

MINUTES

OF THE PROCEEDINGS OF A MEETING OF NORTHAMPTON BOROUGH COUNCIL HELD AT THE GUILDHALL, NORTHAMPTON, ON MONDAY THE TWENTY SEVENTH MARCH 2006 AT SIX THIRTY O'CLOCK IN THE EVENING

PRESENT: HER WORSHIP THE MAYOR Councillor S.Beardsworth (in the Chair).

COUNCILLORS: Allen, Barron, Boss, Caswell, Church, Conroy, Crake, Duncan, Edwards, Eldred, Evans, Flavell, Glynane, Hadland, Hill, B.Hoare, M.Hoare, Lane, Larratt, C. Lill, J.Lill, Malpas, B.Markham, I.Markham, Massey, Matthews, McCutcheon, Miah, Palethorpe, Patterson, Perkins, Pritchard, Robinson, Roy, Stewart, Tavener, Taylor, Wire, Woods and Yates

1. MINUTES.

At this juncture prayers were said for Councillor Roy following the deaths of both her parents the previous week.

The minutes of the proceedings of the meeting held on 27 February, 2006 amended to include Councillor Allen in the list of those present and the minutes of the special meeting held on 9 March, 2006 were signed by the Mayor.

2. APOLOGIES.

Apologies for absence were received from Councillors Hollis, Hope, Marriott, Mason and Simpson.

3. MAYOR'S ANNOUNCEMENTS.

The Mayor announced that pupils of Billingbrook School had compiled a newspaper featuring all the good news things about the Town and had interviewed various people including the Mayor, and visited venues such as 78 Derngate, Sixfields, etc. She stated that she would be sending a copy of the newspaper to the editor of the Chronicle and Echo for information.

4. DEPUTATIONS/PUBLIC ADDRESSES/QUESTIONS.

RESOLVED: That Mr P Varnsvery and Mr.Connell be permitted to address the Council in respect of Item 6(A) – Notice of Motion on Delapre and that Ms J West and Mr S McQuade be permitted to address the Council in respect of Item 6(B) the Notice of Motion regarding the Arts Collective.

6. NOTICES OF MOTION

At this juncture the Mayor agreed to vary the order of business to take Item 6 – Notices of Motion as the next item.

- (A) Councillor Glynane proposed and Councillor M Hoare seconded;- “That Procedural Rule 3.4 be suspended to enable the following motion to be discussed and a vote to be taken.”

The motion was carried.

Councillor Glynane then proposed and Councillor M Hoare seconded the motion:- “This Council notes that with reference to the urgent motion to Council on 27 February a resolution was passed allowing three representatives to attend a meeting of Delapre Ward Councillors, the Portfolio Holder, NBC officers and three community representatives.

This Council further notes that the first meeting of the Delapre Park Consultation Group held on 7 March was attended by a delegation of seven representatives and was unable to proceed.

This Council resolves to increase the number of representatives to attend Delapre Park Consultation Group from three to seven to enable the meeting to proceed.”

Mr Varnsvery then addressed the Council urging that the number of representatives on the Delapre Park Consultation Group be increased from three to seven. He then went on to express his concerns over the situation at Delapre expressing the view that this was a very unsatisfactory situation.

Mr Connell withdrew his request to address the Council.

The motion was then duly debated.

Councillor Hadland proposed and Councillor Woods seconded an amendment to the motion so that it reads, “This Council resolves to increase the number of representatives to attend Delapre Park Consultation Group from three to seven to enable the meeting to proceed and that the Group also include the three Group Leaders or their nominees”.

Councillor Glynane as the mover of the original motion accepted the amendment.

A vote was then taken upon the motion as amended and it was carried as set below:

“This Council notes that with reference to the urgent motion to Council on 27 February a resolution was passed allowing three representatives to attend a meeting of Delapre Ward Councillors, the Portfolio Holder, NBC officers and three community representatives.

