

NORTHAMPTON BOROUGH COUNCIL



COUNCIL

Monday, 28 November 2005

YOU ARE SUMMONED TO ATTEND A MEETING OF NORTHAMPTON BOROUGH COUNCIL, WHICH WILL BE HELD AT THE GUILDHALL NORTHAMPTON ON MONDAY, THE TWENTY EIGHTH DAY OF NOVEMBER, 2005 AT SIX THIRTY O'CLOCK IN THE EVENING WHEN THE FOLLOWING BUSINESS IS PROPOSED TO BE TRANSACTED:-

1. MINUTES.

To approve the minutes of the proceedings of the Meeting of the Council held on 29th September 2005

2. APOLOGIES.

3. MAYOR'S ANNOUNCEMENTS.

4. DEPUTATIONS/PUBLIC ADDRESSES/QUESTIONS.

(a) Pakistani Earthquake

5. CHILDREN AND YOUNG PEOPLES PARTNERSHIP BOARD - EVERY CHILD MATTERS - PRESENTATION

6. TO ANSWER QUESTIONS ASKED UNDER COUNCIL PROCEDURAL RULE 5.2.

7. NOTICE OF MOTION

The following motion to be moved by Councillor Church and seconded by Councillor B.Hoare:-

“This Council recognises the major contribution the Roadmender makes to the artistic,cultural and social life of Northampton,in particular the support it gives to young

people and disabled people in developing their musical talents.

This Council deplores the decision of Northamptonshire County Council to withdraw funding of £58,000 from the Roadmender Centre, thereby threatening the loss of a unique facility in Northampton.

This Council requests the Chief Executive to write to the County Council to seek continued support for Roadmender to enable them to build on the marked improvement in attendance and support shown in recent months.

This Council requests the Executive

- (1) To offer to continue the same level of funding to Roadmender for the next financial year and offer support to the Roadmender in their efforts to secure alternative funding to enable them to continue to provide opportunities to young people which would otherwise be denied.
- (2) To ensure adequate parking is available in the Mayorhold in the evening for Roadmender customers”.

8. CONSTITUTION - MISCELLANOUS MATTERS

(report of Solicitor to the Council)

9. OUTSIDE BODIES

(report of Solicitor to the Council)

10. REMUNERATION PANEL

(report of Solicitor to the Council)

11. PROGRESS ON RECOVERY PLAN

(report of the Leader on behalf of the Improvement Board)

12. RECENT NOTICES OF MOTION

To receive a report on action taken following notices of motion

13. CHANGE OF NAME OF WOOTTON PARISH COUNCIL

(report herewith)

14. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE MAYOR IS OF THE OPINION SHOULD BE CONSIDERED.

The Guildhall
Northampton
18th November 2005

M.McLean Chief Executive

Agenda Item 8



NORTHAMPTON
BOROUGH COUNCIL

:
Council
Date: 28 November 2005

Item No.

Directorate:
Finance, Governance and Citizens

Author/Contact Officer:
Francis Fernandes
Solicitor to the Council

Tel: 01604 837334

**CONSTITUTION AND
MISCELLANEOUS MATTERS**

Purpose of Report

To seek Council's approval and to seek ratification of various decisions and actions taken by the Improvement Board and Chief Executive.

Recommendations

- (1) To ratify the decisions made by the Improvement Board.
- (2) To ratify the delegated decisions of the Chief Executive.
- (3) To approve an increase in the seats on Licensing Committee to 15 (total 56 seats to which proportionality applies).
- (4) To appoint Councillor Concannon to the Licensing Committee.
- (5) To appoint Councillors to the Local Joint Committee.

Summary

Council adopted various changes to the Council's constitution on the 29 September 2005.

However, at the September meeting, a number of unresolved matters were delegated to the Improvement Board for decision. This report confirms the decisions made by the Improvement Board.

Further, it was necessary, in order to make the structures work, for the Chief Executive to exercise a number of her delegated powers contained in part 8 Clause 1 of the NBC Constitution.

This report confirms and seeks ratification of those delegated powers.

Procedure Rules

Councillors will recall that the report presented to Council on 29 September 2005, suggested amendments to procedural rule 5.2, which would have required 12 calendar days notice for questions. Council delegated powers to the Improvement Board to decide an appropriate notice period for questions. The Improvement Board considered the issue on 20 October and took a view that 12 days was too long. The Improvement Board resolved that rule 5.2 be amended to require 5 calendar days notice. The effect of the decision is to immediately amend procedure rule 5.2 to require 5 calendar days notice for questions. The Improvement Board resolved to review the workings of this rule in approximately 4 months. Following the review in 4 months, if changes are suggested, amendments will be brought back to full Council for ratification.

