



Berwick upon Tweed Town Council

Council

23 August 2021

Appendix C

Report of Town Clerk

Berwick-upon-Tweed Conservation Area Advisory Group (CAAG)

Access Public

Background

1. Minute C075/21 refers to Council's wish to nominate two councillors to represent council on Berwick-upon-Tweed Conservation Area Advisory Group (CAAG).
2. Extensive correspondence has passed between the Chair of the CAAG and the Town Clerk which would need to be redacted before publication, and which therefore is shared separately to councillors as a background paper.
3. It bears saying that officers regard an effective and credible CAAG as a benefit to the town.

Issues

4. CAAG sits awkwardly in a civic space between being a council committee and an entirely independent body. In other similar towns CAAGs or similar bodies tend to be formally under the wing of, but independent in their decision making from, the relevant planning authority. The relevance of this is, ultimately, to the weight that might be accorded its opinions about the conservation areas and individual planning issues.
5. For some years CAAG enjoyed formal support from Northumberland County Council (NCC) in terms of officer time and facilities. This included officers effectively being responsible for the governance of CAAG. That appears to have ceased, even though NCC officers support CAAG and value its work.
6. CAAG appears to have been governed by its remit, last revised in 2018, which is, like CAAG, something of a halfway house between a formal constitution and merely a note of who attends CAAG's meetings. Again, the relevance of this is that without a clear and rigorous approach to issues such as interests and who has the right to attend, it becomes difficult to make the argument that CAAG's opinions should be given any more weight than any other private association of like-minded people.
7. The issue also arises of how CAAG reaches its decisions on its collective opinion. Attendees, looking at the remit, appear to fall into three groups; conservation and heritage bureaucracies and analogous professional advisors, such as Historic England and NCC officers, residents and business groups (like the Chamber of Trade), and organisations with more than one set of interests, such as the Freemen Trust and the Preservation Trust.
8. No mechanism for reaching decisions is identified, and there appears to be no system by which conflicts of interest are managed. Nor is it clear if, when advising,

professional advisors consider themselves bound to act in the best interests of the residents and businesses of Berwick-upon-Tweed rather than the interests of their organization.

9. The difference in representation between NCC and Berwick-upon-Tweed Town Council (BTC) is explained, albeit lightly, as being about the perceived difference in importance between BTC and NCC, and the perceived importance of being able to influence NCC councillors since they make decisions. This is, if I may so, somewhat naïve, since NCC councillors would be advised to seek professional advice from their own officers as to the extent to which they might have to declare their involvement with any CAAG decision, and the extent to which they have been lobbied or influenced and the possibility that they might appear to have pre-determined a decision.
10. None of this overlooks the difficulties that did arise when elected members from BTC were nominated to CAAG who did not appear to value CAAG as much as might have been appropriate, either by not attending meetings or by not respecting the opinions of others. This led to the situation where a reduction in the numbers of BTC nominees was decided upon by CAAG.
11. Officers view is that CAAG needs to undertake a full review of its membership, using a stakeholder analysis process, to identify which groups represent the best interests of the people of Berwick-upon-Tweed and its businesses, and which group can advise or facilitate the delivery of CAAG's wishes. Since officers value the potential of CAAG, and its ability to influence the future of Berwick-upon-Tweed, it is a process they would be willing to engage with.

Recommendation

1. That council indicate whether it wishes officers to engage with CAAG further.

Author	GD	Town Clerk sign off (if required)	GD
Checked by	SC	Finance Officer sign off (if required)	N/A