

## MINUTES

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

**PRESENT:** HIS WORSHIP THE MAYOR Councillor C Lill (in the Chair).

**COUNCILLORS:** Allen, Barron, Boss, Caswell, Church, Conroy, Crake, Duncan, Edwards, Eldred, Glynane, Hadland, Hill, B. Hoare, Hollis, Hope, Lane, Larratt, J.L., ill, Malpas, Markham, Markham, Marriott, Mason, Matthews, McCutcheon, Palethorpe, Patterson, Perkins, Pritchard, Roy, Simpson, Stewart, Tavener, Taylor, Wire, Woods and Yates

### 1. MINUTES.

Prior to the commencement of the meeting the Mayor made a short statement about the conduct of Council meetings generally. He stated that this meeting was a brand new start of the new-style Council meetings in accordance with the Council's wishes and that in future normal business would be considered first with political business scheduled to commence around 8 o'clock. Also, upon adoption of the new Constitution, new provisions would be introduced. For example a new question time for members of the public and Councillors. In order to ensure that Council meetings progressed properly and efficiently it was essential that the rules of procedure were strictly adhered to and enforced with the Assistance of the Chief Executive and Monitoring Officer if necessary. Also in future, motions would only be accepted if they complied with the rules outlined in the Constitution.

The minutes of the proceedings of the meeting of the Council held on 28<sup>th</sup> September 2006, amended to include Councillors Hope and Lane in the list of those present, were signed by the Mayor.

### 2. APOLOGIES.

Apologies for absence were received from Councillors Acock, Beardsworth, Evans, Flavell, Massey, Miah and Robinson.

### 3. MAYOR'S ANNOUNCEMENTS.

The Mayor announced with deep regret the death of former Borough Councillor Raoul Perry. Councillors Woods, Hadland and Barron paid tribute to Raoul's time as a Borough Councillor and the Council then stood in silence for a minute as a mark of respect.

The Mayor then called on Councillor Hadland to make a statement regarding the German Christmas Market. Councillor Hadland read out a statement regarding the

true facts in terms of the German Christmas Market following recent misleading media coverage. He stated that the media had suggested that only four stalls had been allocated to the German traders and that the Borough Council had been in dispute with them which had resulted in the Market not going ahead. Councillor Hadland stated that this was not true and that the Borough Council was not in any dispute with the organisers and that the traders had in fact been to visit the Market Square on a number of occasions and that the Borough Council had done everything in its power to make the event a success. Also the Borough Council was doing all that it could to book alternative events in the run up to Christmas.

The Mayor then stated that he had attended a great many events since he last attended the Council meeting. He stated that at the time of the last Council meeting he had been visiting Marburg with the Deputy Mayor and the Town Twinning Group and that the visit had been very successful and great efforts made in promoting Northampton. It was hoped that the reciprocal visit by representatives from Marburg to Northampton next June would be as successful.

The Mayor then extended an invitation to everyone present for drinks and mince pies in the Mayor's Parlour at the end of the meeting.

#### **4. DEPUTATIONS/PUBLIC ADDRESSES/QUESTIONS.**

**RESOLVED:** That Mr P.Au be permitted to address the Council in respect of Notice of Motion Item 11B regarding the Mayorhold Car Park.

#### **5. APPOINTMENT OF INTERIM SECTION 151 OFFICER (COPY HEREWITH)**

Councillor Hadland presented the report, which was seconded by Councillor Palethorpe, which sought to affirm the appointment of a temporary Section 151 Officer.

**RESOLVED:** That Council affirms the appointment of Bill Lewis in a temporary capacity as the Council's Section 151 Officer until such time as a permanent appointment is made. The appointment to be effective from this Council meeting.

#### **6. THE CONSTITUTION - REPORT OF SOLICITOR TO THE COUNCIL**

Councillor Palethorpe presented and Councillor Hadland seconded a report seeking adoption of the Council's new Constitution. In presenting the report, Councillor Palethorpe drew attention to a couple of amendments. One was with regards to paragraph 20.2 in respect of attendance at Cabinet or Committee by other members of the Council. It was suggested that this paragraph be amended to allow members to address the Cabinet on any item on the meetings' published agenda. In addition attention was drawn to page 4.3 paragraph 1.4.1 regarding the Guillotine process which stated that if the business of a Council meeting had not been concluded by 10:30 pm the Mayor would draw the attention of the meeting to the time and to the rule that the Guillotine would normally fall closing the meeting at this point. However, it was being suggested that perhaps an earlier time of 9:30pm would be

preferable. It was noted that the Constitution was a working document and that as issues evolved then further changes would probably need to be made accordingly.