Outstanding Appointments to Committees

The Improvement Board was given delegated powers to nominate appropriate members to some Committees. The Improvement Board confirmed the Labour nomination of Councillor Pritchard to the Standards Committee.

Increase in Council Seats and nomination to Licence Committee

The Improvement Board considered the nomination of Councillor Concannon to the Licensing Committee. To enable this to occur requires Council to approve an additional seat on the Licensing Committee. This will take the Licensing Committee from 14 seats to 15 seats. This means that the proportionality rules will apply to 56 Council seats as opposed to 55. When the appointment of Councillor Concannon was considered by the Improvement Board he was then an Independent Councillor. Therefore, the proportionality rules did not apply to him. However, it has now been formally confirmed that Councillor Concannon is a member of the Liberal Democrat Group. As such, his nomination to the Licensing Committee engages the proportionality rules. With a 15 member Committee the composition of the Licensing Committee would be 6 Conservative, 6 Liberal Democrat and 3 Labour. Given that the Liberal Democrat Group will increase by 1, giving them an entitlement of 17 seats in total, the nomination of Councillor Concannon to the Licensing Committee just about maintains proportionality for this Committee through a rounding error.

Delegations

The following delegated powers were exercised pursuant to part 8, Clause 1 of the NBC Constitution, by the Chief Executive, in consultation with the 3 group leaders.

- (1) The appointment of Councillor Arthur McCutcheon onto the Planning Committee (delegated power exercised 6 October 2005).

- (2) The appointment of Councillor Lee Mason onto the Planning Committee dated 12 October 2005.

Local Joint Committee

Council on 29 September did not appoint Councillors to the LJC. There is now a need for the appointments to be made. The Committee has a total of 8 Councillors sitting on it; 3 Conservative, 3 Liberal Democrat and 2 Labour.

The Conservative members have been confirmed as Councillors Palethorpe, Larratt and Tavener.

It is proposed that, as far as possible, Councillors currently on the Committee continue on it. This would mean that the Liberal Democrat Group would have Councillor Hollis and Mathews on the Committee. However, there is a Liberal Democrat Group vacancy because Cllr Beardsworth is now the Mayor. The Labour group would have the following Councillors on the Committee: Councillors Barron and Roy.

Background Papers

Improvement Board file FF

Delegations file



NORTHAMPTON
BOROUGH COUNCIL



NORTHAMPTON
BOROUGH COUNCIL

Name of Committee:
Council
Date: 28 November 2005

Item No.

Directorate:
Finance, Governance and Citizens

Author/Contact Officer:
Francis Fernandes
Solicitor to the Council

Tel: 01604 837334

NOMINATIONS TO OUTSIDE BODIES

Purpose of Report

To seek Council's approval of member representatives and outside bodies.

Recommendations

- (1) To nominate Councillors to outside bodies and to maintain the status quo, as far as possible.
- (2) Where the Status Quo cannot be maintained to appoint Councillors to the vacancies.

Summary

The Council has a number of Councillor representatives on various outside bodies. The current list of outside bodies and memberships are appended to this report. There is a need to reconsider and confirm memberships to these bodies.

As well as rationalising the current position it is important for Councillors who represent the Council on these outside bodies to be formally authorized as representatives because of the insurance liability issues. The Council's current insurance provides contingent cover for Councillors representing the Council on these outside bodies, although the first line of cover should be from the outside body itself.

The wider constitutional review will look at, amongst other things, the whole issue of outside bodies and councillor memberships. Pending the review Council is requested to confirm current nominations and maintain the status quo so far as possible.

However, there will need to be some changes and therefore new nominations. For example Councillor Beardsworth, the current Mayor is nominated to a number of outside bodies. There will need to be alternative nominations to replace her during her mayoralty.

Further, the convention appears to be that group leaders and portfolio holders are nominated to certain bodies. There will therefore need to be changes to reflect the changes in leadership of the Liberal Democrat group and the change in portfolios.

One additional outside body, Northampton Festival Limited, has been added to the list. Nominations to this body are required.

