



NORTHAMPTON
BOROUGH COUNCIL

CABINET AGENDA

Wednesday, 23 September 2020

This meeting will be held remotely via Zoom at
<https://www.youtube.com/user/northamptonbcTV>
At 6:00 pm

Members of the Cabinet:

Councillor: Jonathan Nunn (Leader of the Council)

Councillor: Phil Larratt (Deputy Leader)

Councillors: Mike Hallam, Tim Hadland, Stephen Hibbert, Brandon Eldred, Anna King and James Hill.

Chief Executive

George Candler

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837722

PORTFOLIOS OF CABINET MEMBERS

| CABINET MEMBER | TITLE |
|----------------------|---------------------------------|
| Councillor J Nunn | Leader |
| Councillor P Larratt | Deputy Leader |
| Councillor M Hallam | Environment |
| Councillor B Eldred | Finance |
| Councillor T Hadland | Regeneration and Enterprise |
| Councillor S Hibbert | Housing and Wellbeing |
| Councillor A King | Community Engagement and Safety |
| Councillor J Hill | Planning |

SPEAKING AT CABINET MEETINGS

Persons (other than Members) wishing to address Cabinet must register their intention to do so by 12 noon on the day of the meeting and may speak on any item on that meeting's agenda.

Registration can be by:

Telephone: (01604) 837722
(Fax 01604 837057)

In writing: Democratic and Member Services Manager
The Guildhall, St Giles Square, Northampton NN1 1DE
For the attention of the Democratic Services Officer

By e-mail to democraticservices@northampton.gov.uk

Only thirty minutes in total will be allowed for addresses, so that if speakers each take three minutes no more than ten speakers will be heard. Each speaker will be allowed to speak for a maximum of three minutes at each meeting. Speakers will normally be heard in the order in which they registered to speak. However, the Chair of Cabinet may decide to depart from that order in the interest of hearing a greater diversity of views on an item, or hearing views on a greater number of items. The Chair of Cabinet may also decide to allow a greater number of addresses and a greater time slot subject still to the maximum three minutes per address for such addresses for items of special public interest.

Members who wish to address Cabinet shall notify the Chair prior to the commencement of the meeting and may speak on any item on that meeting's agenda. A maximum of thirty minutes in total will be allowed for addresses by Members unless the Chair exercises discretion to allow longer. The time these addresses take will not count towards the thirty minute period referred to above so as to prejudice any other persons who have registered their wish to speak.

KEY DECISIONS

 denotes the issue is a 'Key' decision:

- Any decision in relation to the Executive function* which results in the Council incurring expenditure which is, or the making of saving which are significant having regard to the Council's budget for the service or function to which the decision relates. For these purpose the minimum financial threshold will be £250,000;
- Where decisions are not likely to involve significant expenditure or savings but nevertheless are likely to be significant in terms of their effects on communities in two or more wards or electoral divisions; and
- For the purpose of interpretation a decision, which is ancillary or incidental to a Key decision, which had been previously taken by or on behalf of the Council shall not of itself be further deemed to be significant for the purpose of the definition.

**NORTHAMPTON BOROUGH COUNCIL
CABINET**

Your attendance is requested at a meeting to be held:
in This meeting will be held remotely via Zoom at
<https://www.youtube.com/user/northamptonbcTV>
on Wednesday, 23 September 2020
at 6:00 pm.

**George Candler
Chief Executive**

AGENDA

- 1. APOLOGIES**
- 2. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE IF NECESSARY**
- 3. DEPUTATIONS/PUBLIC ADDRESSES**
- 4. DECLARATIONS OF INTEREST**
- 5. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES**
- 6. WEST NORTHAMPTONSHIRE STATEMENT OF COMMUNITY INVOLVEMENT**
🔑 (Copy herewith)
- 7. REALIGNMENT OF THE REVENUE AND BENEFIT SERVICE**
🔑 (Copy herewith)
- 8. EXCLUSION OF PUBLIC AND PRESS**

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

SUPPLEMENTARY AGENDA

**Exempted Under Schedule
12A of L.Govt Act 1972
Para No:-**

Appendices



NORTHAMPTON
BOROUGH COUNCIL

CABINET REPORT

| | |
|---------------------|---|
| Report Title | West Northamptonshire Statement of Community Involvement |
|---------------------|---|

AGENDA STATUS: PUBLIC

| | |
|------------------------------------|---------------------------------|
| Cabinet Meeting Date: | 23 rd September 2020 |
| Key Decision: | YES |
| Within Policy: | YES |
| Policy Document: | YES |
| Service Area: | Planning |
| Accountable Cabinet Member: | Councillor James Hill |
| Ward(s) | All |

1. Purpose

- 1.1 This report is seeking Cabinet approval for the draft Statement of Community Involvement for the West Northamptonshire Strategic Plan to go out to public consultation.

2. Recommendations

- 2.1 It is recommended that Cabinet approve the draft West Northamptonshire Statement of Community Involvement for public consultation.

3. Issues and Choices

3.1 Report Background

- 3.1.1 On behalf of this Council, Daventry District Council and South Northamptonshire Council, the West Northamptonshire Joint Planning Unit is producing the West Northamptonshire Strategic Plan to replace the West Northamptonshire Joint Core Strategy, adopted 2014. It is intended that the Strategic Plan will set a spatial vision and strategic planning policies for West Northamptonshire for the period to 2050.
- 3.1.2 There is a legal requirement (Section 18 of the Planning and Compulsory Purchase Act 2004) for local planning authorities to produce a Statement of Community Involvement (SCI) setting out how the local community, business and other organisations can engage with the planning system including planning policies such as the Strategic Plan.
- 3.1.3 This Council, Daventry District Council and South Northamptonshire Council each have their own existing SCIs. From a planning policy perspective, these were largely developed to cover the preparation of their respective Local Plan Part 2s. It is now considered necessary to have a joint SCI adopted by all three councils to set out the approach to engagement for the Strategic Plan
- 3.1.4 Production of the Strategic Plan is in its early stages. It is intended that the next stage of preparing the Strategic Plan, public consultation on Options, will take place in the New Year and it is considered necessary to have an SCI agreed by all three councils before that consultation can take place.