**RESOLVED:** (1) That the Constitution as set out in appendix 2 of the report be adopted for immediate implementation.

(2) That the Solicitor to the Council be authorised to make any typographical amendments to the Constitution as approved and to issue copies to all Councillors and relevant members of staff.

(3) That it be noted that the Planning Protocol (Part 5) and the Members' Allowance Scheme (Part 6) would be subject to revision at a later date once the Standards Committee had considered the former and the Remuneration Panel had considered the latter.

(4) ) That paragraph 20.2 be amended as follows:

“Members will be permitted to address Cabinet upon any item on that meeting's published agenda (except where Cabinet is required to follow a statutory procedure in relation to that item or exercise thereof would prejudice the Council's duty to act quasi judicially). Such addresses on any one item shall not without the specific consent of Cabinet exceed three minutes and Cabinet will have the discretion to limit the number of members speaking on any one item. Members will have a right to speak on any item in order to declare personal and prejudicial interest in that item”.

(5) That the issue regarding the timing when the guillotine should come into effect to close the meeting be given further consideration at a later date.

## **7. GAMBLING ACT 2005 - LICENSING POLICY STATEMENT**

Councillor Wire as Chair of the Licensing Committee presented a report on the Gambling Act 2005 – Licensing Policy Statement which was seconded by Councillor Eldred.

**RESOLVED:** That the report be received and the draft Statement of Licensing Policy as approved by Licensing Committee be endorsed.

## **8. IMPROVEMENT PLAN- UPDATE**

Councillor Hadland gave an update in terms of the current position with regard to the Improvement Plan. He stated that the Strategic Improvement Plan set out six key headings. The Plan had one hundred and sixty actions and was monitored and updated each week. This was on target and of the one hundred and sixty actions on the original plan eighty had now been completed. The actions had been charted

and members could be supplied with these details should they so wish. He stated that there had been some delay in getting the Team Central software. He then referred to the CPA inspection which had taken place on 13, 14 15 and 16 November. The inspectors had provided a short feedback session on 16 November and last week there had been an interview session with partners and stakeholders. It was hoped to have a draft report next week with the final report due in January. He paid tribute to the tremendous amount of work and effort on the part of everyone involved with the CPA process and added that the inspectors had commented on the goodwill and grace with which the process had been carried out.

## **9. PROGRESS ON RECENT NOTICES OF MOTION (COPY TO FOLLOW)**

Councillor Hadland presented a report detailing the progress on recent Council Notices of Motion.

**RESOLVED:** That the report be received and noted.

## **10. TO ANSWER QUESTIONS ASKED UNDER COUNCIL PROCEDURAL RULE 5.2.**

- (A) Councillor Roy asked a question of Councillor Palethorpe as the Portfolio Holder if he could give an update on the progress with regard to the Community Safety Gating Improvements in Park Walk, Kings Heath and advise what progress had been made since she last asked the question in Council. Also whether he could advise how this improvement on the status of the project differed when she first asked the question in Council in May. She also asked whether the response could be given to her in writing. Councillor Palethorpe reminded that initially there had been an objection from the Fire Service relating to gates being placed at either end of the shops with the reason being that the door entry system that was being looked at would lead to complications associated with the fire exit from the flats. In addition it had also been highlighted that due to the design of the shop, the proposal may not necessarily be aesthetically pleasing to the community. The issue was now being progressed by the CASPAR officer and the Neighbourhood Management Coordinator and hopefully would be resolved one way or another within the next couple of months. Funding had been identified but was limited and this could be the deciding factor whether it went ahead. Consultation had not been as detailed as it would have been wished and the exact amount of funding had not been assessed. However, residents would be made aware of any decisions as soon as possible. Councillor Roy then asked a supplementary question whether when she posed another similar question in future it could be discussed in two separate parts, ie in terms of the existing gating which had never been satisfactory and in terms of possible new gating. Councillor Palethorpe agreed to this.
- (B) Councillor Roy then asked a question of Councillor Caswell as the Portfolio Holder whether he could advise what proportion of the land receipts of the Borough owned land on the proposed Dallington Grange development would be reinvested for community facilities for specifically local Spencer Ward