This Council further notes that the first meeting of the Delapre Park Consultation Group held on 7 March was attended by a delegation of seven representatives and was unable to proceed.

This Council resolves to increase the number of representatives to attend Delapre Park Consultation Group from three to seven to enable the meeting to proceed and also to include the three Group Leaders or their Nominees.”

(B) Councillor Woods proposed and Councillor Barron seconded;- “That Procedural Rule 3.4 be suspended to enable the following motion to be discussed and a vote to be taken.”

The motion was carried.

Councillor Woods then proposed and Councillor Barron seconded the motion as set out:- “This Council notes and encourages the aspiration of the Northampton Arts Collective to establish an Arts Centre within Northampton Town Centre believing that such a facility would have positive regeneration benefits and would add significantly to the cultural standing and diversity of the Town.

This Council further notes that the Northampton Arts Collective have been negotiating for the temporary use of the Market Hall (the Fish Market) for this purpose and have received encouragement and indications of support from various bodies locally, regionally and nationally for this exciting project.

Appreciating the legal and financial constraints this Council requests the Cabinet to facilitate the establishment of an Arts Centre on a temporary basis in the Market Hall from July 2006 for a period of not less than twelve months.”

Jane West, Chair of Northampton Arts Collective, then addressed the Council thanking Councillors and the Arts Team for their support. She briefly outlined the purpose of the NAC which essentially was to create a focus for the arts community and to help improve the cultural profile for the Town. She referred to events already carried out in the Market Hall and stated that as a building it was a perfect venue for what the Northampton Arts Collective wanted to do.

Stuart McQuade, Chief Executive of Encompass, then addressed the Council stating that in the time he had known the NAC he had found them to be highly organised with a true sense of cohesion.

The motion was then duly discussed, voted upon and carried.

At this juncture the meeting adjourned for ten minutes to move upstairs to the Council chamber.

The meeting resumed in the Council chamber.

TO ANSWER QUESTIONS ASKED UNDER COUNCIL PROCEDURAL RULE 5.2.

Councillor B Markham asked Councillor Caswell, as the Portfolio Holder, a series of

questions about the arrangements and contract regarding the Adshel bus shelters. He asked whether the Portfolio Holder would work with Adshel, Northamptonshire County Council and the Police to alleviate some of the current problems and issues that had arisen regarding these shelters. Councillor Caswell advised that pending future transfer to the County Council, interim management and reporting of damaged shelters was currently being undertaken by Planning officers in the Regeneration and Growth Team. Ultimately the future management of NBC bus stop/shelters etc, including transfer of the Adshel contract, would be the responsibility of the County Council. Councillor Caswell then briefly outlined the maintenance standards under the current contract with Northampton Borough Council. He added that it was disappointing that instances of vandalism to shelters appeared to have increased in recent years with shelters becoming targets for mindless acts of destruction. Northampton was not the only place where this was occurring however. He stated that he would investigate with Adshel if more priority could be given to the repair of shelters which were prominent and highly used. He would also examine the replacement of toughened glass with polycarbonate sheeting. Councillor Caswell also undertook to ensure that Northamptonshire County Council assumed responsibility for bus shelters in Northampton as soon as possible in accordance with the terms of the transfer of staff so that there was a single point of contact and management for provision of bus stops and shelters in Northampton.

Councillor Taylor asked a question about the Market Square. She asked the Portfolio Holder whether the internationally acclaimed Underscan Event held on the Market Square in February had shown that the Market Square could be used as a place where people could meet, watch or take part in events as well as a place to buy quality fresh produce. She asked when the proposals for the Square drawn up by Letts Wheeler would be shown to the public as part of the promised consultation on future plans and asked to be reminded of the costs for the proposals so far. She also asked when plans for creating space for future events or for public seating on the Market Square would be implemented. Councillor Hadland advised that a Project Manager for Markets had been appointed on a six months contract to kick-start the changes. One of his tasks was to look at implementing the removal of obsolete stalls and creating space for other facilities and events. There were some key issues that would need to be addressed in delivering the changes and they included the provision of alternative service supplies and the likely relocation of the compactor. In terms of the consultation process this had been affected by the Root and Branch restructure. The consultation exercise would need to be revisited and planned to ensure that everyone had the opportunity to view the future proposals. A definitive timetable for the consultation exercise was not available at this time but everyone would be updated once a plan had been produced. In terms of costs of the works undertaken by Letts Wheeler to date, an order was placed for £18,000 and to date three payments totalling £17,000 had been made.

