

## MINUTES

OF THE PROCEEDINGS OF A MEETING OF NORTHAMPTON BOROUGH COUNCIL HELD AT THE GUILDHALL, NORTHAMPTON, ON MONDAY THE TWENTY THIRD DAY OF JULY 2007 AT SIX THIRTY O'CLOCK IN THE EVENING

**PRESENT:** HER WORSHIP THE MAYOR Councillor Mason (in the Chair).

**COUNCILLORS:** Beardsworth, Capstick, Caswell, S. Chaudhury, I. Choudary, Church, Clarke, Collins, J. Conroy, R. Conroy, Crake, De Cruz, Davies, Edwards, Flavell, Glynane, Hadland, Hawkins, Hill, Hoare, Hoare, Hollis, Lane, Larratt, J. Lill, C. Lill, Malpas, Markham, Mason, Matthews, Meredith, Mildren, Palethorpe, Perkins, Reeve, Scott, Simpson, Tavener, P. Varnsberry, P.D. Varnsberry, Woods and Yates

### 1. MINUTES.

The minutes of the proceedings of the meeting of the Council held on 28 June 2007 were signed by the Mayor.

### 2. APOLOGIES.

Apologies for absence were received from Councillors Duncan, I. Markham, Reeve, Taylor and Wilson.

### 3. MAYOR'S ANNOUNCEMENTS.

The Mayor announced with deep regret two recent bereavements firstly Valerie Anne Fruish, who had played the "Last Post" at Remembrance Day Services for the last twenty years, and former Conservative Borough Councillor Janet Dicks, who had served on the Borough Council during the 1970s and 80s. Councillor Hadland paid tribute to Janet Dicks, who had been the niece of W J Bassett-Lowke. The Council then marked its respect by holding a minute's silence for each.

The Mayor then announced that she had attended sixty events to date, including a visit to Marburg. A visit by Polish students had resulted in her being presented with a decorative plate, which she had on display at the Council meeting and which would be displayed in the Mayor's parlour. She then referred to another event marking the 43rd Anniversary of Independence of Malawi, which she had attended. She then referred to her go karting experience where she had managed to achieve the slowest lap time on record. In concluding her announcements the Mayor wished the Deputy Mayoress a very happy birthday for the following day.

The Mayor then advised that there had been a further change to the date of the September Council meeting and that it was now back to its original date of Thursday 27 September at 6:30 pm. As she would be out of the country on a mayoral visit the Deputy Mayor would be in the Chair. She also reminded members of the Special Council Meeting on Monday 6 August at 6:00 pm for the purpose of appointing a

new Chief Executive.

The Deputy Mayor then referred to a function that he had recently attended on behalf of the Mayor at Becketts Park on 30 June. He stated that some two hundred people had been present and had basically spent the day clearing the island in Becketts Park, preparing display boards about the wildlife and painting the railings along the tow path. However, they had been unable to complete the railings due to wet weather and the Deputy Mayor had agreed to go back to help finish the task on Saturday 4<sup>th</sup> August. He stated that any members who would like to come along to assist would be very welcome.

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

It was noted that Mr.K.Bonham, Sue.Shaw, Dave.Green and Mr.Adams had registered their interest to speak under the Notice of Motion 11(A) regarding Billing Village Green, that Mr.H.Tuttle and Mr.D.Jwanczuk had registered to speak on the Notice of Motion under Item 11(B) regarding Highways Maintenance and that Mr.C.Grethe had registered to speak on the Notice of Motion under Item 11(C) regarding the Northampton Door-to-Door Service.

At this juncture Councillor Capstick, on behalf of residents of Lings Estate, presented a petition asking the Council to secure the areas of land on Birds Hill Road, Lings to prevent the unauthorised encampment by travellers. The Mayor accepted the petition on behalf of the Council, which would be forwarded to the relevant Portfolio Holder.