citizens. Also she asked whether he could advise what the Borough Council's position was on attempting to influence the proportion of Section 106 funding in terms of reinvestment in Spencer Ward for the good of local Spencer Ward citizens. She asked whether a response could be given in writing. Councillor Caswell stated that the question was somewhat premature as Cabinet had not yet had the chance to consider the item. As such he was therefore unable to advise what proportion, if any of land receipts would be reinvested for community facilities specifically in Spencer Ward or across the Town as a whole. He stated that he was aware that officers were working collaboratively with all the public agencies to maximise the regenerative effect of the Dallington development locally and for Northampton generally. The proposals regarding land sale at Dallington would be brought to Cabinet in the future. Councillor Roy then asked a supplementary question if he would let her know at what point in time Cabinet would consider this issue. Councillor Caswell stated that she would be consulted accordingly.

- (C) Councillor Hill then asked a series of questions of Councillor Larratt as the Portfolio Holder regarding cemeteries. He asked how many spaces remained vacant in the Council's cemeteries, when, at the current usage rate, the cemeteries would be full, what plans the Council had to provide additional cemeteries, and whether English Partnerships were still prepared to make land between the Warren, Hardingstone and Brackmills link road available to the Council for cemetery use. If the answer to this was yes then he asked where did this land fall in the Council's future cemetery plans. Councillor Larratt stated that currently with the new extension to Kingsthorpe there were two thousand, seven hundred spaces available which was around three years requirement and that there was also another piece of land available in two years which would be made ready in time for further extension. In terms of additional cemeteries various pieces of land were being looked at including unused allotment space in Duston. In terms of English Partnerships being prepared to make land available it was noted that talks with English Partnerships were in the very early stages and therefore this could not be clarified at this stage. However it was likely that some land would be made available for cemetery provision.
- (D) Councillor Hill then asked a couple of questions to Councillor Larratt as the Portfolio Holder with regard to Abington Park Lake. He asked how much money the Council had spent on Abington Park Lane in each of the past three years and were there plans to spend any additional money on the lake. If so where did it envisage the money coming from. Councillor Larratt stated that two years ago £220,000 had been spent dredging the bottom lake, all the pathways and kerbing with new weirs being installed and imported new clay to reseal the lake. He added that there were no plans to spend any further monies at this time.
- (E) Councillor McCutcheon then asked a question which Councillor Hadland responded to in Councillor Miah's absence. Councillor McCutcheon stated that the Council owned flats primarily two storey and above, without security doors fitted, were open access to non-residents. He stated that in his Ward some

landings on the first floor were being used as a drinking den along with some drug misuse and general anti-social behaviour. The Community Warden and Police Community Beat Officer were aware of the problems. He asked if the Council would review its policy and secure its properties in affected areas. He stated that residents should not have to tolerate such antisocial behaviour outside their front doors. Councillor Hadland stated that the Property Maintenance Manager had presented a report on door entry systems and doors to the Housing Repairs Task & Finish Group and that this Group would make their recommendations for future developments upon detailed consideration of the report. There was no current policy in place however and this would be developed following appointment of the Electrical Services Team Leader due to be interviewed on 30 November. There were a number of Community Safety Forums/Meetings which discussed issues relating to anti-social behaviour and how we as a Council with our Stakeholders could implement sustainable solutions to the problem. A specific location could be discussed at this Forum or alternatively bids submitted via Housing Officers for funding through Environmental Enhanced Scheme.

## **11. NOTICES OF MOTION**

- (A) At this juncture Mr P.Au addressed the Council on the Notice of Motion regarding car park opening hours. He stated that he represented the business community in Sheep Street and that currently there was a great deal of concern within the business community regarding the car park closing time. The fact that it closed at 8:00 pm had greatly affected the businesses and could well result in the closure of some. He stated that a few years ago the car park had been open twenty four hours but then following its refurbishment the hours were reduced to close at 8:00 pm. It also was perceived by businesses in Sheep Street that this was almost a forgotten part of the Town, even to the point of having no Christmas lights. He asked the Council to support the motion and hoped that it would do all that it could to increase car parks opening hours. He expressed the view that longer opening hours of the car park would only serve to help the Town to develop and thrive.

