each LAC and queried whether there was enough work to justify this. The Review Group were of the opinion that the Chair and one Vice-Chair could carry out the work of both LAC and LAC Planning meetings adequately. It was further suggested that the Vice-Chair could be more involved in engagement of residents and stakeholders and generating relevant issues for the agenda. This would save 5 x £3,645 Special Responsibility Allowances unless the Councillor already receives a higher SRA for another appointment.

Any implications for Special Responsibility Allowance would need to be considered by members and if agreed, considered by the Independent Remuneration Panel.
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RECOMMENDATION 3: That each LAC have a Chair and one Vice-Chair, noting that if agreed, any implications for Special Responsibility Allowances would need to be considered by the Independent Remuneration Panel .

4.4 Attendance by officers

It was suggested that often, significant numbers of officers attend the LAC meetings in the off chance that they may be asked a question, and this was considered an inefficient use of resources, it incurred extra travel which was contrary to the Climate Change Emergency designation and some venues have limited capacity. Meetings however need to be adequately supported and specialist questions responded to. The virtual meetings had

allowed more officers to take part or be called on when needed to provide advice. This may not always be possible once meetings return to being held in person in various venues. However, contact could be made via mobile phone or message.

RECOMMENDATION 4: where appropriate, specialist officers keep the meeting durations free of other commitments and be available to respond via zoom, email/message to support those officers present. However, where a specific specialist subject or question is expected, such as a highway issue on a planning application, then the relevant officer(s) would attend the meeting. Chairs could request a certain appropriate officer to be present and this would be discussed at the pre-meeting.

4.5 Refreshments

Currently, tea, coffee and biscuits are provided at LAC meetings. This is funded by the Democratic Services budget and staff from Democratic Services transport and arrange the refreshments and wash up afterwards. Again, this is not considered to be an efficient use of resources, both staff and cost.

RECOMMENDATION 5: that refreshments no longer be provided at LAC / LAC Planning meetings.

4.6 Encouraging Increased Public Involvement

The Group discussed ways of increasing involvement of public and Town and Parish Councils and other organisations either to update on local issues or discuss issues affecting their particular area. It was noted that members of the public only attended LACs when there were contentious planning applications or issues on the agenda and more needed to be done to attract communities to become more involved.

Members considered whether an allocated budget would encourage more involvement in local schemes. Issues with the application process for Community Chest applications was highlighted with varying numbers of applications being received in different areas (dealt with elsewhere).

Consideration was given to co-opting representatives of local bodies or groups onto the LACs or issuing targeted invitations to meetings depending on issues to be discussed. The Group did however feel it would be beneficial for Town and Parish Councils to be contacted prior to the meeting for any local issues or questions (through the Chair) to be asked. It was also agreed that locality officers were well placed to suggest issues of concern or for discussion in their areas.

Members unanimously agreed that a 'Public Question Time' similar to that at Council be introduced. Questions would be requested in advance in order for the correct person to attend to answer or for a response to be prepared. Supplementary questions would be allowed, recognising that a written response may be required. The questions would be time limited and subject to agreement of the Chair as to their suitability. The session would be carefully managed.

Regarding Council services outwith Local Services, the Group felt that information sessions/ presentations from other services would help public have a greater understanding of how the Council works. This could be linked to one of the open training sessions.

The LAC is also considered an appropriate vehicle at which to discuss amendments to specific decision-making systems, and the public guidance to be made available to support their introduction. This was felt to also be a key opportunity to discuss new complaint/service request systems and to provide overview reporting on a quarterly basis.

RECOMMENDATION 6:

6.1 Representatives of local bodies, Partners and other organisations be invited as and when appropriate.

6.2 The Town and Parish Councils be made aware of the timetable of meetings and invited to submit issues for discussion or questions to the Chair for consideration, with emphasis on receiving the questions in advance.

6.3 A time limited Public Question time be introduced with clear procedures to follow.

4.7. Service Requests

Members expressed concern at the lack of response and information regarding requests and submitted schemes.

Local Services for example, receive a very large volume of service requests for various areas of the service. These are not always closed off or the resident/Town and Parish Councils or local member informed of progress or outcome. The Group agreed that it would be useful if a revised online system would identify where requests were in the system and inform all parties of the outcome of their request by use of a standard pro-forma report.

Members discussed whether there was a decision-making role for the LACs in considering service requests (subject to legislation and any technical evidence/officer advice). There could be incidents where a scheme may not be regarded as high priority from an operational perspective, but the LAC may concur that a specific request should be regarded as a priority. The LAC would make any such decision in the knowledge that other schemes may need to receive a consequential lower priority as a result.

The Group also felt that the LTP process was somewhat prolonged and criteria for decisions sometimes unclear. A revised system would not be a 'free for all' but a structured, strategic approach which clearly demonstrated those requests accepted, dealing with any urgent requests and those deemed unjustified, giving the criteria and reasons behind the decision. There was also a need to consider the financial viability of proposals and budgetary implications and how this would feed into the Capital Programme. Expectations had to be managed.

Members felt the LACs, as well as local members had a role to play in informing the LTP and decisions affecting their area, and this may increase public interest and participation.

