

# NORTHAMPTON BOROUGH COUNCIL



## COUNCIL

Monday, 23 July 2007

**YOU ARE SUMMONED TO ATTEND A MEETING OF NORTHAMPTON BOROUGH COUNCIL, WHICH WILL BE HELD AT THE GUILDHALL NORTHAMPTON ON MONDAY, THE TWENTY THIRD DAY OF JULY, 2007 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 28<sup>th</sup> June 2007.

**2. APOLOGIES.**

**3. MAYOR'S ANNOUNCEMENTS.**

**4. DEPUTATIONS/PUBLIC ADDRESSES.**

**5. QUESTION TIME**

**6. CABINET MEMBER PRESENTATIONS**

(copies herewith)

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

Report of Interim Chief Executive (copy herewith)

**8. REVISED PROBITY IN PLANNING PROTOCOL**

Report of Interim Chief Executive (copy herewith)

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

(copy herewith)

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

(copy to follow)

## **11. NOTICES OF MOTION**

(A) The following Motion to be moved by Councillor Malpas and seconded by Councillor Palethorpe:-

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 28 days before any land disposals by this Council in areas that they represent are publicly advertised.

(B) The following Motion to be moved by Councillor Paul Varnsberry and seconded by Councillor R.Conroy:-

“This Council notes Northamptonshire County Council's decision to release a further £1.5million 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 cyclists and motorcyclists 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.”

(C) The following motion to be moved by Councillor Palethorpe and seconded by Councillor Davies:-

“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 5 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 for the Northampton Door to Door Service to the General Fund.

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

The Guildhall  
Northampton  
13<sup>th</sup> July 2007

J. Edwards Interim Chief Executive

**Council**  
**Monday 23<sup>rd</sup> July 2007**  
**Report of the Leader of the Council, Portfolio Holder for**  
**Partnerships & Improvement**

The following portfolio holder reports have been structured around the themes and commitments articulated in our manifesto for the 2007 Borough elections. By presenting them in this way we expect to drive forward the commitments we made to voters in May 2007 and to demonstrate to the people of Northampton how we are meeting our broad objectives. Headings in italics, therefore, refer to themes and commitments contained in our manifesto.

*A clear vision for Northampton*

**Recruitment of a new Chief Executive**

The programme to recruit a new Chief Executive is well advanced. Long-listing took place today (12<sup>th</sup> July) and it appears that we have a very strong field of candidates. Short-listing is planned for 26<sup>th</sup> July with final interviews on 1<sup>st</sup> and 2<sup>nd</sup> August. A cross section of Councillors from all parties will have the opportunity to meet short-listed candidates during the final interview stage.

A special Full Council meeting is being arranged for 6<sup>th</sup> August to appoint the new Chief Executive. Depending on the notice period with their current employer we hope that they will be in post early in November.

**Audit Commission Inspection**

The Audit Commission last week completed interviews for the scheduled 'light touch' inspection. The inspection focused on the seven recommendations made in the Progress Assessment published in February 2007. In particular, the inspector showed particular interest in actions to improve to the political and managerial leadership of the Council. They were also interested in the robustness and deliverability of financial management and the new administration's commitment to delivering the 07/08 budget. We can expect to receive their report in approximately a month's time. The next Progress Assessment inspection is due at the end of the year. I will update the council in due course on the outcome of the July inspection as soon as possible.

At their meeting on 5<sup>th</sup> June Cabinet formally acknowledged the Audit Commission's Progress Assessment of February 2007. On 11<sup>th</sup> June Cabinet received the Audit Commission's Annual Audit and Inspection Letter. This letter made clear the task facing the new administration to improve the services offered to citizens by this Council, to raise the performance of the Council from its current very poor status and to get the Council out of the current regime of government intervention. A copy of the Annual Audit and Inspection Letter is attached as Appendix 1 to this report in order that all Councillors have a copy.

**Communications**

In June the interim Chief Executive and I led a number of 'Making it Matter' seminars in which we spoke to virtually all the council's staff about the new vision for the authority and where they will fit in. We have received lots of feedback from staff, most of it positive, and have been responding to specific questions raised.

On 7 June I wrote to Angela Smith MP, Parliamentary Under Secretary of State at the Department of Communities and Local Government (DCLG) setting out our immediate priorities as a new administration and confirming our commitment to improving the performance of Northampton Borough Council. She replied on 26 June. Copies of the correspondence are attached in Appendix 2. Angela Smith was promoted in the recent reshuffle and, at the time of writing, it is not clear which minister we will be reporting to in DCLG.