3.2 Issues

- 3.2.1 The draft West Northamptonshire SCI is attached at Appendix A. It deals solely with the preparation of the West Northamptonshire Strategic Plan. It is anticipated that West Northamptonshire Council will, in due course, produce a single SCI for the whole area covering all planning processes.
- 3.2.2 The draft SCI sets out clearly the national context for producing it in terms of government guidance and legal requirements as well as the local context in terms of existing Local Plans and governance arrangements.
- 3.2.3 It also sets out how the Councils will consult on the Strategic Plan at all stages in the preparation of the Plan, engaging with relevant stakeholders, making efforts to engage with parts of the community that are not always adequately represented and maximising the use of email and social media to make involvement easier, quicker and more cost effective whilst recognising that not everyone has access to the internet.
- 3.2.4 The draft SCI sets out in detail how the Strategic Plan will be publicised at each stage including internet and social media, local media (including newspapers and local radio), presentations, public exhibitions, workshops, surveys and questionnaires as well as engagement with town and parish

councils, neighbourhood forums and other existing community forums. It also sets out:

- how long the Councils will consult for (six weeks);
- how comments can be submitted;
- how the councils will feed back on consultation responses; and
- how the councils will keep people informed of progress on the Strategic Plan.

3.2.5 There is an additional section on dealing with extraordinary circumstances should a situation arise where the local authorities are not able to implement normal consultation or engagement activities.

3.2.6 For public consultation on the draft SCI to go ahead, it has to be agreed by each of the three councils. The draft SCI is to be considered at the 9th September 2020 meeting of Daventry District Council's Strategy Group and the 22nd September 2020 meeting of South Northamptonshire Council's Planning Policy and Regeneration Strategy Committee. An update on the outcomes of those meetings will be provided at this meeting.

3.2.7 It is proposed that a six-week period of public consultation on the draft SCI starts in October 2020 simultaneously across the administrative areas of Northampton Borough Council, Daventry District Council and South Northamptonshire Council. Precise dates for the consultation will be agreed between officers of the three councils.

3.3 Choices (Options)

Option 1 – approve the draft West Northamptonshire SCI for public consultation

3.3.1 Provided it has already been approved for consultation by Daventry District Council and South Northamptonshire Council, public consultation can take place for six weeks commencing in October 2020. This will allow sufficient time for the responses to be considered and for the SCI to be adopted by the three Councils. Having the SCI in place will then allow the three councils to carry out Options consultation on the West Northamptonshire Strategic Plan which it is envisaged will take place early in the New Year.

Option 2 – do not approve the draft West Northamptonshire SCI for public consultation

3.3.2 If the draft SCI is not approved for public consultation now, this means that further consultation on the West Northamptonshire Strategic Plan could not take place early in the New Year as there would not be time to adopt the SCI in advance of date envisaged for the Options consultation on the West Northamptonshire Strategic Plan.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 The proposed public consultation on the draft West Northamptonshire Statement of Community Involvement does not, of itself, set policy. However, if the SCI is subsequently adopted by the Council, it would set policy for how stakeholders are engaged in consultation for the West Northamptonshire Strategic Plan.

4.2 Resources and Risk

- 4.2.1 The proposed public consultation on the SCI has been factored into the West Northamptonshire Joint Planning Unit's budget as part of its normal business. There are adequate staffing resources for this project.
- 4.2.2 The main risk is that one of three partner councils does not agree to go ahead with the public consultation. Without the agreement of all three partner councils, public consultation cannot go ahead.

4.3 Legal

- 4.3.1 It is a legal requirement for local planning authorities to have a Statement of Community Involvement in place. Following public consultation on the draft document, and if it is subsequently adopted, this will mean that there is an up-to-date set of criteria for carrying out public consultation on the West Northamptonshire Strategic Plan.

4.4 Equality and Health

- 4.4.1 An Equality Impact Assessment Screening analysis revealed that it was not necessary to proceed to a full impact assessment.

4.5 Consultees (Internal and External)

- 4.5.1 The West Northamptonshire Strategic Programme Board, consisting of officers from this Council, the West Northamptonshire Joint Planning Unit, Daventry District Council, South Northamptonshire Council and Northamptonshire County Council, has overseen the production of the draft SCI. The proposed public consultation will be an opportunity for stakeholders and the general public to influence the content of the SCI.

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 By providing a clear set of criteria for consultation on the West Northamptonshire Strategic Plan, the SCI, if approved, will ensure that stakeholders and local communities have the best possible opportunity to help shape the development of West Northamptonshire to 2050. This should help to deliver more homes, empower local people and build a stronger economy.

4.7 Environmental Implications (including climate change issues)

- 4.7.1 There are do direct environmental implications arising from the proposed public consultation on the draft SCI. However, if the SCI is adopted, this will give people the opportunity to shape the West Northamptonshire Strategic Plan which will have environmental implications for West Northamptonshire.

4.8 Other Implications

- 4.7.1 None.

5. Background Papers

Appendix A – Draft West Northamptonshire Statement of Community Involvement

6. Next Steps

- 6.1 If public consultation on the draft SCI takes place, the responses will be analysed, and a final version will be taken to Full Council meetings of this Council, Daventry District Council and South Northamptonshire Council for adoption.

Peter Baguley
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**Consultation on a
Statement of Community Involvement
for the
West Northamptonshire Strategic Plan
September 2020**



South
Northamptonshire
Council



CONSULTATION ARRANGEMENTS

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CONSULTATION ARRANGEMENTS

This draft Statement of Community Involvement (SCI) has been agreed as a consultation document by Daventry District, South Northamptonshire and Northampton Borough Councils.

It is subject to a six week public consultation period.

The purpose of the consultation is to seek the views of those who work and live in the area and any other interested parties on the content of the SCI.

The consultation is open from ?? to ??

This document is available online at www.westnorthantsplan.inconsult.uk

You can make your representation:

- Online at www.westnorthantsplan.inconsult.uk
- By email westnorthantsjpu@northampton.gov.uk
- By Post: West Northamptonshire Joint Planning Unit,
The Guildhall
St Giles Square
Northampton
NN1 1DE

All comments received will be carefully considered by the Councils and changes may be made as a result, before a final version of this SCI is agreed.