Councillor Conroy asked Councillor Hadland, as the Portfolio Holder, a number of questions regarding empty shop units in Park Square, Kings Heath. He asked how many shop units were currently empty in Park Square, how much rental income had been lost to date from these units, what was the current weekly loss of income and what action was being taken to let these units. Councillor Hadland stated that there

were presently three vacant shops at Park Square but all three were under offer to prospective lessees. The total loss of rent for the three empty units had been £26,200 and the current loss of rent was £178 per week. In response to a supplementary question from Councillor Conroy which was essentially the same questions as above but in terms of shop units across the Borough. Councillor Hadland undertook to write back to him with the answer.

Councillor Matthews asked Councillor Palethorpe, as the Portfolio Holder, why CCTV had not been provided for the security of the new Camp Hill Community Centre in Dayrell Road given the high level of crime that could occur in the area. Councillor Palethorpe stated that Camp Hill was not deemed to be a hot spot for crime which was usually the determining factor on where CCTV was required. There would have been a significant cost implication to install cameras as one camera plus installation was in the region of £25,000 plus ongoing monitoring and maintenance of £4,000 per annum. Facilities Management and Planning were probably the best place to advise on what security elements were considered at the planning stage for the new Community Centre. In response to a supplementary question, Councillor Palethorpe stated that through the Crime Reduction Team he would monitor the situation.

Councillor Woods asked Councillor Caswell, as the Portfolio Holder, what the current status of the Northampton Borough Council Green Travel Plan was. Councillor Caswell advised that the Council had made a number of commitments over the past few years that necessitated the implementation of a Green Travel Plan. A project initiation document for a Green Travel Plan was produced last year but not enacted due to the changes in the Council's Structure, Root and Branch, etc. However it was hoped that with a new project sponsor the plan may be re-initiated as a means to improve the internal working of the Council whilst advocating greener transportation across the Borough. In response to a supplementary question as to whether work was continuing with Northamptonshire County Council Councillor Caswell stated that he would find out and would keep pushing this.

7. NORTHAMPTON DEVELOPMENT FRAMEWORK - STATEMENT OF COMMUNITY INVOLVEMENT ADOPTION

Councillor Caswell presented for consideration a report which was duly seconded by Councillor Hadland advising of the binding recommendations of the Inspector who considered the soundness of the Statement of Community Involvement and asking Council to adopt the Statement of Community Involvement as amended by those recommendations' as recommended by the Cabinet.

RESOLVED: That the Statement of Community Involvement as recommended by the Cabinet be adopted.

8. RECONFIGURING PRIMARY CARE TRUSTS IN NORTHAMPTONSHIRE

NB Councillor Roy declared a personal and prejudicial interest in the following item and left the meeting.

Councillor Hadland presented a report inviting Council to endorse the response to the consultation on the options for reconfiguring Primary Care Trusts in Northamptonshire agreed by the Improvement Board on 16 March. The report was duly seconded by Councillor Hill. It was noted that Improvement Board had agreed Option 1, namely one PCT for the County of Northamptonshire.

RESOLVED: That Council endorse the response made to the Strategic Health Authority, namely Option 1, in response to their consultation on the options for reconfiguring Primary Care Trusts in Northamptonshire.

9. STATUTE AUTHORISATIONS

Councillor J Lill presented this report which was duly seconded by Councillor Flavell. It was noted that the report had been endorsed by Cabinet on 6 March and was referred to Council for final approval. Its purpose was to update and extend the existing procedure for authorising individual members of staff within Environmental Health to carry out enforcement functions described by statute.