## *Promoting Northampton*

### **LGA Conference**

I recently attended the Local Government Association conference in Birmingham. Representatives of both other parties had the opportunity to attend. I spent much of my time networking with other authorities and raising the profile of Northampton. Given the recent change of Prime Minister and the subsequent changes to the Cabinet it was a useful opportunity to hear, first hand, if at a very early stage, how changes in government may affect local councils.

### **Partnerships**

Since becoming Leader of the Council I have spent a great deal of my time meeting with a wide range of external partners including public sector authorities, local businesses, stakeholders and community groups, to discuss how we can work together in the future to offer the best services and opportunities to the people of Northampton. These include Government Office – East Midlands, Northamptonshire County Council, the Northamptonshire District Councils, the Audit Commission, West Northants Development Corporation, Northamptonshire Enterprise Ltd, Royal & Derngate Theatres, Northamptonshire Police, members of the Somali community, the Northampton Racecourse Healthy Living Hub group, Northampton Town Football Club and Carlsberg.

My discussions with them have so far proven to be extremely beneficial and I anticipate a greater degree of support for the work of the Borough in future.

## *An open and efficient council*

### **Changes to Committee Structure**

A number of changes have been made to the committee structure, including the boosting of the Overview & Scrutiny (O&S) function from one to three committees: O&S1 Partnerships, Regeneration, Community Engagement & Safety; O&S2 Housing and Environment; and O&S3 Improvement, Performance and Finance. We have also introduced a new procedure for delegated decisions which will allow us to deal more quickly with issues of lesser significance more quickly whilst also ensuring the public has access to information about these decisions and elected members have a proper procedure for challenging them. This is of vital importance if we are to make the necessary improvement being sought by the Audit Commission within the next few months whilst also ensuring due process and accountability is maintained.

Tony Woods  
12<sup>th</sup> July 2007

Annual Audit and Inspection Letter

May 2007



# Annual Audit and Inspection Letter

**Northampton Borough Council**

The Audit Commission is an independent body responsible for ensuring that public money is spent economically, efficiently and effectively, to achieve high-quality local services for the public. Our remit covers around 11,000 bodies in England, which between them spend more than £180 billion of public money each year. Our work covers local government, health, housing, community safety and fire and rescue services.

As an independent watchdog, we provide important information on the quality of public services. As a driving force for improvement in those services, we provide practical recommendations and spread best practice. As an independent auditor, we ensure that public services are good value for money and that public money is properly spent.

### **Status of our reports**

This report provides an overall summary of the Audit Commission's assessment of the Council, drawing on audit, inspection and performance assessment work and is prepared by your Relationship Manager.

In this report, the Commission summarises findings and conclusions from the statutory audit, which have previously been reported to you by your appointed auditor, KPMG LLP (KPMG). Appointed auditors act separately from the Commission and, in meeting their statutory responsibilities, are required to exercise their professional judgement independently of the Commission (and the audited body). The findings and conclusions therefore remain those of the appointed auditor and should be considered within the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission.

Reports produced by appointed auditors are:

- prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission; and
- addressed to members or officers and prepared for the sole use of the audited body; no responsibility is taken by auditors to any member or officer in their individual capacity, or to any third party.

### **Copies of this report**

If you require further copies of this report, or a copy in large print, in Braille, on tape, or in a language other than English, please call 0845 056 0566.

© Audit Commission 2007

For further information on the work of the Commission please contact:

Audit Commission, 1st Floor, Millbank Tower, Millbank, London SW1P 4HQ

Tel: 020 7828 1212 Fax: 020 7976 6187 Textphone (minicom): 020 7630 0421

[www.audit-commission.gov.uk](http://www.audit-commission.gov.uk)

# Contents

<b>Our overall summary</b>	<b>4</b>
Action needed by the Council	5
<b>How is Northampton Council performing?</b>	<b>6</b>
The improvement since last year - our Direction of Travel report	7
Service inspections	9
<b>Financial management and value for money</b>	<b>15</b>
Use of Resources assessment	17
<b>Conclusion</b>	<b>21</b>
Availability of this letter	21