1. INTRODUCTION

1.1 What is the Statement of Community Involvement in Planning?

1.1.1 This Statement of Community Involvement (SCI) sets out how Daventry District, South Northamptonshire District and Northampton Borough Councils (referred to as ‘the Councils’), and shortly¹ the West Northamptonshire (Unitary) Council will engage stakeholders and the public in the production of the West Northamptonshire Strategic Plan (WNSP).

1.1.2 The SCI describes how the Councils will ensure that the public, businesses, landowners, developers, adjoining local authorities, government agencies and any other individuals, groups and organisations within and with an interest in, the local authority areas can get involved in the creation of the WNSP aiming at shaping where we live, work and trade.

1.2 Why do we have a Statement of Community Involvement?

1.2.1 There is a legal requirement on Local Planning Authorities (LPAs) to undertake public consultation on local plans. It is important that they provide engagement that is effective and that is undertaken in a cost-effective, efficient and proportionate manner.

1.2.2 This SCI sets out how the Councils will do this and will establish a minimum standard of consultation and publicity.

1.2.3 The production of an SCI is required by the Planning and Compulsory Purchase Act 2004.

1.3 Why is community involvement in planning important?

1.3.1 The planning system affects everybody who lives, works in or visits the area. It balances competing land uses and sets out the vision for how communities will be enhanced. Local communities, businesses and other organisations can contribute to this process and it is important that they are involved at an early stage and throughout the plan making process to help inform how the area might evolve and develop over time.

1.4 Why is a new Statement of Community Involvement being prepared?

1.4.1 The Councils each have their own existing SCIs² adopted on various dates. These have largely been developed to cover the preparation of their part 2 plans³ that were, at the time, the key planning policy documents being produced by each of the Councils. The Councils are now embarking on a new strategic plan for West Northamptonshire, which in its early stages has been produced by the West Northamptonshire Joint Planning Unit working on behalf of the three authorities, but in its latter stages will be produced by the new unitary West Northamptonshire Council. This new SCI needs to set out the approach to engagement on this plan.

¹ The West Northamptonshire Council will commence on 1st April 2021.

² Daventry District Council’s SCI was adopted in May 2017

Northampton Borough Council’s SCI was adopted in 2018

South Northamptonshire District Council’s was adopted in June 2019

³ The Part 2 plans for each of the councils supplement the West Northamptonshire Joint Core Strategy adopted in December 2014.

1.5 What is the scope of this SCI?

1.5.1 This SCI deals solely with the preparation of the WNSP. The existing SCIs for the three districts, have different scopes, and as noted above are of differing ages. These will remain in place until such time as they are reviewed: they are supplemented by this new West Northamptonshire SCI. It is anticipated that the West Northamptonshire authority will, in due course, produce a single SCI for the whole area covering all planning processes.

1.6 Does this West Northamptonshire SCI replace the existing SCI's for each of the Districts?

1.6.1 As per 1.5 above this new SCI sits alongside the existing SCIs, it does not replace them.

2 CONTEXT

2.1 The National Context

2.1.1 The Localism Act (2011) and the National Planning Policy Framework provide flexibility in determining who, when and how Councils should consult and publicise information. However whilst there is flexibility, it is a requirement that the legislation and regulations are complied with, the key elements of this are:

Localism Act 2011

2.1.2 The Localism Act 2011 includes a duty to co-operate whereby the Councils have to engage with specified partners, such as neighbouring authorities and other statutory bodies.

2.1.3 It also provides for the production of neighbourhood development plans. Production of a neighbourhood plan provides local communities with a greater say in deciding how planned development is accommodated in their area. It is for those preparing a neighbourhood plan to decide how best to consult during the preparation of the document, but they must comply with the Neighbourhood Planning Regulations in place at the time.

The Town and Country Planning (Local Planning) (England) Regulations 2012

2.1.4 The 2012 regulations set out the procedures to be followed, and provide for the use of electronic communications. They have in part been superseded by more recent regulations.

National Planning Policy Framework and National Planning Practice Guidance

2.1.5 The latest version of the National Planning Policy Framework was published in February 2019. It sets out the government's vision for the planning system, including how plans should be prepared and how planning policies should be applied in managing development. Local Plan policies must comply with this national framework. The Government also publishes National Planning Practice Guidance (NPPG), which gives further guidance and advises on how local authorities are expected to prepare local planning documents and implement Government Policy. This is updated from time to time.

2.1.6 The NPPF highlights the importance of engagement with the community in plan-making (Paragraph 16 C) and decision taking (paragraph 39). It also promotes a plan-led system and re-iterates the duty to co-operate on planning issues that cross administrative boundaries,

particularly those related to the strategic priorities, including the homes and jobs needed in the area.

2.2 The Local Context

2.2.1 In December 2014 the West Northamptonshire Joint Core Strategy (Local Plan Part 1) was adopted by the West Northamptonshire Joint Strategic Planning Committee. This committee has since been revoked by Government, and the responsibility for plan making has fully reverted to the three Councils. That Core Strategy sets out the long term vision and objectives for the whole of West Northamptonshire including the areas of Daventry District, Northampton Borough and South Northamptonshire for the plan period up to 2029, including strategic policies for steering and shaping development.

2.2.2 The Core Strategy provides a strategic framework to guide the preparation of the part 2 plans for each the districts. These have progressed as follows:

- Daventry District – DDC adopted the Settlements and Countryside (Part 2) local plan in February 2020
- South Northamptonshire – SNC adopted the South Northamptonshire Local Plan (Part 2) in July 2020.
- Northampton Borough – a second round of public consultation on the Proposed Submission version of the Northampton Local Plan Part 2 started in July 2020

2.2.3 The Core Strategy was five years old in December 2019. Ahead of that date work started on a new plan; the West Northamptonshire Strategic Plan. Consultation was undertaken on an issues document in autumn 2019.

2.2.4 Due to the revocation of the Joint Committee, the plan has been progressing through the governance arrangements of the three individual authorities whilst working closely together, including through the West Northamptonshire Joint Planning and Infrastructure Board.