#### **5. QUESTION TIME**

The Mayor advised that eight questions had been received from members and that the questions and answers had been tabled in accordance with the Constitution.

The Mayor advised that she would take the questions in the order in which they had been received.

Councillor Davies then asked a question of Councillor Woods, as Leader of the Council. The question was regarding Delegated Decisions and Councillor Davies advised that he was happy to accept the answer as tabled.

Councillor Malpas then asked a question of Councillor Crake, as the relevant Portfolio Holder, in terms of what new and dynamic policies did she intend to introduce and pursue on behalf of the Council to improve amenities for the tax payers of the Borough. Councillor Malpas accepted the answer to his question as tabled.

Councillor Hill then asked a question of Councillor Woods, as the Leader of the Council, regarding local transport operating companies. Councillor Hill noted the response and asked a supplementary as to why the response did not mention talks with rail companies. Councillor Woods commented that this Council had very little jurisdiction over the actions of the rail companies and that the Rail Users' Group

was the link with the rail companies.

Councillor Flavell asked a question of Councillor Crake as the relevant Portfolio Holder as to when the Dog Control Order would be coming into force. Councillor Flavell noted the answer as tabled and asked a supplementary question as to whether the play area in Abington Park would be fenced off. Councillor Crake advised that at the moment this was being looked into but could not give any commitment at this moment in time.

Councillor J.Lill asked a question of Councillor Crake, as the relevant Portfolio Holder, whether Councillor Crake believed what she said to her party and its supporters after Ming Campbell's visit to Northampton that, "If everyone made one tiny change it could make a really big difference to the environment as well as saving us money". Councillor Crake stated that her answer was, "Yes". Councillor J.Lill then asked a supplementary question in terms of whether Councillor Crake could give details to the next meeting on how much it was costing the tax payer to keep the Mayorhold Car Park open twenty four hours a day. Councillor Crake replied that the costs were the same as they had been under the previous Administration.

Councillor Palethorpe asked a question of Councillor Beardsworth, as the relevant Portfolio Holder. His question referred to a list of achievements and improvements delivered by the housing staff during the period of the Conservative administration and he was asking whether the Portfolio Holder would read out the list to full Council and provide a written copy for inclusion in the Council minutes. Councillor Beardsworth stated that these notes had been circulated to all members as they had been appended to the 2<sup>nd</sup> July Cabinet minutes. Councillor Palethorpe asked a supplementary question as to whether she would come back with a comparative balance this time next year in terms of details of what the Liberal Democrats had achieved. Councillor Beardsworth advised that she could do this.

Councillor Davies asked Councillor Crake a question, as the relevant Portfolio Holder, in terms of how close the external fencing and lighting was to being completed on Ecton Lane Travellers Site. He noted the answer as tabled and asked a supplementary question as to whether she had taken into account the Audit Inspector's letter in relation to the Ecton Lane Travellers Site. Councillor Crake undertook to send a written response to Councillor Davies in terms of the supplementary question.

Councillor Capstick asked a question of Councillor Glynane, as the relevant Portfolio Holder. The question was with regard to what negotiations were taking place in terms of the Blackthorn Community Centre. She noted the answer as tabled and asked a supplementary question. She sought assurance that any decision made with regard to Blackthorn Community Centre was made with full consultation with the users of the Centre and people of the area. Councillor Glynane stated that this would be the case.

## **6. CABINET MEMBER PRESENTATIONS**

At this point each of the Cabinet members made a presentation on their respective portfolios, which had been circulated with the agenda.

In presenting his portfolio update Councillor Woods referred to the fact that he had also circulated with it the annual Audit and Inspection Letter from the Audit Commission. He had also included correspondence between the Borough Council and the Department for Communities and Local Government with regard to the Council's progress on implementing the Audit Commission's recommendations.

Other issues covered in this portfolio presentation included Recruitment of a New Chief Executive, Communications, the LGA Conference, Partnerships and Changes to the Committee Structure which had been agreed at the Annual Council Meeting.