## Our overall summary

- 1 This report provides an overall summary of the Audit Commission's assessment of the Council. It draws on the findings and conclusions from the audit of the Council and from any inspections that have been undertaken in the last year. The letter includes our review of how well the Council has progressed (our Direction of Travel report) and the auditor's assessment of how well the Council has managed its finances (the Use of Resources scores). These latter components will be an important factor in any future decision regarding the potential for a rescoring of the Council's Comprehensive Performance Assessment (CPA) category.
- 2 The report is addressed to the Council. In particular it has been written for councillors, but is available as a public document for stakeholders, including members of the community served by the Council.
- 3 The main messages for the Council included in this report are as follows.
  - Overall, the Council is not consistently and sustainably improving its most poorly performing priority services, and some have deteriorated. The pace of change is slow in some areas that have a direct impact on quality of life for some of the most vulnerable people, and the Council's weakest services remain among the worst in the country.
  - KPMG LLP (KPMG) issued an unqualified audit opinion on the Council's accounts for 2005/06 on 28 September 2006.
  - KPMG issued a qualified conclusion on the Council's Use of Resources on 21 September 2006. The Council achieved an overall score of 1 ('below minimum requirements - inadequate performance'). There is no improvement against last year's score.
  - The Council achieved an overall score of 1 ('below minimum requirements - inadequate performance') in relation to Data Quality.
  - The Council's Best Value Performance Plan 2007/08 complied with statutory requirements.
  - The Council has experienced budget pressures in 2006/07 although the overspending is now expected to be less than the £1.9 million. that was forecast in January 2007. Further measures were necessary to achieve a balanced budget for 2007/08 (savings of £4 million.) which have been well publicised and debated. The Council must ensure that it has arrangements in place to monitor that these measures are delivered in full and that the remainder of the budget is achieved, throughout the year.

- In the past two years it has been necessary to question some of the Council's decision-making processes including:
  - DSO Trading with WS Atkins on highways work – which counsel has deemed to be unlawful;
  - Far Cotton Community Centre - making an advance payment of £1.379 million to the contractor, without any work having been undertaken, in the form of a bond and without completing the legal documentation until several months later; and
  - Ecton Lane refurbishment - allowing the contractor to commence work without the contract being signed and having an inadequate specification of the work to be done.

These issues concern the quality of legal and financial advice available and the rigour of the associated when the key decisions were made and the rigour of the associated contract letting and management processes. The standard of advice available has on occasions been below that expected for the good stewardship of public funds.

## **Action needed by the Council**

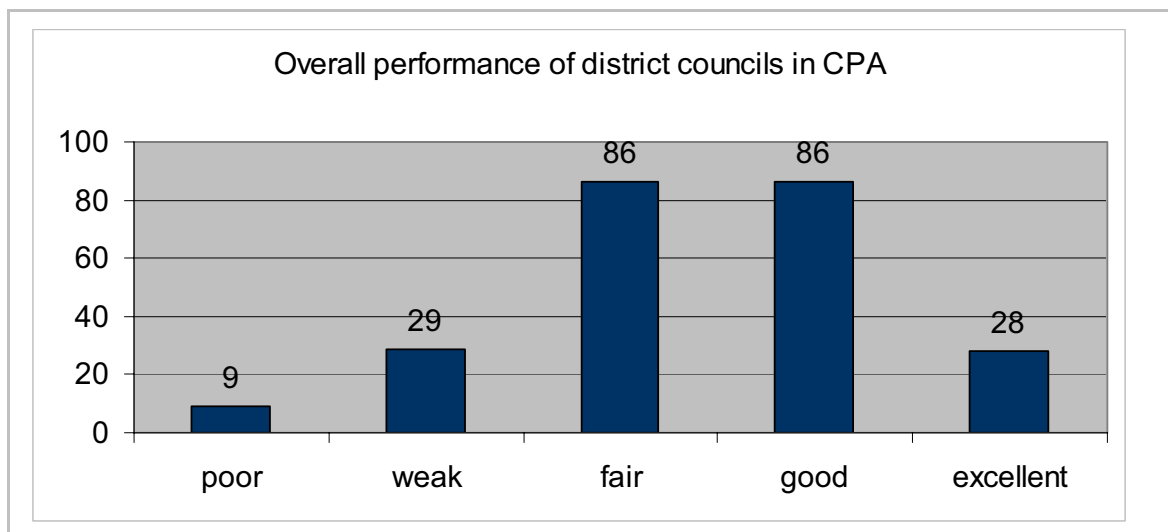
- Demonstrate improved leadership to tackle to substantial weaknesses outlined in this Letter and accelerate the rate of improvement.
- Ensure its plans comprehensively address the issues raised by the findings of the various assessments reported below.
- Review as a matter of urgency the Council's capacity and capabilities in relation to:
  - the quality of legal and financial advice available and the rigour of these when the key decisions were made; and
  - the rigour of the associated contract letting and management processes.