2.2.5 The later stages will be governed by the West Northamptonshire Council.

3 WEST NORTHAMPTONSHIRE STRATEGIC PLAN

3.1 How will the Councils consult on the Strategic Plan?

- 3.1.1 The Councils will give those with an interest in development in the area the opportunity to have their say on the Strategic Plan.
- 3.1.2 The West Northamptonshire Joint Planning Unit is preparing the WNSP on behalf of the Councils and will lead on the engagement activities.
- 3.1.3 It is recognised that some parts of the community are not always adequately represented such as BAME, the young and the elderly. The Councils will work closely with relevant organisations that have experience in a particular matter to find the best way of consulting and liaising with these groups.
- 3.1.4 In preparing the plan, the Council's will engage with relevant stakeholders and gather evidence. They will prepare a Consultation Statement at each stage⁴ setting out how this has been done, and how issues that have been raised have been considered in preparing the plan.
- 3.1.5 The Councils will maximise the use of email and social media to make involvement easier, quicker and more cost effective. The Councils are keen to explore new methods of communication and engagement with local communities, recognising that e-communications are the most appropriate way of publicising information on all aspects of the planning service to the widest possible number of people and organisations. However, the Councils will also take reasonable steps to ensure that sections of the community that do not have internet access are involved.

3.2 What are the consultation stages on the Strategic Plan?

- 3.2.1 Each stage of the plan making process is considered in turn below – a diagram showing the progression of the plan through its various stages can be seen at Diagram 1 below. The planned timing of each stage can be found in the Local Development Scheme.
- 3.2.2 In addition to the consultation requirements, the Councils are required by virtue of the duty to co-operate (Localism Act 2011) to engage constructively and actively with other local authorities and other bodies set out in the regulations as set out in the Duty to Co-operate section below (3.2.14-3.2.17).
- 3.2.3 A timetable for preparing the plan is set out in the West Northamptonshire Local Development Scheme, which is available on the West Northamptonshire Joint Planning Unit's website. This will be updated from time to time.

Issues and Options Stages

- 3.2.4 The regulations are quite flexible regarding how this stage of plan-making is undertaken. The Councils took the view that involving the communities and stakeholders from the outset was important and therefore separated the Issues and Options into two stages, thus feedback from the Issues stage could help inform the development of Options.
- 3.2.5 The Issues stage was undertaken in autumn 2019.

⁴ i.e. Regulation 18 and Regulation 19 stages

3.2.6 Whilst, as noted above, the regulations are quite flexible, it is a requirement that the 'specific' and 'general' consultation bodies are notified of the Council's intentions to prepare a plan and to invite comments on what it ought to contain. These bodies are identified in boxes 1 and 2 below. These bodies were notified of the Issues consultation, and will be notified of the Options consultation.

Draft Document.

3.2.7 There is no requirement to produce a draft plan, therefore there are no regulations setting out who to consult. The Councils will however, consult:

- The specific consultation bodies set out in box 1 below
- The general consultation bodies set out in box 2 below
- Everyone on the Council's Strategic Plan database - box 3 below

Proposed Submission Plan

3.2.8 For the submission stage of the plan there are requirements (regulation 19) to make the plan available and to notify the general and specific consultation bodies that the plan is available (boxes 1 and 2 below).

3.2.9 The Councils will in addition notify everyone whose contact details are on the Councils' local plan database (box 3).

Examination

3.2.10 Following the stages above the Councils submit the Local Plan to the Secretary of State together with the representations received at the Regulation 19 stage. The submitted document, and the representations received, will be considered by a Planning Inspector at an independent examination. The Councils will notify the specific and general consultation bodies who were invited to make representations at earlier stages, and all those who have requested to be notified, of this stage.

3.2.11 Those individuals and organisations that have made representations may be invited by the inspector to submit a written statement during the examination. Individuals and organisations that made an objection to the document and have requested to speak at the examination will be contacted by the Inspector to be informed of the procedure for being heard.

3.2.12 As part of the Examination process there could be further consultations, for example on Main Modifications and Additional Modifications to the plan. Any formal additional consultations will be for a minimum of 6 weeks.

3.2.13 The Councils will notify all those who have requested to be notified, as soon as reasonably practicable following the receipt of the Inspector's Report.

Duty to co-operate

3.2.14 The Localism Act 2011 places a 'duty to cooperate' on local planning authorities, county councils, neighbouring authorities⁵ and other public bodies for any strategic cross boundary issues.

⁵ Rugby Borough, Harborough District, Kettering Borough, Borough of Wellingborough, Milton Keynes, Cherwell District, Buckinghamshire, Stratford on Avon.

3.2.15 The duty to cooperate prescribed bodies are defined in the Town and Country Planning (Local Planning) (England) Regulations 2012).