RESOLVED: That the following recommendations endorsed by Cabinet be adopted:

- (1) The Environmental Health Manager, Development and Building Control Manager be authorised to approve individual authorisations for members of Northampton Borough Council staff involved with the enforcement of environmental planning and building related legislation. That the authority to authorise staff be extended for the Environmental Health Manager to include those within other divisions of NBC and Parish Councils that may be part of an enforcement matrix involved with environmental related enforcements.
- (2) The Register of Authorisation is maintained by the respective officers of those staff that are deemed to have the relevant competencies and follow the prescribed processes for the application of the duties within each of the services.
- (3) That the Environmental Health Manager be appointed as Proper Officer for the Purpose of Public Health (Control of Diseases) Act 1984, Public Health (Control of Diseases) Regulations 1988 and Section 48 of the National Assistance Act 1948.
- (4) That for the purposes of Section 40 of the Anti-Social Behaviour Act 2003 the power of closure (in cases of environmental related nuisance) be delegated from the Chief Officer of the Council to the Environmental Health Manager.

10. OVERVIEW AND SCRUTINY REPORT ON PLANNING

Councillor Glynane introduced the report of the Overview & Scrutiny Planning Task and Finish Group which had been produced by Councillors Lane and Church and upon which Councillor Lane elaborated. He drew attention to a series of recommendations as a result of the deliberations of the Task and Finish Group for the Council's consideration. Councillor B Hoare commented that with regard to Recommendation 9 which suggested that the protocol for the meeting be sent out to those registering to speak so that they were aware of what to expect, would not work in practical terms as the cut-off point for registering to speak was noon on the day of the meeting.

Councillor Yates referred to Recommendation 2 which was recommending that MPs and County Councillors be given the same right to speak as Ward Councillors and suggested that Parish Councillors also be included. On this point further comment was made that not all of the Borough's area was Parished and this needed further careful consideration. Councillor Flavell, as the Portfolio Holder advised that she had noted the points made and suggested that further consideration be given to the report and that such it be delegated to officers to implement in consultation with herself.

RESOLVED: That the report of the Overview & Scrutiny Planning Task and Finish Group be received and noted and that it be delegated to officers to implement in consultation with Councillor Flavell, the Portfolio Holder, and that any amendments be made as appropriate.

11. PROGRESS ON RECOVERY PLAN

The Leader of the Council referred to a letter from the ODPM with regard to a recent planning inspection into our planning processes and the Council had been congratulated on the excellent progress it was making. Copies of this letter would be circulated. He then gave an update on the latest position with regard to the Recovery Plan. Thirty five projects were currently running with twenty nine on green, so they were on track, five on amber with only one on red. With regard to the core system for benefits the numbers still outstanding were falling. The new Recovery Plan was made up of twenty projects which included managing voids, development control, etc. It was noted that the latest CPA Progress Report was due Thursday 30 March.

12. POLITICAL STRUCTURES AND MISCELLANEOUS MATTERS - REPORT OF SOLICITOR TO THE COUNCIL

Councillor Palethorpe presented the Political Structures and Miscellaneous Matters Report which was duly seconded by Councillor Hadland and which sought approval to a number of changes to the Constitution and miscellaneous matters as outlined. Attention was drawn to the item Mayoralty Formula and it was suggested that the wording be amended to read "the Formula" rather than "a Formula". Councillor Hadland also drew attention to the composition of the Cabinet and sought endorsement to Councillor Larratt as a member of the Cabinet.

Councillor Perkins referred to page 8 of the report regarding Portfolio Holder

presentations and suggested that the timings be switched so that the time for presentations be five minutes and that the Councillors have a maximum of ten minutes in which to ask any relevant questions based on the presentations. He suggested that this paragraph be referred back to the constitutional working party for clarification but that the timings be switched around in the interim.