## 6 Annual Audit and Inspection Letter | How is Northampton Council performing?

## How is Northampton Council performing?

- 4 Northampton Borough Council was assessed as **Poor** in the Comprehensive Performance Assessment carried out in 2004. These assessments have been completed in all district councils and we are now starting to update these assessments, through an updated corporate assessment, in councils where there is evidence of change. The following chart is the latest position across all district councils.

**Figure 1 Overall performance of district councils in CPA**



*Source: Audit Commission*

- 5 Following concerns about the progress being made by the Council, in October 2006 the Audit Commission undertook an assessment of the Council's progress since CPA. The full report of the Progress Assessment is published separately. The Direction of Travel report in this Letter summarises the findings and takes account of additional data available since that assessment.

## The improvement since last year - our Direction of Travel report

### Improving outcomes

- 6 Overall, the Council is not consistently and sustainably improving its most poorly performing priority services, and some have deteriorated. The pace of change is slow in some areas that have a direct impact on quality of life for some of the most vulnerable people, and the Council's weakest services remain among the worst in the country.
- 7 Although the Council has improved in above the average proportion of a basket of performance indicators (PIs) selected by the Audit Commission, this improvement is from a very low base. A below the average proportion of these PIs is amongst the top 25 per cent. This 2005/06 data shows that performance of some key services such as housing repairs and benefit claims are still in the worst 25 per cent of councils nationally and have either deteriorated or not improved sufficiently to change the quartile position. In other areas Northampton has improved at a faster rate than the average for district councils. This reflects its low base line position. Where the Council does achieve comparatively good performance there are few links between these PIs and the Council's priorities.
- 8 External assessment of the quality of some of the Council's key services during 2006 has found that they are comparatively weak, and some have deteriorated.
- 9 Housing is a poor service, with some areas improving but others not. A recent check on progress since autumn 2005 judged the service still to be poor, with uncertain prospects of improvement. While the Council has succeeded in eliminating its gas servicing backlog, the Direct Services Organisation has not evolved and in many aspects of the service such as repair target times and appointments, performance is poor and not improving sufficiently to alter the comparative position. Homelessness services have improved, with more focus on prevention. This has resulted in less use of bed and breakfast, although the number of homeless people remains comparatively high. Where improvement has been made it is inconsistent and it is not clear that it is sustainable.
- 10 The planning service is poor. A recent inspection judged the service to be poor with uncertain prospects for improvement. Since the inspection the Council has been implementing an improvement plan but key measures of the service's performance, such as how quickly it processes planning applications, have deteriorated during 2006/07, although delegation and appeals outcomes are improving.
- 11 The benefits service is currently assessed by the Benefits Fraud Inspectorate (BFI) as fair overall on the basis of improvements in the speed of claims processing and fraud measures. However, the Council is still among the worst in the country for how quickly it deals with claims, and quality remains poor with a high error rate. There is a high level of overpayments and outstanding debt, all of which have a high impact for the most vulnerable citizens.

## 8 Annual Audit and Inspection Letter | How is Northampton Council performing?

- 12 The Council is achieving mixed improvement in other priority service areas. For example, in environmental services recycling rates and the removal of flytipping are improving, but other aspects such as removing abandoned vehicles are not. However, the Council's own survey undertaken in October 2006 shows that satisfaction with Streetscene services is improving. Together with its partners the Council is helping reduce some crime rates, although they remain comparatively high. Paying invoices and collecting council tax have been prioritised because performance has been poor, but improvement is inconsistent.
- 13 Customer service and access is improving. The customer contact centre has improved people's experience of contacting the Council, shown by high satisfaction levels with waiting times and the help given. Call handling has improved, and people are more likely to have their call answered than they were last year.
- 14 The Council's approach to diversity and equalities is developing and is sufficient to meet minimum standards. It is meeting its statutory requirements under equalities legislation at a basic level and is beginning to develop its approach and an understanding of the needs of its diverse communities. For example the number of staff with disabilities and the number of staff from minority ethnic communities has increased relative to the community. However, the Council has achieved only Level One of the Equalities Standard, and broader aspects of diversity in relation to issues such as gender, age or sexual orientation are not fully understood or embraced. It does not currently have systems in place to understand barriers which may be preventing people from accessing services.
- 15 Value for Money (VfM) is not improving. Although some performance is improving, it remains comparatively poor, and the Council does not understand its costs so cannot manage VfM effectively.