Members then asked questions regarding this portfolio presentation. Mention was made to matters referred to in the Audit Commission report regarding the Council's progress in improving its housing services.

Reference was also made to public involvement at Council meetings and Councillor Woods advised that the item "Question Time", which appeared as a standing item on the agendas of Ordinary Council Meetings, gave the public the opportunity to submit written questions five working days in advance. He also drew attention to the fact that a note had been circulated on the public seats prior to this Council meeting outlining details regarding public involvement at Council meetings.

Councillor Glynane, Portfolio Holder for Community Engagement and Safety, then presented his portfolio update which touched upon Car Parks, the Balloon Festival and the Crime and Disorder Reduction Partnership. Members then asked questions regarding his update, particularly with regard to the Balloon Festival. The accuracy of the figure of £20,000 savings as a result of there no longer being a hospitality tent for Councillors at the Balloon Festival was queried. Previously it was thought this figure was more like £3,000 for hospitality. Additional questions regarding costs were raised and Councillor Glynane advised that this year they were trying to make the Balloon Festival different from previous years and for the first time it would be possible to establish the numbers attending the event and as such it was hoped that an accurate costing at the end of the event could be produced

Councillor Beardsworth, Portfolio Holder for Housing, then presented her portfolio update which covered Council Tax, Good Neighbour Declaration, Choice Based Letting Scheme, Decent Homes, Homelessness, Tenant Participation and Revenues & Benefits. She drew attention to the fact that the Revenues & Benefits Scheme had recently been nominated for the Institute of Revenues Rating and Valuations Award for the most improved team and they had just learnt that they had been short listed. She asked the Council to join with her in wishing the team every success. She then mentioned the issue of asbestos, which had been raised under the Audit Commission Report and advised that this had been looked at as a matter of urgency and would be reported to N-TACT as soon as a full report was available.

Councillor Church, Portfolio Holder for Regeneration, then presented his portfolio update on Grosvenor/Greyfriars, St Johns Cultural Quarter, the Market Square,

Delapre Conservation Area, the Joint Core Strategy Issues & Options Paper and Development Control. He drew particular attention to the Joint Core Strategy, which was due to be considered by Cabinet on 30 July, commenting that this was one of the most important papers that this Council would be dealing with and that it was about how we would wish to see the Town in twenty years time and he strongly urged all Councillors to take part in the consultation exercise. Councillor Church responded to the questions stating that it was the intention to protect open space as far as possible, that careful consideration needed to be given to any future development around the Town so that the risk of flooding was not increased, that in terms of the Market Square, it was the wish of the administration to see it prosper both as a trading place and an area for leisure and entertainment in the future, and ideas were being looked at for the Market Square and the employment of consultants would depend on whether or not this was the best way forward but all ideas and proposals would be looked at.

Councillor Crake, as Portfolio Holder for Environment, then presented her portfolio update which touched upon the Carbon Management Programme, Northamptonshire Waste Partnership, the recent Litter Campaign, Sheep Street Toilets, the APSE Seminar, the Smoking Ban, Neighbourhood Wardens, Travellers, Disability Grants and Property Maintenance. Questions asked of the Portfolio Holder included the position regarding Neighbourhood Wardens and Disability Grants. Councillor Crake advised that there were currently fifteen Wardens and that there were two vacancies. She then briefly outlined the position with regard to Disability Grants. In response to a question regarding void properties she stated that these varied week to week but that she would give a written answer to Councillor Larratt in terms of the current number.

Councillor B Hoare, Portfolio Holder for Performance, then presented his portfolio update covering the Corporate Plan, the Best Value Performance Plan, Performance Monitoring, Data Quality Audit, Human Resources, Governance and Councillor Engagement, Maintaining Compliance to Legal Duties and IT Infrastructure and Connectivity. He stated that the Single Status Project, which was a major Pay & Grading Review being undertaken by this authority as part of a national agreement, was working towards conclusion at the end of the year. In response to a query about the missed collection figure of 32 shown under the Council Tax in the Performance Monitoring, Councillor Hoare said he was happy to go back and look at this figure for accuracy.