3.2.16 The other bodies are defined in the 2012 Regulations as:

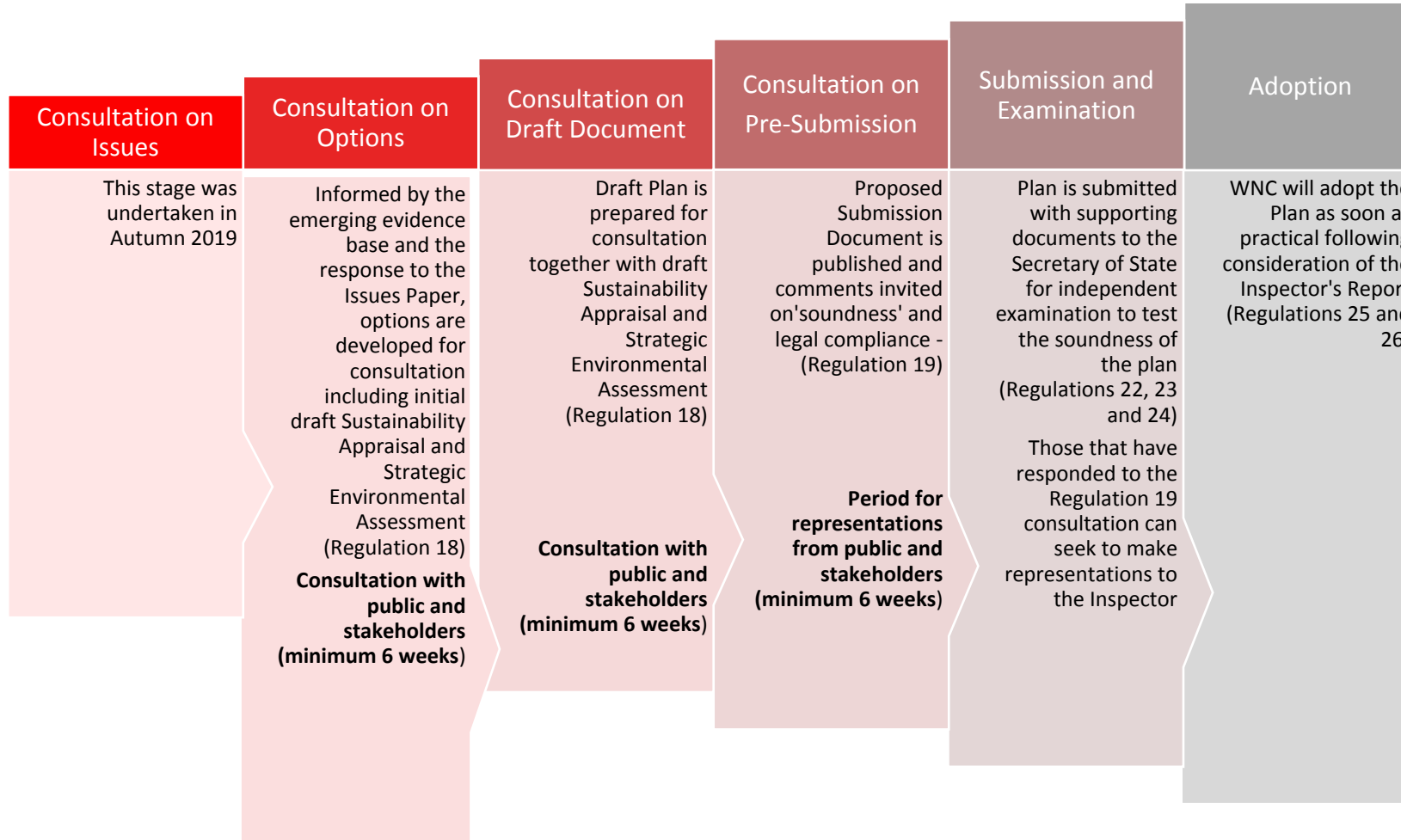
- Environment Agency;
- Historic Buildings and Monuments Commission for England (known as Historic England);
- Natural England;
- Mayor of London;
- Civil Aviation Authority
- Homes and Communities Agency (Homes England);
- Each clinical commissioning group established under section 14D of the National Health Service Act 2006;
- The National Health Service Commissioning Board;
- The Office of Rail and Road;
- Transport for London
- Each Integrated Transport Authority 6;
- Each highway authority within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority); and
- Marine Management Organisation.
- Each local enterprise partnership; and
- Each local nature partnership.

3.2.17 This is an ongoing area of activity that is recorded in the Authorities Monitoring Report.

DIAGRAM 1 – key stages in the Local Plan making process

(references to regulations refer to the Town and Country Planning (Local Planning) (England) Regulations 2012):

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BOX 1 – Specific Consultation Bodies

Specific Consultation Bodies (these are defined in the Town and Country Planning (Local Planning) (England) Regulations 2012). In accordance with government regulations the following specific consultation bodies must be consulted and then notified where the Councils consider that they may have an interest in the subject of the proposed planning document

- (a) the Coal Authority*
- (b) the Environment Agency
- (c) the Historic Buildings and Monuments Commission for England (known as Historic England)
- (d) the Marine Management Organisation*
- (e) Natural England
- (f) Network Rail Infrastructure Limited (company number 2904587)
- (g) a strategic highways company (for the time being appointed under Part 1 of the Infrastructure Act 2015) any part of whose area is in or adjoins the area of the local planning authority,
- (ga) Where the Secretary of State is the highway authority for any highway in the area of the local planning authority, the Secretary of State for Transport
- (h) a relevant authority any part of whose area is in or adjoins the local planning authority's area,
- (i) any person—
 - (i) to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003, and
 - (ii) who owns or controls electronic communications apparatus situated in any part of the local planning authority's area,
- (j) if it exercises functions in any part of the local planning authority's area—
 - (i) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
 - (ia) the National Health Service Commissioning Board
 - (ii) a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989 ;
 - (iii) a person to whom a licence has been granted under section 7(2) of the Gas Act 1986 ;
 - (iv) a sewerage undertaker; and
 - (v) a water undertaker;
- (k) the Homes and Communities Agency (Homes England) ; and
- (l) where the local planning authority are a London Borough council , the Mayor of London*.

* Given that there are no coal deposits in or around the area, it is not close to any coast and is not a London Borough, the Councils will not consult with these bodies

BOX 2 – General Consultation Bodies

General Consultation Bodies (these are defined in the Town and Country Planning (Local Planning) (England) Regulations 2012)

In accordance with government regulations the following general consultation bodies must be consulted where the councils consider it appropriate:

- Voluntary bodies some or all of whose activities benefit any part of the District
- Bodies which represent the interests of different racial, ethnic or national groups in the District
- Bodies which represent the interests of different religious groups in the District
- Bodies which represent the interests of disabled persons in the District
- Bodies which represent the interests of persons carrying out business in the District

In each case above reference to district will be interpreted as the entire West Northamptonshire area.

BOX 3 – Other Consultees

The West Northamptonshire Joint Planning Unit maintains a database which includes local individuals, organisations, agents, landowners and businesses that have indicated they wish to be actively engaged in plan-making in the area.

Everyone on the database will be notified of any public consultation on the plan.

Anyone can request to be added or removed from the database (see box below for details). Individuals and groups who respond to a consultation on the local plan are automatically added to the database unless they expressly opt out.

Strategic Plan Consultation Database

Anyone wishing to receive notifications about future consultations on the strategic plan, can email westnorthantsjpu@northampton.gov.uk or call 01604 838678 or write to the address below to be added to our consultation database or to have their details on it removed or amended.

West Northamptonshire Joint Planning Unit
The Guildhall
St Giles Square
Northampton
NN1 1DE

3.3 How will the Councils publicise the plan?

3.3.1 As noted above, the Councils will notify all specific and general consultation bodies, by email or letter, at each consultation stage. Similarly anyone who have been added to the Strategic Plan database will be notified. In addition, to raise awareness of the plan and to facilitate further engagement the potential techniques that could be used include:

Council publications: Daventry and South Northamptonshire Councils publish newsletters which are delivered to all households across their Districts. The newsletters will publicise the Plan process and key dates for consultation, where the publication dates allow for this.