### **Progress in implementing improvement plans**

- 16 Strategic planning remains weak, and plans for improvement remain insufficiently robust or long-term. The Corporate Plan for 2007/08 and beyond is not yet drafted. In the meantime, the Council's 2006/07 corporate plan is for one year only and does not enable councillors, staff and residents to know whether the Council is meeting their needs, how it will deliver its priorities or how it will measure improvement. Plans such as the Strategic Improvement Plan and the Delivery Plan continue to lack enough detail, and have too limited a horizon. They focus on action rather than outcomes. Action plans for poorly performing services do not provide a clear, longer-term framework for improving outcomes for local people. Service plans are of inconsistent quality.

- 17 The Council does not have the capacity it needs to deliver its plans. Financial management and capacity is poor and has weakened in the last six months. New systems have been put in place to more accurately monitor spending but there is likely to be a significant financial shortfall caused by inaccurate budget setting in the past. The Council does not yet have a robust medium-term financial strategy. There are vacancies in Finance and in Planning which are having an impact on the Council's ability to improve. The Council has invested in new management and new structures and processes to deliver improvement but there has been little noticeable impact on services. Improvements in human resources have reduced sickness absence.
- 18 The Council is not generally maximising capacity to improve through partnership. It does not have a sound approach to procurement, and does not specify and manage contracts effectively. There has been little progress in engagement with strategic partnerships at a county-wide and sub-regional level, and partners lack confidence in the Council's community leadership, particularly on important issues such as the planned growth of the area's population to almost one and a half times its current size.
- 19 There are weaknesses in corporate governance. Political and managerial leadership is weak and Council leaders are having insufficient impact on the pace of change. Financial monitoring and management has been weak with few reports to councillors on the budget situation in 2006/07. Performance management systems are improving but there is a poor track record of identifying poor performance and leading to remedial action, and mechanisms for securing continuous improvement in services are inadequate.

## Service inspections

- 20 The Commission inspected the Council's **planning services** and assessed the service as **poor with uncertain prospects for improvement**.
- 21 The service was a poor, zero-star service because:
- the quality of services that make up planning services was variable. Some parts were fair, such as enforcement, while others were poor such as building control and development control;
  - the service did not focus on the needs of service users. There was little opportunity for customers to influence how services are provided and the availability of advice to the public was limited;
  - the planning committee was not fully effective. It was inefficient and lacks transparency;
  - the Council has a dated local plan and had made limited progress replacing it;
  - planning decisions were made quickly but speed was at the expense of a quality service to customers;

## 10 Annual Audit and Inspection Letter | How is Northampton Council performing?

- the service was delivering some important outcomes that meet national priorities such as housing and infrastructure, but it had made limited progress in delivering local priorities such as improving customer satisfaction, and planning for further growth within the borough; and
- the service did not provide good value for money.

### 22 The service has uncertain prospects for improvement because:

- there was no consistent track record of improvements instigated by the service;
- where improvements had taken place these had been in response to external influences rather than as the result of the Council's own improvement planning;
- political and strategic leadership for the service continued to be weak; and
- management of the service was reactive and too operationally focused, and there were gaps at management level of sufficiently experienced staff to provide the required level of professional and technical leadership.

### 23 However:

- recent developments showed some early tangible signs of improvement for the public, such as better response to telephone enquiries and signs of town centre regeneration;
- increased resources had been invested in the service;
- the Council had made a commitment to providing the necessary professional and technical leadership in the service as a matter of urgency and some areas of the service such as planning policy had begun building capacity; and
- the Council had begun to take important steps to improve customer focus which should positively impact on planning services.

### 24 The inspectors made **recommendations** for improvement. These were as follows.

- To improve political and community leadership by councillors.
- To establish the strategic direction for the service and take key decisions about:
  - the improvement agenda for planning services;
  - the strategic direction of building control; and
  - the delivery of the service level agreement with WNDC.
- To improve the professional and managerial capacity of the service.
- To develop the service's customer focus.