Councillor Mildren, Portfolio Holder for Finance, then presented his portfolio update which referred to the Revenue Outturn, Audit Committee, Financial Accounts and Statement of Internal Control, Resources for the Finance Directorate and Asset Management. He drew attention to the fact that he had attended a number of meetings with the Audit Commission, Government Monitoring Board, internal and external auditors, and the Interim Chief Executive and Corporate Directors in accordance with the need to understand and monitor the Authority's financial pressures. In addition he was attending bi-monthly performance reviews and had commenced preliminary work with the Finance Director on formulating a budget setting process for the 2008/08 budget. Councillor Clarke noted that the last paragraph of the presentation referred to negotiations to changes to the lease at

Sixfields with Northampton Town Football Club and stated that there had been an article published in the Chronicle and Echo which had been both incorrect and defamatory in that it was implying that he had been elected to use his influence over the Sixfields site and he felt that he needed to draw this to the Council's attention. He stated that he had responded to the Chronicle and Echo and they would be publishing an apology. Councillor Mildren assured that at no time had he ever been approached by Councillor Clarke in terms of Sixfields.

## **7. THE MEMBERS NEW MODEL CODE OF CONDUCT**

Councillor Matthews presented for adoption the New Code of Conduct which was duly seconded by Councillor Flavell. He advised that the Government had published a revised Model Code of Conduct for Members, which had come into effect on 3 May this year and that local authorities had until 1 October 2007 to adopt the Code. A copy of the revised model was appended to the report. Once the Authority had adopted the Code they must publish the fact and make copies available for inspection. The Standards Committee had approved the Code at its meeting the previous week and it was being recommended that it be adopted by Council to come into effect from 1 September 2007.

**RESOLVED:** That Council adopt the Model Code as appended to the report as the Borough Council's Code of Conduct pursuant to Section 51 of the Local Government Act 2000 with effect from 1 September 2007.

## **8. REVISED PROBITY IN PLANNING PROTOCOL**

Councillor Hollis presented for adoption a report seeking approval to the adoption of the new Probity and Planning Protocol in place of the existing protocol in Part 5 of the Council's Constitution, but with Appendix 3 of the existing Protocol (Speaking at Planning Committee Meetings), being retained as an appendix to the New Protocol. The report was duly seconded by Councillor Davies.

**RESOLVED:** That Council adopt the New Probity in Planning Protocol in place of the existing Protocol in Part 5 of the Council's Constitution, but with Appendix 3 of the existing Protocol (Speaking at Planning Committee Meetings) being retained as an appendix to the New Protocol.

## **9. OVERVIEW AND SCRUTINY ANNUAL REPORT 2006/07**

Councillor Simpson presented the Overview & Scrutiny Annual Report for 2006/07, which referred to the various pieces of work that had taken place throughout the year including the various Task & Finish Groups. Councillor Malpas seconded the report. Councillor Simpson considered that Overview & Scrutiny was one of Northampton Borough Council's success stories and hoped that this could continue to be built upon and that in fact other Councils were now looking to this Council for information and assistance and copies of our toolkit. In commending the report to the Council he thanked all the Councillors and members of the public who had been involved in the Task & Finish Groups for their work and efforts and to Tracy Tiff (Scrutiny Officer) for her hard work and efforts with regard to the Overview &

Scrutiny function. Councillor Glynane echoed these thanks and also thanked Margaret Pritchard, Marion Allen and Anjona Roy for their input.

In considering the report comment was made that this highlighted one of the flaws in the new Constitution in that those people who had contributed to the report would not under the new rules be allowed to come and address the Council. It was noted however that there would have been the opportunity when the report had been presented to Cabinet the previous week. However, the position had been noted and Councillor Simpson advised that Overview & Scrutiny 1 had set up a Task & Finish Group to look at community engagement.