Internet and Social Media: The Councils and the WNJPU will seek to publicise the commencement of all formal consultations on their websites. Where possible and appropriate, the Councils and the WNJPU will raise awareness of consultations through social media such as Twitter and Facebook.

Local Media: At appropriate stages during the preparation of the Plan, the Councils will prepare press releases to circulate to local newspapers and/or radio stations to raise awareness of consultations and to encourage community involvement.

Presentations and Attendance of Meetings: Where appropriate, and by arrangement, the Councils may deliver presentations, hold question and answer sessions, or attend meetings of external groups and organisations, in order to discuss particular issues. Where appropriate, and by arrangement, the County Council may also meet with individuals.

Public Exhibitions and Meetings: Where appropriate, the Councils may hold exhibitions, with staffed or unstaffed drop-in sessions, to help inform the community, or hold public meetings to allow people to debate particular issues. However, such meetings can be costly, both in terms of staff time, and logistical considerations such as hiring halls, and consequently such events are likely to be arranged for groups of communities, and reserved for issues that cannot effectively be dealt with in any other way.

Surveys and questionnaire – the Councils may utilise these to canvas views on key issues, options, proposals and documents

Town/Parish Councils, Neighbourhood Plan Groups and other existing community forums: Where appropriate, the Councils may utilise Town/Parish Council meetings, Neighbourhood Plan Group meetings as well as other existing community forums or local liaison groups, to raise awareness of, and discuss issues arising from, proposed Local Plans.

Where possible, Town/Parish Councils will be given advance notice of forthcoming consultation periods, with a view to them disseminating this information to encourage the involvement of the wider community. Town/Parish Councils can provide useful local knowledge and input into key issues. The Councils will send direct notification of all consultations to Town/Parish Councils within West Northamptonshire, to enable them to represent the views of their local residents.

Workshops/Meetings: Where appropriate, the Councils will hold workshops or meetings with key stakeholders to discuss particular issues and key technical matters in depth.

3.4 How long will the Councils consult for?

- 3.4.1 Where a formal consultation is carried out, this will be for a minimum of six weeks. Where part of the consultation falls over a holiday period, where possible, the consultation period will be extended to accommodate members of the public who may be away at these times.

3.5 Where will the documents be available?

- 3.5.1 All consultation documents and supporting materials will be made available to view in electronic format on the WNJPU and Councils' websites from the first to the last day of the consultation period.

- 3.5.2 To enable members of the public without access to the internet to take part in consultations, hard copies of all consultation documents will be made available for public inspection at the main offices of the Councils (appendix B) and all local libraries across West Northamptonshire (appendix A), where this is possible and safe having regard to any government advice regarding COVID 19 or similar.

- 3.5.3 Copies of consultation documents can be sent to interested parties upon request, either in CD or paper format, however these may be subject to a fee to cover the costs associated with production, postage and packaging.

- 3.5.4 All documents will be produced in plain English. At different stages of the local planning process, the Councils may produce summary leaflets to inform and stimulate debate and dialogue about key.

3.6 How can comments on the Strategic Plan (representations) be submitted?

- 3.6.1 Comments can be submitted in writing, electronically via email or an online consultation portal (if available).

- 3.6.2 With the exception of the Regulation 18 stage (see 3.2.4 – 3.2.7), comments can only be made during the prescribed consultation periods. Anything received outside of those periods will not be considered.

- 3.6.3 Verbal comments will not be recorded, because it is important that all comments are accurately represented,

- 3.6.4 Representations received will be published on the Councils' website(s) in their original form and may also be summarised. Names and addresses, but not company names will be redacted.

- 3.6.5 The councils and JPU have published Privacy Notices, regarding how they will handle representations and your personal data submitted with those representations. This can be viewed on the councils' websites.

- 3.6.6 Any comments that contravene compliance with the Equality Duty under the Equality Act 2010 will not be accepted or published.

3.7 How will the Councils feedback on consultation responses

- 3.7.1 All comments made during the consultation periods will be carefully considered and will be reported to the relevant committee. A report summarising the consultation activities and the comments made and how these have informed the next stage of plan making will be prepared for each stage. This report will be made available on the council's websites.

3.8 How will the Councils Keep You Informed

- 3.8.1 Throughout the process of preparing planning policy documents, from the earliest stages through to adoption, community and stakeholders will be kept informed of progress as follows:

- The latest version of any the Plan will be made available on the Council's website;
- The Council will acknowledge all representations received by electronic means (email or online forms) at formal consultation stages;
- Reports to JPIB and partner Council meetings such as Cabinet and Council will be available on the Councils website and these meetings are held in public;
- The Council will inform those who asked to be notified when the document has been submitted to the Secretary of State and will publish a consultation summary report on the Council's website together with the representations submitted at the Publication stage. These representations will be made available for public inspection and will be identifiable by name or organisation;
- Any person who makes representations at the Regulation 19 stage seeking to change the Plan may request the opportunity to appear before the person carrying out the Examination;
- The final, adopted Plan will be published on the Council's website; and
- Information will be supplied on the Council's website to provide an up-to-date position on the progress of the plan whenever possible and a planning policy email inbox will be made available for the community and stakeholders to assist with further enquiries.

4 Dealing with Extraordinary Circumstances

- 4.1.1 The COVID 19 Pandemic, which started in early 2020, has demonstrated that circumstances can arise beyond the control of the local authority that result in them not being able to implement normal consultation and engagement activities set out in their SCIs. It is thus necessary to have in place a mechanism to deal with this, in order that, where appropriate, plan making is not held up.

- 4.1.2 In cases where the usual consultation and engagement activities set out in this SCI cannot be carried out due to extraordinary circumstances, the Councils can modify such processes provided that reasonable opportunities are still provided for engagement. This could for instance include cancellation of public meetings and replacement with some form of other opportunity to contact officers e.g. through virtual meetings. Any legal requirements, would still apply, so if they could not be complied with, the consultation would have to be postponed or reconvened at a later date.

- 4.1.3 In deciding how to proceed, the Councils will have regard to:
- What proportion of the consultation/engagement activity would be affected
 - What alternatives can be put in place to give people the opportunity to engage

- What stage the plan has reached

4.1.4 The decision about how to proceed will be taken by the portfolio holder in the West Northamptonshire shadow council having taken advice from officers.