### 25 The Commission also undertook a short assessment of the Council's progress in improving its **housing services**.

- 26 The inspectors concluded that if a full inspection were to be undertaken the service would be **poor with uncertain prospects for improvement**. This was because of the following weaknesses.
- There was a lack of comprehensive service standards in place that had been agreed with tenants.
  - The service had stopped sending receipts to tenants reporting repairs.
  - The content and availability of written information for service users had not improved, and leaflets did not all contain straplines showing their availability in other languages and formats.
  - There was a lack of strategic plans across the service.
  - Services did not have a comprehensive profile of customers and there was a lack of performance monitoring to ensure that services were being delivered equitably to all groups.
  - The Council had not made significant progress in diversity and equalities issues and remained at level one of the local government equalities standard.
  - Performance on re-letting empty homes remained weak, and the Council used steel cladding on properties too frequently.
  - There were backlogs of kitchen replacement works.
  - Arrangements to deal with asbestos were flawed.
  - Communal areas and door entry systems were not in good condition and maintenance and cleaning arrangements were not clear.
  - Poor housing benefit processing performance was impacting on rent collection rates, leading to performance on collection being in the poorest performing 25 per cent of local authorities.
  - Too many people were being evicted for rent arrears, without their being sufficient focus on debt advice and prevention. The emphasis of housing management work was on enforcement rather than sustaining tenancies.
  - Tenants cannot pay rent by direct debit and there was an absence of incentives to encourage tenants to pay rent promptly.
  - Tenant involvement arrangements were weak with a lack of support for the formal tenants groups, and a lack of wider mechanisms to engage with all tenants.
  - Cost comparison information was absent, leaving the Council unable to demonstrate that services are delivering value for money and performance management in this area was weak.
- 27 However, there were some strengths. These included:
- gas servicing performance and procedures had improved and the Council was now meeting its statutory responsibilities;
  - more repairs appointments were being provided to tenants;
  - the customer contact centre was working well;



## 12 Annual Audit and Inspection Letter | How is Northampton Council performing?

- disabled access to public buildings was good and translation services were available and being used;
- clear rent statements were sent to tenants quarterly;
- the importance of paying rent promptly was being advertised on buses and on operatives vans;
- anti-social behaviour arrangements were working well, with a multi-agency approach and a dedicated specialist team; and
- homelessness services had improved and there was a greater emphasis on prevention and therefore bed and breakfast use had reduced.

### 28 The service had uncertain prospects for improvement because:

- the track record in delivering service improvements in housing was weak;
- repairs and maintenance issues raised in the progress report of October 2005 had yet to be addressed;
- the service could not demonstrate that value for money was being provided to tenants;
- IT systems were a barrier to service improvements occurring;
- the Council's overall approach to diversity was weak;
- staff did not believe that they will be supported in taking difficult decisions in making changes to the DSO that seek to deliver service improvements;
- there was an absence of strategic plans covering all parts of the housing service; and
- those service plans that were in place were not SMART<sup>1</sup>.

### 29 However, there were a number of positive drivers for improvement. These included:

- performance management monitoring and measurement had improved;
- management capacity had been strengthened;
- a new integrated housing management IT system had been procured which would be implemented by April 2007;
- more plans were now in place to provide a framework for improvements to be delivered; and
- there was improved leadership being demonstrated at Corporate head level.

---

<sup>1</sup> Specific, measurable, achievable, resources and time bound.

- 30 The inspector made a number of **recommendations** for improvement. These were to:
- establish and finalise strategic plans for the service to ensure greater co-ordination of improvement actions;
  - ensure that urgent action is taken to improve average re-let times for council dwellings;
  - refocus the housing management service to provide a greater emphasis on sustaining tenancies;
  - improve the knowledge about value for money in the repairs and maintenance service; and
  - develop a SMART action plan to address all weaknesses identified and ensure that progress is regularly monitored and reported corporately.
- 31 The Benefits Fraud Inspectorate (BFI) undertook a focused inspection of the Council's **Housing Benefit Service**. The service was assessed as **fair**.
- 32 The findings included:
- the Council met 3 of the 12 performance measures where the Department for Work and Pensions had set a standard, and 41 of the 65 enablers;
  - comprehensive systems were in place to record and monitor the results of quality checks but there was a concern about the volume of user errors that had been identified;
  - a reduction in outstanding work from approximately 12,600 items in January 2006 to approximately 4,000 items in October 2006 had been achieved and processing times had improved to 39 days between July and November 2006;
  - a fraud business plan had been developed for 2006/07 that set out criteria for undertaking investigations and a commitment to work jointly with the Department's Fraud Investigation Service;
  - reliable management information to enable targeting of the level and age of HB overpayment debt was not collected. However the overall time taken from an initial invoice to the issue of a final invoice had reduced from 80 days to 35 days since May 2006; and
  - since the last BFI inspection in 2004 18 out of 79 recommendations had been implemented between July 2004 and March 2006. A total of 45 recommendations had been fully or partly implemented since April 2006.