**RESOLVED:** That the Overview & Scrutiny Annual Report for 2006/07 be received and noted.

## **10. COUNCIL REPRESENTATIVES ON OUTSIDE BODIES**

Councillor Woods moved and Councillor Meredith seconded the report listing the Council's nominations to Outside Bodies for approval. In presenting the report Councillor Woods referred to a couple of amendments firstly that Councillor Hollis rather than Councillor Beardsworth, would be one of the representatives on the Northampton Rape Crisis Centre Management Committee and secondly that there needed to be a further addition to the list in terms of a WNDC/Town Centre Strategic Board. Councillor Woods advised that himself and Councillor Church, together with one Labour representative and one Conservative representative, would be the nominees on that particular body. In addition, he recommended that it be delegated to the Chief Executive and the Group Leaders to make any further changes to the list as necessary. Councillor Hadland advised that the Conservative nomination on the Northampton Tourist Association should be Councillor Colin Lill and that he would be the Conservative representative on the WNDC Town Centre Strategic Board.

Councillor Davies advised that he would be the Labour representative on the WNDC Town Centre/Strategic Board. He then drew attention to the Theatres Trust which had three Borough Council representatives and therefore gave all parties the opportunity to be represented on the Board, as had been the case previously. He expressed concern however that the Labour Group were no longer represented on the new list. In response to comments regarding the accuracy of the list, it was noted that this had been checked but any inaccuracies that came to light would be further checked.

**RESOLVED:** (1) That the appointment of the Councillors nominated to the outside bodies as detailed be approved and that the appointments be for the four year term of the Council.

(2) That the amendments to the list referred to above be incorporated and that the Chief Executive and Group Leaders be delegated to make any further changes to the list as necessary.

## 11. NOTICES OF MOTION

(A) Councillor Malpas moved and Councillor Palethorpe seconded the Notice of Motion as printed under 11(A) on the agenda:-

: "That Northampton Borough Council take note of the history of Little Billing Village and request that the Cabinet instructs Officers of the Council:

1. To make application for the open space in the heart of Little Billing Village, which is in the Council's ownership, to be registered as a Village Green.
2. To enter into meaningful discussions with a view to a legally binding partnership agreement with Billing Parish Council, which will ensure the future maintenance of the Village Green.
3. That in future Ward Councillors, Parish Councillors and Residents Groups are to be informed in writing at least twenty eight days before any land disposals by this Council in areas that they represent are publicly advertised."

Mr Bonham then addressed the Council speaking in support of the motion stating that the village green had originally been constructed by residents of Little Billing and had been used for many village social and fundraising events over the years. He stated that the village wished to see the green protected and asked that the Council support this motion.

Mr. Adams then addressed the Council asking for success on this motion.

Councillor P Varnsvery then moved an amendment to the motion, which was seconded by Councillor Collins as follows: " That Northampton Borough Council take note of the history of Little Billing village and would welcome an approach from Billing Parish Council with proposals for the long term future of Little Billing village green." The words " that the Cabinet instructs Officers of the Council" and the remainder of the wording of the original motion would be deleted.

The amendment was then duly discussed.

Upon the requisition for a roll call it was recorded that there

Voted for the amendment:- Councillors Beardsworth, S. Chaudhury, Church, Collins, J. Conroy, R. Conroy, Crake, D' Cruz, Garlick, Glynane, Hawkins, B. Hoare, Hollis, B. Markham, Matthews, Meredith, Mildren, Perkins, Simpson, Pam Varnsvery, Paul Varnsvery, Woods and Yates (23).

There voted against the amendment:- Councillors Capstick, Caswell, I. Chowdray, Clarke, Davies, Edwards, Flavell, Hadland, Hill, M. Hoare, Lane, Larratt, C. Lill, J. Lill, Malpas, Palethorpe, Scott and Tavener (18).