5 Review

5.1.1 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, state that LPAs in England must review their SCI every five years to ensure it is kept up to date and reflects current legislation and best practice.

5.1.2 It is, however, intended that a review will be undertaken sooner than that to address how the new West Northamptonshire unitary authority will undertake consultation and engagement on planning processes not covered by this SCI.

Appendix A - Libraries in West Northamptonshire

Appendix B - Addresses for Councils and JPUs main offices

Appendices

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NORTHAMPTON
BOROUGH COUNCIL

CABINET REPORT

| | |
|---------------------|--|
| Report Title | Realignment of the Revenue and Benefits Service |
|---------------------|--|

AGENDA STATUS: PUBLIC

| | |
|------------------------------------|---|
| Cabinet Meeting Date: | 23rd September 2020 |
| Key Decision: | Yes |
| Within Policy: | Yes |
| Policy Document: | No |
| Directorates: | Finance |
| Accountable Cabinet Member: | Councillor Jonathan Nunn Leader and Cllr Brandon Eldred, Portfolio Holder - Finance |
| Ward(s) | All |

1. Purpose

- 1.1 For Cabinet to make recommendations to Full Council to approve a realignment and a change in collaboration arrangements for the Revenue and Benefits Service, from the existing arrangements to a Lead Authority model.

2. Recommendations

It is recommended that:

- 2.1 Cabinet notes the demise of the LGSS Partnership and transition to a Lead Authority Model by Northamptonshire County Council, Cambridgeshire County Council and Milton Keynes Council.
- 2.2 Cabinet approves the change from existing arrangements to a Lead Authority Model in respect of the Revenue and Benefits Service, to enable the completion of the wider transition by LGSS partners to a lead authority model.

- 2.3 Cabinet makes a recommendation to Full Council to approve the change in service delivery model, and that Council delegates to the Chief Executive the power to finalise the necessary collaboration, governance and agreements between the partners, in Consultation with the Leader of the Council and the Cabinet member for Finance.

3. Issues and Choices

3.1 Report Background

- 3.1.1 In 2012 Cabinet considered an option to outsource specific Northampton Borough Council support services to Local Government Shared Services (“LGSS”), this then led to a report to Full Council on 13 May 2013 where Full Council approved the shared service proposals. As LGSS was not a separate legal entity in law, the legal agreements were between NCC/CCC and NBC.
- 3.1.2 In 2016 Cabinet considered options in respect of the Revenue and Benefit Service, from market testing to bringing the service back in house. Cabinet decided to recommend to Full Council the creation of a Joint Committee in conjunction with Milton Keynes Council (MKC) and LGSS. Cabinet received a further update on 13 September 2017.
- 3.1.3 Full Council approved the formation of the Revenue and Benefits Joint Committee on 18 September 2017, with a delegation to the Chief Executive to formally agree and sign the actual agreement.
- 3.1.4 In October 2017 a Delegated Decision Notice was published, signed by the Interim Chief Executive Officer although the Joint Committee agreement was not agreed and signed.
- 3.1.5 Through 2019 and 2020 Northamptonshire CC, Cambridge CC and Milton Keynes Council, have been reviewing the wider LGSS Partnership and service delivery. Northampton Borough Council is a client of this wider partnership which includes various services.
- 3.1.6 The resultant outcome is a mixed economy for those councils of repatriating some services and the continuing of partnership arrangements with others through a Lead Authority Model. The services provided to NBC through the demising LGSS partnership will continue to be delivered either directly as hosted by NCC until migration to West Northamptonshire Council, or via the Lead Authority depending on the service element.
- 3.1.7 However, the demise of the wider LGSS partnership has a direct impact on the LGSS Revenue and Benefits Joint Committee, as it draws its support from central LGSS support services, that will not exist in the future. The LGSS Joint Committee members have therefore proposed that the Joint Committee for Revenue and Benefits ceases and is replaced by a Partnership Board, with MKC acting as Lead Authority and so providing the support services to the Revenue and Benefits Service.

Lead Authority Model

- 3.1.8 A lead authority model is the continuation of a shared service relationship with one partner council 'leading' the management of the service on behalf of the other two partners and customers, where appropriate, documented in a service level agreement with agreed performance levels, governance arrangements and financial charging and recovery models. As a result, the Authority led Shared Service model should have design principles based on five main categories:
- Processes – services are designed with the customer in mind with a focus on self-help. Common policies and processes will be adopted to provide the customer with value for money
 - Organisation – customer focussed organisation and culture driven by effective shared service partnership working across the three partners for the benefit of all, including the financial and the people decisions
 - Information – performance driven, enabling continuous service improvement, with a quality assured data management policy and process
 - Technology and Infrastructure – progressive multi-site infrastructure to support the partners and its customers.
 - Location – a mixture of services located on partner and customer sites and where appropriate, peripatetically to optimise the level of service delivered
 - Financial Model – clear and consistent approach to the cost modelling, charges and apportionment of income
- 3.1.9 The proposed delivery model structure is outlined in the legal comments section to this report.

TUPE Staff Implications

- 3.1.10 Under the proposed model, there will be no direct staffing or TUPE implications for the Revenue and Benefits staff supporting the Borough Council. The Staff currently employed by NCC will remain with them and in due course will, subject to due process, TUPE to West Northants Council or other organisation depending on whatever delivery model is chosen as part of the wider LGR Programme.
- 3.1.11 The current Head of the Revs and Bens Service will under the proposed model report to the Section 151 Officer at MKC, instead of reporting to the Managing Director at LGSS when it demises.
- 3.1.12 Posts that become vacant that directly support Northampton Borough Council and are currently hosted by NCC until formation of WNC, will be recruited to under NCC Terms & Conditions and, where appropriate, TUPE to WNC in due course.

3.2 Issues

- 3.2.1 There is a need to ensure the continuity of service for the Council's Revenue and Benefits Service, now and in the formative first years of the new unitary council.

This not only provides certainty for the council and its successor but will also provide immediate certainty for those staff directly employed by NCC to deliver the Council's Revenue and Benefit Service during the Local Government Reorganisation and the demise of the wider LGSS Partnership.