Councillor Church commented upon the makeup of the Cabinet commenting that this had been agreed some time ago in the spirit of the Corporate Plan and therefore the composition of the Portfolios should remain a decision of full Council. As such he suggested that recommendation five be amended to include the word existing so that it reads, "to assign existing Portfolio responsibilities to members of the Cabinet". Following some discussion on these points Councillor Barron formally moved and Councillor Evans seconded the amendments.

Following further discussion it was suggested that the status quo remain until annual Council but that the matter be referred to Improvement Board to discuss the matter further.

RESOLVED: That Council note the report and:

- (1) Delegates powers to the Solicitor to the Council to make changes to the Constitution to enable delegated decision making by Cabinet members to be made in the format outlined in the report.
- (2) Agrees the changes to the format of Council meetings and delegates powers to the Solicitor to the Council to make changes to the Constitution (including standing orders) to implement the changes.
- (3) Agrees the principle of using the formula based approach for appointing the Mayor from May 2007.
- (4) That Councillors Hadland and Palethorpe be appointed Chair and Deputy Chair of the Improvement Board respectively.
- (5) That in terms of Cabinet and Portfolio responsibilities to members of the Cabinet, powers be delegated to the Leader until Annual Council and that the matter be referred to the Improvement Board for further consideration.
- (6) That Councillor Roger Conroy be appointed to the Licensing Committee.
- (7) That Councillor Larratt's appointment as a Cabinet Member be endorsed.

13. REPORT OF REMUNERATION PANEL

Councillor Hadland presented this report seeking approval to amend the Council's current scheme on members' allowances to take into account the advice received by the Council's independent remuneration panel. In presenting the report he drew particular attention to paragraph 2 regarding the current travel allowance advising that this would start from 1 April. Councillor J Lill advised that with regard to claiming travel expenses for mileage travelled, new VAT regulations were coming into effect from 1 April and mileage claims would have to be accompanied by a receipt for the fuel purchased. It was noted that the accountants would be asked to look at this new regulation.

RESOLVED: That the report be received and that Council notes the advice of the independent Remuneration Panel and in accordance with its advice agrees to amend the Council's Remuneration Scheme to enable the following:

- (1) That the basic allowance for all Councillors be increased to £6,000 per annum and backdated to 1 September 2005.
- (2) That the current travel allowance of £600 per year regardless of the amount of travel undertaken be removed and that travel within the Borough should be claimed for in the same way as outside the Borough.
- (3) That the special responsibility allowance for members of the Improvement Board should be set at £6,000 per annum and backdated to 1 September 2005 and that the Special Responsibility Allowance for the Chair of Overview & Scrutiny should be set at £3,000 per annum and backdated to 1 September 2005 and that the Special Responsibility Allowance for the Chair of Audit Committee should be set at £2,000 per annum backdated to 1 September 2005.
- (4) That Council notes that a full review will be brought to the 22 May Council meeting and that review will consider all allowances including the allowances agreed in this report.

14. NOMINATIONS TO WNDC PLANNING COMMITTEE

Councillor Hadland presented the report asking that Councillors nominate a representative and a substitute from each of the three main political parties to represent Northampton Borough Council on the West Northants Development Corporation Planning Committee. It was noted that these representatives would be party to strategic planning decisions made by the WNDC with respect to the regeneration of Northampton and the growth agenda.

RESOLVED: (1) That Councillor Flavell be nominated on behalf of the Conservative Group, substitute to be advised, that Councillor B Markham with Councillor Church substitute be nominated on behalf of the Lib Dem Group and that Councillor Patterson with

Councillor Evans substitute be nominated on behalf of the Labour Group.

- (2) That it be noted that these representatives will be party to strategic planning decisions made by the WNDC with respect to the regeneration of Northampton and the growth agenda.
- (3) That the Solicitor to the Council be authorised to undertake any amendments necessary to the Council's Constitution to implement these nominations and to report to full Council on any changes made.

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

There were none.

The meeting concluded at 8:55 pm.