Abstained, the Mayor.

The amendment was duly carried to become the substantive motion.

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

At this juncture Councillor Clarke moved and Councillor Davies seconded that the Procedural Rules be suspended to waive the 9:30 pm guillotine for the ending of the Council meeting.

The motion was carried.

(B) Councillor Paul Varnserry moved and Councillor Conroy seconded the following motion,

“This Council notes Northamptonshire County Council’s decision to release a further £1.5m into the Highways Maintenance Budget.

This Council expresses concern at the disparity in Highways Maintenance expenditure. The average spend per head of population on roads across the County is £22.96 but in Northampton the spend is only £7.81 per head of population.

This Council draws Northamptonshire County Council’s attention to the poor state of repair, faded road markings and deteriorating condition of many roads and cycleways in Northampton which represent an immediate danger to road users, particularly cyclist and motor cyclists and the extremely poor condition of many pavements and footpaths which are a hazard to pedestrians.

This Council requests that Northamptonshire County Council prioritises highway and footpath repairs in Northampton and allocates the highest proportion of funding to a long overdue comprehensive repairs and renewals programme within the Borough.”

Mr Daniel Jwanczuk then addressed the Council as Chair of Pleydell Road Residents Association and Friars Avenue Residents Association. He expressed concern over the state of the roads and pavements in Friars Avenue stating that they were dangerous and caused problems for disabled and elderly people. He commented that the state of the roads needed to be high on the list of priorities and that the Council Tax payers were not receiving fair and equal treatment from Northamptonshire County Council.

The motion was then duly debated voted upon and carried.

(C) Councillor Palethorpe moved and Councillor Davies seconded the following motion,

“Public concern exists over the doubt surrounding the continuing provision

offered by the Northampton Door-to-Door Service with the organisation having to vacate their current premises later this year and the likelihood of the service being discontinued if they cannot find appropriate accommodation. There is also a serious concern over the sustainability of the service under the current funding structure, which prevents long term planning regarding the provision of vehicles.

In order to provide for a sustainable service this Council requests Cabinet to consider as a matter of urgency implementing the following actions:

1. To enter into an appropriate five year service level agreement with the Northampton Door-to-Door Service to secure both the provision of the service and agree the appropriate level of funding.
2. Remove the Northampton Door-to-Door Service from the current voluntary sector funding arrangements.
3. To transfer and ring fence the agreed level of funding from the Northampton Door-to-Door Service to the general fund.”

Mr Grethe then addressed the Council in his capacity as the Co-Chair of the Disabled Peoples Forum. He stated that he would be very disappointed if this motion were to be rejected and urged the Council to fully support the motion as tabled. He stressed this service was for house bound people who relied upon it.

Councillor J Conroy then proposed and Councillor Simpson seconded an amendment to the motion leaving the first paragraph unchanged but deleting the rest of the original motion and replacing it with the following “In order to provide for a sustainable service this Council requests Overview & Scrutiny 1 to establish a Task & Finish Group to conduct an urgent enquiry into commissioning of services from the voluntary and community sector. This enquiry should look at, inter alia, the requirements of Service Level Agreements, appropriate length of contracts, performance measures and funding.

Further it requests the Cabinet to consider arrangements to protect and retain NDDS until a commissioning based approach is developed.”

Following some discussion over the amendment it was subsequently withdrawn by Councillor Simpson.

A vote was then taken upon the motion as set out on the agenda and carried and would be considered by Cabinet at its September meeting.

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

The Mayor referred to the recent flooding affecting parts of the country and asked

whether members might like to make a voluntary donation to Gloucester County Council towards aid for flood victims. It was agreed that a collection be made outside this meeting and that any monies collected could be held until it was established whether a general fund for the floods was to be set up.

The meeting concluded at 10:30 pm.