COUNCIL REPRESENTATIVES ON OUTSIDE BODIES
2004/2005

NAME OF BODY (No. of representatives required in brackets)	REPRESENTATIVES
Northampton Borough Allotments & Gardens Council (2)	Cllr M Boss Cllr Flavell
Abbey Centre User's Association (2)	Cllr Matthews Mr Stan James
Northamptonshire Race Equality Council (1)	Cllr Tavener
Citizens Advice Bureau Management Committee (2)	Cllr Church Cllr Duncan
Northamptonshire Co-op Development Agency (2)	Cllr McCutcheon Cllr Woods
Eastern Orchestral Board Council of the Assoc. (1)	Cllr Woods
National Local Government Forum Against Poverty (1)	Cllr Beardsworth
Northampton Theatres Trust (5)	Cllr Beardsworth Cllr Boss Cllr Flavell Cllr Hadland Cllr Marriott
Northampton Town Football Supporters Trust (1)	Cllr Eldred
Council for the Museum of Leathercraft (3)	Cllr Allen Cllr Barron Cllr J Lill
East Midlands Museums Service (2)	Cllr Mason Cllr B Markham
East of England Orchestra (1)	Cllr Palethorpe
Northamptonshire Councils Association (3)	Cllr Barron Cllr Church Cllr Larratt

Northampton Twinning Association (2)	Cllr Hollis Cllr Larratt
Northampton Tourist Association (3)	Cllr M Hoare Cllr C Lill Cllr Patterson
Heart of England Tourist Board (1)	Cllr C Lill
Council for Voluntary Services (2)	Cllr Lane Cllr Pritchard
Welfare Rights Advice Service (2)	Cllr Allen Cllr Malpas
Race Equality Consultative Panel (2) (need to confirm still operates NCC Group)	Cllr Roy Mr Rawlings
Northampton Rape Crisis Centre Management Committee (2)	Cllr Beardsworth Cllr J Lill
Northampton SRB Partnership Board	Cllr C Lill Cllr Flavell
Northampton Lifelong Learning	Cllr Miah
Health Scrutiny (1) Partnership Committee	Cllr Eldred
Northampton Local Nature Reserves Management Group (5)	Cllr Boss Cllr C Lill Cllr J Lill Cllr Simpson Cllr Woods
Sixfields User Group (5)	Cllr B Hoare Cllr J Lill Cllr B Markham Cllr Patterson Cllr Tavener
78 Derngate Trust (1)	Cllr Marriott
Town Centre Partnership Board (5)	Cllr McCutcheon Cllr Larratt Cllr C Lill Cllr B Markham

	Cllr T Wire Cllr Yates
Sesame Panel (6)	Cllr Barron Cllr Church Cllr Hill Cllr Larratt Cllr Marriott Cllr Simpson
Northampton Schools Organisation Committee (1)	Cllr Tavener
Northampton Town Learning Partnership	Cllr Tavener
Community Safety Partnership (1)	Cllr Larratt
Regional Assembly	Cllr Larratt Cllr Hadland (substitute) Nominated – Cllr Church
Regional Planning Board	Cllr Larratt Cllr Robinson (substitute)
Various LGA Bodies	
Northampton Festival Limited	
(a) General Assembly	Cllr Larratt Cllr Hadland (substitute)
(b) Urban Commission	Cllr Larratt Cllr C Lill (substitute)
(c) East Midland Region LGA	Cllr Larratt Cllr Hadland (substitute)
(d) EMR LGA Employment Forum	Cllr Tavener Cllr Lane (substitute)



NORTHAMPTON
BOROUGH COUNCIL

Name of Committee: Council Date: 28 November 2005	Item No.
Directorate: Finance, Governance and Citizens Author/Contact Officer: Francis Fernandes/Jim Inch Solicitor to the Council Tel: 01604 837334	COUNCILLORS ALLOWANCE SCHEME INDEPENDENT REMUNERATION PANEL

Purpose of Report

To obtain approval to disband the Council's current Independent Remuneration Panel; to establish joint arrangements with Northamptonshire County Council and to refer the current scheme for reconsideration by the new panel.

Recommendations

The Council is recommended to:

1. Establish jointly with Northamptonshire County Council an Independent Review Panel which will exercise the relevant functions in respect of both authorities.
2. Disband the present Remuneration Panel for the Borough.
3. To request the Joint Remuneration Panel, once it is established, to make recommendations to the Council in relation to amending the current Members Allowance Scheme to take into account the new roles and responsibilities arising from the Council's new political structures.
4. To request the Joint Remuneration Panel, to consider backdating any changes in allowances to September 2005.
5. To authorise Officers to pay Panel members their reasonable direct and indirect expenses in considering the Borough Council's scheme.

Summary

The Local Government and Housing Act 1989 as amended, together with the Local Authorities (Members Allowance) (England) Regulations 2003 requires a Local Authority to make a scheme for the payment to Councillors of allowances in relation to:-

- (1) Basic Allowance.
- (2) Special Responsibility Allowance.
- (3) Dependent Carer's Allowance.
- (4) Travelling and Substance Allowance.