Further, there needed to be collaboration and balance between ward members regarding schemes in their areas. An example was given of double yellow lines or resident parking displacing the problem to other streets. The LAC could consider the wider implications for their area, whilst taking account of professional advice.

It was agreed that the website could give much more information about relevant criteria, legislation and guidance which may reduce the number of service requests and queries from the public and Members. Case studies and worked examples on the website would give useful information.

It was also agreed that a monthly update of service requests be produced and easily accessed and that the Director of Planning and Local Services, Chair and Vice Chair of the LACs decide which schemes are to be referred to Committee and which can be decided by delegation.

RECOMMENDATION 7 that:

- (i) ***An online tracker and case closure system be devised which identifies prioritisation criteria and informs members and the public of:***
- ***Progress of the approved schemes within the system***
 - ***Urgent items agreed to be progressed***
 - ***Scheme requests which will not be supported and reasons why.***
- (ii) ***A factual report be prepared for consideration and seeking approval to the Director of Planning and Local Services, Chair and Vice Chair of the LACs to decide which schemes are to be referred to Committee and which can be decided by delegation with clear criteria and justification.***
- (iii) ***A programme of training be provided to all Local Area Councils in due course. Initially, identified subjects to include the evaluation of highway safety schemes (including speed controls) and highway design in relation to new developments.***

4.8 Local Events:

Members discussed the lack of contact with local members about events in their areas and several examples were given where residents had asked for information or objected to certain events about which the local member or Town and Parish Councils had no prior knowledge. There was no requirement on the SAG form to do so as neither local Members nor Town and Parish Councils were listed as consultative bodies. However, it was felt both courteous and essential that this be addressed urgently. It was suggested that the requirement be included in the Town and Parish Charter as part of the ongoing review. The Charter is reviewed as is custom at the start of each Administration and is currently being updated.

RECOMMENDATION 8: that the Charter reflects any changes to LACS.

4.9. Budgets

Members accepted that no new budget provision would be supported but discussed whether the current Community Chest and Member Small Scheme budgets could be administered differently to allow more flexibility. The Group were informed of the difference between the two schemes and considered a detailed briefing note providing information about the current operation, communication and promotion and application process of the Community Chest Scheme.

It was reported that the scheme worked better in some areas than others. The Community Chest Scheme worked well in the Tynedale area with a 5 Member Panel, and it was suggested this should remain.

In general terms the two schemes co-exist. However, in essence the schemes are seeking to achieve two different things with one in the main supporting the Voluntary and Community sector (Community Chest) and MLIS focussing mainly on Local Services schemes and issues. It was suggested that the MLIS lower limit of £2,000 could prevent a number of smaller groups benefiting from the scheme if they wished to apply for a smaller amount.

There is scope for both to contribute to the same outcome, although this did not happen very often and was highlighted as a potential issue in the 2018 audit. Where MLIS is mentioned in a Community Chest application, Members were reminded about excessive generosity from the Council and criticism of 'double funding'.

It was suggested that the only way the two schemes could work together more effectively is if they had a single overview and line management, however this would be difficult because of their orientation: one is very VCS and the other very Local Services and could have a major impact on capacity and resourcing.

It is essential that Members were aware of the Corporate Priorities on an annual basis and consider local priorities accordingly.

RECOMMENDATION 9 that

(i) The following changes to the Community Chest Scheme be considered:

- ***Discretion around 75% intervention rate and 5k upper limit for each LAC***
- ***Discretion to fund revenue, including staff costs, within defined limits, e.g., no more than 50%, must be additional cost and not a running cost, and within the 12-month limit.***
- ***Remove Help For You from the Scheme - since the change to organisations applying on behalf of a young person, interest has dropped off almost to zero.***
- ***No longer offer a certificate for every grant awarded and instead recognise a handful of exceptional projects in each area and build comms around them.***
- ***The application form be simplified and an online version be re-introduced.***

- **FAQ added to Website**
- **Include member responsibility to promote the scheme in the terms of reference for the LACs. Chair of each grant panel to report back to the LAC following each round. Short annual report for each LAC replacing an annual report for the whole scheme.**

(ii) Members be given a clear understanding of the criteria and limits of the two schemes.

(iii) Members receive regular reports of those benefitting from funding.

(iv) Any provisions introduced under Recommendation 9 (I-III) shall be reviewed 12 months after a 12-month period.

5. LAC Planning meetings

Discussions were held with Planning Chairs/Vice Chairs where several issues were raised.

5.1 Frequency/coverage of meetings

The LACs, when meeting as area planning councils are also mixed, with some areas considering very few applications.

Planning Applications Considered

	2017/18	2018/19	2019/20	2020/21
Ashington/Blyth	14	7	10	1
Castle Morpeth	34	32	38	12
Cramlington, Bedlington and Seaton Valley	10	10	5	0
North Northumberland	57	68	34	11
Tynedale	22	36	40	10

Members agreed that the LACs are an important part of transparent democracy in the planning process, but they should not be used for matters that are uncontroversial or raise no wider issues. Northumberland has the largest geographic area of any County and has the most planning committees. This process is transparent and is useful for addressing any subsequent LGO complaints. Some members suggested that the delegation scheme should allow more applications to be determined locally.