- 3.2.2 The new council will take time to consider and agree the harmonisation of Council Tax and Council Tax Reductions Schemes, along with NNDR (Business Rates) reliefs. Maintaining separate legacy services and systems, whilst not efficient, offers security of data, accurate billing and enables a structured approach to blend the services in due course. Few newly launched unitaries seek to merge and blend legacy Revenue and Benefits Services in the launch year due to the legalities of notices, billing lead times and the need to ensure during harmonisation transition that the right level of charges are applied to the right legacy area residents.
- 3.2.3 There is risk that by continuing this agreement there may be exit costs if a decision is made in the future to move to a different service delivery model for the whole of the West Northants Council, however it is probable that exit costs and service risk would be incurred if the partnership was dissolved now. In any event, the relevant Interim/Designate Statutory officers of West Northants Unitary Council will be consulted, and their approval sought on the proposed arrangements.

3.3 Choices (Options)

- 3.3.1 Cabinet can choose not to agree to the recommendations of this report and not recommend to Full Council the realignment to the Revenue and Benefits Service delivery model outlined in this report. Given the level of change arising from unitarization, this would increase complexity, risk and a potential deterioration of the Revs and Bens service.
- 3.3.2 Cabinet can choose to accept the recommendations as presented. This option is recommended in order to ensure the service is not disrupted and enable the West Northants Unitary Council the opportunity to review the delivery of this service in a structured transformation/options review during 2021-22, encompassing the three legacy District & Borough Service delivery models.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 The recommendations of this report are within policy and have no policy implications.
- 4.1.2 It is a statutory responsibility of NBC to deliver the collection of Council Tax and Business Rates as a billing Authority. In addition, NBC has a statutory responsibility for the administration of Housing Benefit.
- 4.1.3 The delegation of these responsibilities had previously been made to the LGSS Revenue and Benefits Joint Committee. However, this report seeks to realign and clarify the governance and delivery arrangements for this crucial function. A proposal for all of this issue to be presented to Full Council in September 2020.

4.2 Resources and Risk

- 4.2.1 There are no additional cost implications to Northampton Borough Council during 2020-21 resulting from this service delivery realignment. There is risk, to NBC that should the Council not agree to the realigned model that there will be exit costs and service delivery risks associated with this crucial function. There will also be a risk to West Northants Unitary Council should it seek to move away to alternative arrangements from the outset.
- 4.2.2 However, it should be noted that the West Northants Unitary Council may have costs and challenges should it seek to rationalise and realign the Revs and Bens services going forwards, which will include arrangements across the West, which currently would include the LGSS realigned services (if approved); the arrangements in South Northants and Cherwell and arrangements in Daventry DC.

4.3 Legal

- 4.3.1 The current legal arrangements for the Revenue and Benefits service are complex. Whilst the Joint Committee was agreed by NBC's Full Council, outlined earlier in this report, the Joint Committee agreement between the parties was not signed by NBC. The new proposed arrangements gives all parties an opportunity to clarify the roles and responsibilities, establish clearly the governance of the partnership and to rationalise the arrangements going forwards.
- 4.3.2 There are various collaboration/shared services models that councils have powers to implement and various enabling legislation.
- 4.3.3 It is not proposed under the realigned arrangements in this report that the formal Revs and Bens functions will be delegated to MKC under section 101 of the Local Government Act 1972. The functions and accountabilities will remain with NBC until Unitary vesting day, when the functions will then transfer to the new Authority.
- 4.3.4 NBC has various powers under Section 1 of the Localism Act 2011 (General Power of Competence); section 111 of the Local Government Act 1972 (incidental powers) to enter into the collaboration arrangements outlined in the report. However, shared arrangements do not automatically exclude the procurement regime and obligations, say under the Public Contracts Regulations 2015 or other rules and regulations. However, the lead authority model is not meant to be a commercial arrangement and any agreements required to manage and regulate the collaboration between the partners will be structured in a way that reduces and mitigates the risk of triggering procurement rules and obligations. Any agreements approved and finalised in accordance with delegations will also seek to clarify and establish clear governance arrangements enabling NBC to monitor and effectively discharge its legal and service obligations and manage specific obligations such as those under data protection legislation.
- 4.3.5 NBC does not directly employ any of the staff who will be part of the realigned arrangements. So, there is no need for NBC to consider whether staff should be made available to the partner authorities under section 113 of the Local Government Act 1972, this being a matter for the partners to the main LGSS Joint Committee. Likewise, although whether the TUPE regulations apply is a matter of

law, NBC's current understanding is that there will be no TUPE transfers of staff following a move to the Lead authority model outlined in this report.

4.4 Equality and Health

4.4.1 Services to the public will not be directly impacted as a result of the recommendation of this report. There are therefore no direct equality or health implications.

4.5 Consultees (Internal and External)

4.5.1 Consultation has taken place with Corporate Management Board, Portfolio Holder Finance, Cabinet members, Northamptonshire County Council and Milton Keynes Council and Interim/Designate Section 151 Officer West Northants Council.

4.5.2 Staff affected by changes to LGSS have been consulted by LGSS as part of the changes to the delivery model.

4.6 How the Proposals deliver Priority Outcomes

4.6.1 There is a need to ensure continuity of service to ensure the Council and its successor can raise and collect taxation on behalf of itself, other precepting authorities and HM Government.

4.7 Environmental Implications

4.7.1 There are no direct environmental implications arising from this report.

4.8 Other Implications

4.8.1 There are no other implications arising from this report

4. Background Papers

5.1 The following Reports represent the background papers to this report:

2012 11 14 Cabinet <http://www.northamptonboroughcouncil.com/Cabinet Report LGSS>

2013 05 13 Council <http://www.northamptonboroughcouncil.com/Council Report LGSS>

2016 12 07 Cabinet <http://www.northamptonboroughcouncil.com/Cabinet Report LGSS JC>

2017 09 13 Cabinet <http://www.northamptonboroughcouncil.com/Cabinet Report LGSS JC>

2017 09 18 Council <http://www.northamptonboroughcouncil.com/Council Report LGSS R&B JC>

2017 10 02 DDN CEO <https://www.northampton.gov.uk/DDN R&B JC>

Contact: Stuart McGregor, Chief Finance Officer (Section 151 Officer)