The Council already has a scheme in place. However, following the Councils "poor" CPA assessment, a Political Structures review was identified as an important strand of the Council's recovery. Consequently, the Council recently reviewed and approved changes to its Political Structures and Governance arrangements. Councillors will recall that the broad architecture for the new structures were agreed on 21 July 2005, with the amendments to the constitution to implement the changes taking place on 29 September 2005. The changes have been extremely wide ranging and innovative. Some aspects of the structures are the first in the Country. This has meant that the level of Councillor engagement together with their roles and responsibilities within the new structures have changed significantly. There is therefore an urgent need for the current scheme to be reconsidered in the light of the changes.

The Council already has a Remuneration Panel. However, given the wide ranging changes, and the complexity in terms of the impact on Councillors roles and responsibilities, it is felt that the best way to deliver this is to have a joint panel with the County Council. As well as resolving capacity and complexity issues the new panel would achieve greater local consistency in the level of allowances and command more confidence as well as saving some administrative duplication.

It is therefore recommended that the current panel be disbanded and Council agree to establishing joint arrangements with the County Council. The Borough Council will be required to pay direct costs of Panel members, for example, meeting allowances for each Panel member and venue/refreshment costs in respect of meetings regarding the Borough. However, the County Council have indicated that they will not charge the Borough for other administrative costs, arising from the Borough's use of the joint panel. The proposed terms of reference for the independent Remuneration Panel are attached. Council has to be aware that any amended scheme, has to have regard to the recommendations of the relevant Independent Review Panel.

Once the Remuneration Panel has met and provided recommendations, a further report will be brought to Council.

Background Papers

File: Remuneration Panel
email correspondence with County Council

NORTHAMPTON BOROUGH COUNCIL

INDEPENDENT REMUNERATION PANEL

TERMS OF REFERENCE

General

The Panel is established by Northampton Borough Council (jointly with Northamptonshire County Council) pursuant to the Local Authorities (Members Allowances) (England) Regulations 2003 (SI2003/1021).

The purpose of this panel is to make recommendations regarding the allowances which Authorities can make to their elected members.

The Panel are required to make recommendations on:-

- The level of Basic Allowances payable to all members of the Council
- The responsibilities and duties which should receive special responsibility allowances and the level of those allowances
- The duties which should attract travelling and subsistence allowances and the level of those allowances
- As to whether dependents' carer allowance should be payable and the level of such allowance
- As to the circumstances for which Co-optees' Allowances should be paid and the level of such allowances
- As to whether if the Allowances Scheme is amended any allowances should be backdated
- As to whether adjustments to the level of allowances may be determined in accordance with an index (and if so which index) and as to how long such index should apply before its use is reviewed (maximum period 4 years)
- As to which (if any) members of the Council are to be entitled to pensions in accordance with the Local Government Scheme and whether basic allowance or special responsibility allowance, or both, should be treated as amounts in respect of which such pensions are payable



NORTHAMPTON
BOROUGH COUNCIL

Council

Date: 28 November 2005

Item No:

Author/Contact Officer:

Mairi McLean
Chief Executive
Ext. 8725

Title of the Report:

Progress on Previous Council Motions

Recommendation: That the Council receives this report.

1. Background

- 1.1 The appendix of this report sets out the appropriate motions that have been approved by Council at its meetings up to 29 September 2005 and the latest progress to date on them.

Appendix – Progress on Previous Council Motions

Text of Council Resolution	Progress Reported	Latest Position
<p>7 June 2004 – Market Square Enhancement “That this council reaffirms the following from the motion passed by the Council on 23 June 2003:</p> <ol style="list-style-type: none"> 1. To consider the alternative options that retain the square as open space 2. To ensure that the brief for the architectural competition is as wide as possible. 3. To ensure a comprehensive level of public consultation is carried out culminating in a public vote on the final options <p>This Council regrets that the requirement of this policy has not been met.</p> <p>This Council recognises the urgent need to sustain the economic viability of the market and to regenerate the market square as a public space. To achieve this Council called for a public vote between two costed plans for the market square at least one of which retains the whole square as an open space.”</p> <p>Councillor Barron proposed and councillor Marriott seconded that the word “two” be deleted from the final sentence on the final paragraph of the motion. Councillor Church accepted this amendment.</p> <p>The amended motion was duly debated, voted upon and was carried.</p>	<p>Reported to June Council that Letts Wheeler prepared costings. Costings have been received and the public consultation material has been prepared.</p> <p>Public consultation will start in the near future.</p>	<p>Public consultation has been delayed due to root and branch.</p>

27 June 2005 – Housing Options Appraisal

Northampton Borough Council re-affirms its commitment to the democratic process and a policy in which the final decision on the future of the landlord service of the Council's Housing Stock will reside with the council tenants and that the Council will continue to develop a housing asset management structure to deliver high quality improvements to the current council housing stock.