In order to aid the delivery of work programmes/performance and to allow the new Local Plan to guide the majority of decisions,

RECOMMENDATION 10:

(i) The current “Delegated Reports” approach continue after the pandemic. This will be circulated for Chairs and/or Vice Chairs along with Chief Planner (or deputy) for agreement as to whether the application will be delegated, or committee based.

(ii) Additional guidance to be provided to all members on suitable grounds for “calling in” applications

5.2 Timescale/duration of meetings

As reported earlier, often LAC Planning meetings become protracted, although the opposite could also be true causing confusion to the public.

RECOMMENDATION 11.1: The agenda be limited to three substantive applications per meeting unless the Chair decides otherwise. This would allow both single-item sessions for matters of high public interest and a larger number of minor schemes to be considered.

RECOMMENDATION 11.2: All Planning LAC meetings will be streamed on the County Council Youtube Channel. Recordings will be retained for public viewing for a period of two weeks

5.3 “No Business” Cancellations

Some Planning LAC meetings have been cancelled due to lack of suitable applications, and it was suggested that the time could be used beneficially such as for training sessions. Members felt they would benefit from a range of information session, for example planning appeals won and lost and the criteria / reasons leading to the decision; any changes to legislation or guidance or any other training aimed at improving their knowledge and experience.

RECOMMENDATION 12: The cancellation of meetings to be agreed with the Chair/Vice Chair which will allow consideration of possible alternate uses for the time slot such as training.

5.4 Public Speaking

Currently, the planning meeting arrangements allow 5 minutes for the supporters, 5 minutes for the objectors and 5 minutes for the local member to speak but at the Chair’s discretion agreed in advance, more than 5 minutes can be allowed for public speaking. It was agreed that this needed to be caveated that this was not an opportunity for the same issue to be raised again or concerns to be duplicated. Also, this time needed to be subject to an overall limit, and then only for the more **significant applications**. A similar extension would be offered to all parties in those circumstances.

RECOMMENDATION 13: that, at the Chair’s discretion be limited to 10 minutes total objector/supporter speaking, and then for only the most significant or locally controversial applications. No individual will receive more than 5 minutes speaking time. Any arrangement for an extension of the normal five-minute limit to be 24 hours agreed in advance of the meeting, and the specific arrangements introduced before the specific application is presented by officers.

5.5 Questions to Speakers/Applicant from members

Members agreed that sometimes a simple question can clarify an issue. This should not be an invite to “restate opposition” but to clarify the understanding of the Committee. This should always be through the Chair and used only where there is a clear need to clarify

a **precise** question. This can sometimes avoid a refusal if the applicant can provide simple information to clarify an issue or confirm they would accept a new condition.

RECOMMENDATION 14: that questions (not statements) from Members to speakers and/or applicants in order to clarify a precise point be allowed, through the Chair who must agree to such questions. This would be limited to no more than two minutes for the question and answer.

5.6 Enforcement and use of conditions

The Committee requested more direct involvement and training on enforcement matters.

RECOMMENDATION 15: That once the local Plan is adopted, direct training on Enforcement and Use of Conditions to initially be provided via the full review of the Northumberland Local Enforcement Strategy, and this will include new decision-making systems for expediency and action triggers.

5.7 S106 agreements and developer contributions

Members requested that the future planning reports have a clearly delineated section on developer contributions and apportionments. This was regarded as being particularly significant in terms of the type/size and tenure of affordable housing secured by s106. This element can be introduced when the Local Plan is adopted as a new system will need to be implemented

RECOMMENDATION 16 that once the Local Plan is adopted,

(i) future planning reports have a clearly delineated section on developer contributions and apportionments.

(ii) training be provided on this issue.

5.8 Training

Planning legislation and guidance is faced with almost continual change/turmoil, and there will be a particularly intensive period triggered by changes introduced by the new NPPF (with its emphasis on significantly improving design), the new Local Plan, the "First Homes" agenda, biodiversity net gain, climate change legislation and the looming Planning White Paper proposals. It was essential that Members were kept up to date with such changes.

RECOMMENDATION 17:

(i) Once per quarter, each LAC receive a short update/training session. This would supplement rather than replace the need for wider and mandatory training sessions and could be open to the public and Parish and Town Councils depending on the subject.

(ii) Further training on "management" of planning committees, including member tactics, discretion and options (such as requesting a deferral) can be delivered in closed sessions which could be delivered virtually to reduce costs.

5.9 Rights of Way applications

Currently, there is a Local Area Council – North Northumberland (Right of Way) Sub-Committee meeting bi-monthly, although on separate days to the LACs.

RECOMMENDATION 18: RoW applications to be considered at Planning meetings, except for the North Northumberland who will continue with their current RoW Sub-Committee due to the level of applications in that area.

Author and Contact Details

Rob Murfin Rob.Murfin@northumberland.gov.uk

Jackie Roll 01670 622603 Jackie.Roll@northumberland.gov.uk