Councillor J Lill then moved and Councillor Wire seconded the motion:

“This Council requests Cabinet to consider that the Mayorhold Car Park be kept open until 1:00 am each night with immediate effect in order to meet the needs of the public visiting and utilising Town Centre night time facilities.”

In seconding the motion Councillor Wire proposed an amendment that the twenty four hour opening of the car park be reinstated. Councillor J Lill as the mover of the motion accepted the amendment. Following some debate the motion as amended was voted upon and carried and stood referred to Cabinet. The amended motion is set out below:

“This Council requests Cabinet to consider that the Mayorhold Car Park be kept open twenty four hours every day with immediate effect in order to meet the needs of the public visiting and utilising Town Centre night time facilities.”

- (B) Councillor Barron moved and Councillor Marriott seconded the following motion:

“This Council welcomes the recent Government White Paper as a chance to debate the future structure of local government and how it can better serve local communities. We note that there is an opportunity to apply for unitary status and that the towns/cities, which are smaller than Northampton in population, are considering doing so.

This Council believes that success of local democracy partly depends upon elected Councillors and the decision making process being brought as close as possible to citizens in their community. We believe taking decision making away from people is incompatible with improving Northampton.

Therefore this Council will oppose any move by Northamptonshire County Council to consolidate decision making with a single Northamptonshire wide unitary authority.

In the light of that, and given the size of Northampton, this Council agrees to consult the citizens of Northampton with a view to submitting a proposal to Government to introduce a new Northampton unitary authority to provide services to the people of Northampton.”

NB Councillors B Hoare, Church, Glynane, Tavener, Edwards, Hill, Wire, Yates, Patterson, Eldred, Lane, Hollis and Malpas declared an interest in the above motion as members of the County Council and either abstained from the debate or left the meeting.

Councillor Hadland then proposed an amendment to the motion which was seconded by Councillor Woods as follows:

“This Council notes the recent Government White Paper as a chance to debate the future structure of local government and how it can better serve local communities. We note that there is an opportunity to apply for unitary status and that the towns/cities which are smaller than Northampton in population are considering doing so. We also note the unrealistic timetable laid down for submitting proposals to change local structures.

This Council believes success of local democracy partly depends on elected Councillors and the decision making process being brought as close as possible to citizens in their community. We believe taking decision making away from people is incompatible with improving Northampton.

Therefore this Council will oppose any move by Northamptonshire County Council to consolidate decision making with a single Northamptonshire wide unitary authority.

The Council believes that a single Unitary Council to serve Northampton is the

appropriate structure to deliver services responsively, efficiently and cost effectively, but recognises that such a Council drawn as required by the White Paper on current boundaries would not serve all the people of a growing Northampton in the short and medium term.

The Council request the Cabinet to work with the other Councils in Northamptonshire to formulate an enhanced two-tier structure for Northamptonshire to be submitted to the Government in January 2007 designed to:

- (1) Provide simpler and more accessible services
- (2) Provide more efficient services in line with identified priorities
- (3) Ensure that Northamptonshire is not involved in costly reorganisation at the tax payers' expense."

The amendment was duly debated, voted upon and carried.

- (C) Councillors Allen, I Markham and Taylor declared a personal and prejudicial interest in the following motion and left the meeting and Councillors Edwards and Church declared a personal but non-prejudicial interest.

Councillor Church then moved and Councillor Simpson seconded the following motion:

"This Council notes that:

- (1) The new Northamptonshire Primary Care Trust has a deficit of £37m which the Government expects to be cleared this financial year, forcing cuts in mental health and learning disability services, the temporary closure of wards and the loss of access of treatment for fertility, allergies and other specialist care.
- (2) The Conservative run County Council is making cuts to care services for the elderly and disabled people that compound the effect of the NHS cuts.  
This Council requests the Chief Executive to write to Patricia Hewitt, the Secretary of State for Health and our local MPs calling on her to
  - (i) End excessive interference in the NHS from Whitehall exemplified by the ten reorganisations of the NHS since Labour came to power
  - (ii) End the demand for Northampton health services to repay their deficits for 2005/06
  - (iii) Ensure that adequate funding is available for health care in Northamptonshire without cuts in services to patients.
  - (iv) Ensure that adequate facilities are planned for the future increase in



Northampton's population”

Following some discussion Councillor Barron moved and Councillor McCutcheon seconded that the motion be now put.

The motion was carried.

The motion was then voted upon and carried.

**12. 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 9:00 pm.