In pursuing the policy of seeking to meet the future needs of the people of Northampton and in reaching a decision on the future of the Housing Landlord service, Northampton Borough Council has taken the following into account.

- (i) All aspects of the Northampton Borough Council Housing Options Appraisal as required by Government policy
- (ii) Northampton Borough Council Stock Condition Survey 2003
- (iii) Northampton Borough Council's current position as a "recovering council"
- (iv) Northampton Borough Council's projected financial position 2006-2010
- (v) ODPM determination that there is no "fourth option" for Council Housing

<p>(vi) A meeting with the Town's MP's and Minister on 9 June 2005</p> <p>That the Chief Executive inform the Government Office of the East Midlands (GOEM) that having taken all of the factors into consideration the decision of the Council is for Stock Retention whilst further work is conducted, with full involvement of tenant representatives, into how improvements above that of the basic Decent Homes Standard can be achieved in future and into options that encourage and provide greater tenant involvement in the management of the Council's housing stock.</p> <p>The amendment was then voted upon and carried to be become the substantive motion.</p> <p>The substantive motion was then voted upon and carried.</p>	<p>Following the motion and meeting with the appropriate Minister Yvette Cooper, Officer meetings have been held with the Chief Executive of Wakefield District Housing. Cross Party Meetings will be arranged in the near future to discuss delivery of Decent Homes in Northampton.</p>	<p>Following the meetings with Wakefield as reported previously we have had a series of meetings regarding Asset Management and the implications for delivering decent homes by 2010. These meetings are being followed up with the production of an agreed strategy which is estimated for completion by April 2006.</p>
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27 June 2005 – Firework Display

Councillor Barron moved and Councillor Wire seconded “This Council recognises the statement from the Round Table in that they no longer feel able to organise the annual Firework Display in Becketts Park. This Council places on record its appreciation for all that has been done by the Round Table in raising funds for charity.

In addition this Council also recognises the thousands of families who enjoy the annual event and regret that no organisation is committed to continuing with the firework display. Of particular concern is the prospect of unofficial firework displays taking place across the town which are not stewarded or controlled by the correct authorities.

Taking this into account this Council agrees to approach other agencies and authorities with a view to managing the firework display in Becketts Park to ensure a large family event continues. In addition the Roundtable will be able to continue with bucket collections for raising money for worthy causes.

The motion was carried.

This years firework display in Becketts Park will be organised by Explore Northamptonshire on Sunday 6 November.

Bonfire held successfully
cooperation of NCC and NBC
through delivery vehicle of Explore
Northamptonshire.

27 June 2005 – Community Wardens

Councillor Patterson moved Councillor Boss seconded “The Labour Group are dismayed and disappointed that extra Community Wardens have failed to materialise so far this year. The Labour Group calls on the new cabinet member responsible for Community Safety to deliver more swiftly than his predecessor”.

Due to the restructuring and root and branch review of the Council it was evident there may be some existing posts within the Authority which would be at risk. In order to comply with legal restrictions and ensure that “at risk” people could be given maximum opportunity to retrain it was decided that recruitment of this year’s ten new wardens would be restricted to internal applicants only. An initial recruitment drive commenced in June, at first this did not generate a high level of interest. Additional effort has subsequently been put into promoting an interest in these posts and has now resulted in a reasonable number of internal applicants. These will be interviewed during October and training/placement on wards will begin as soon as possible after this but will be dependent on the individual circumstances of each applicant.

The interviews were held and 5 jobs offers have now been made to internal candidates but still leaves 6 vacant posts and continue to advertise internally on weekly basis. Permission to advertise externally not given.



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

Date 28th November 2005

Item No.

Report of the Chief Executive of the Council

Directorate:
Legal And Democratic Services

Author/Contact Officer:
Ross Thompson
01604 837332 Ext 7332

Recommendations

That the name change of Wootton Parish Council to Wootton and East Hunsbury Parish Council be approved.

The Application

A request has been received from Wootton Parish Council to change the name of the Parish Council to Wootton and East Hunsbury Parish Council. A resolution was passed on 20th April 2005 to request the name change from the Council.

The reason for this is to make those residents of East Hunsbury served by the Council feel more inclusive and represented by the Parish.

Agreement is sought to this change from the Council being the District Council under the Local Government Act 1972 section 75, which states that:-

“At the request of the parish council of the district in which the parish is situated may change the name of the parish”.

Therefore there is a legal requirement for the Council to approve this request should it agree.