## 14 Annual Audit and Inspection Letter | How is Northampton Council performing?

- 33 The BFI inspectors assessed the service's **direction of travel**.
- Progress in claims administration since BFI's first inspection in March 2000 had been slow up until March 2006. Over £2 million had been provided by the Department between April 2004 and October 2006 to support improvements but where third parties had been contracted to deliver improvements they were not always realised.
  - Procurement arrangements were ineffective. This was caused by poor specification of contracts and a failure to adequately manage the contracts and other projects.
  - Substantial progress had been made between April and October 2006 when an external partner had been engaged to manage the Benefits service. Priorities for improvement had been identified and local improvement plans were developed.
  - Performance management was now an integral part of the council's planning process.
- 34 The inspectors concluded that under the current interim management arrangements the Council had the capacity and systems to deliver sustained improvements over all aspects of HB administration. However, it needs to increase its own leadership capacity in order to continue this work beyond 2009.
- 35 The inspectors made a number of **recommendations** for improvement including:
- implementing all relevant outstanding BFI recommendations;
  - developing effective procurement, project and contract management arrangements;
  - effectively monitoring the individual throughput of claims; and
  - setting and monitoring targets to reduce the level and age of debt, and reporting performance to councillors and senior officers.

## Financial management and value for money

- 36** KPMG has issued separate reports to the Authority setting out the findings of the 2005/06 audit work. These reports comprised:
- a Report to Those Charged with Governance, issued on 21 September 2006, summarising the findings of the accounts audit, prior to issuing the audit opinion on 28 September 2006; and
  - an Annual External Audit Report (issued in December 2006), giving an overview of all accounts and Use of Resources work for the year.
- 37** These documents detailed issues arising from work in the following areas:
- 2005/06 audit of the accounts;
  - 2005/06 work on the Authority's Use of Resources Conclusion;
  - 2006/07 audit of the Authority's Best Value Performance Plan; and
  - 2006/07 audit of data quality.
- 38** The detailed findings are not repeated here, but the 'headlines' are as follows.
- KPMG LLP (KPMG) issued an unqualified audit opinion on the Council's accounts for 2005/06 on 28 September 2006.
  - KPMG issued a qualified conclusion on the Council's Use of Resources on 21 September 2006. The Council achieved an overall score of 1 ('below minimum requirements - inadequate performance'). There is no improvement against last year's score.
  - The Council achieved an overall score of 1 ('below minimum requirements - inadequate performance') in relation to Data Quality. The Authority needs to develop its data quality arrangements further.
  - The Council's Best Value Performance Plan 2007/8 complied with statutory requirements.

**16 Annual Audit and Inspection Letter | Financial management and value for money**

- The Council has experienced severe budget problems in 2006/07 although the overspending is now expected to be less than the £1.9 million. that was forecast in January 2007. This position has been achieved in part through measures to contain expenditure in 2006/07. Further measures were necessary to achieve a balanced budget for 2007/08 (savings of £4 million.) which have been well publicised and debated. The effect of the overspending in 2006/07 is that the working balance will fall below the Council's agreed limit and given the balanced budget for 2007/08 is also likely remain below that level at 31 March 2008. Maintaining the working balance at this level will be a significant challenge to the Council. The Council must ensure that it has arrangements in place to monitor that these measures are delivered in full and that the remainder of the budget is achieved, throughout the year. The measures taken include reductions in some areas of service provision compounding the difficulties the Council faces in making the significant service improvements that have still to be achieved in many areas.
- KPMG were made aware of three instances where the legal and financial arrangements of the Council's activities have been questioned. These issues highlight deficiencies in the application of robust legal and financial procedures to protect the Council's assets and provide the high level of stewardship of public funds expected from a public body.
  - Highways Agency trading arrangements - In January 2004 the Council entered into an arrangement with W S Atkins plc (WSA) as a the company's sub-contractor in undertaking highways work which WSA provide for the County Council. In September 2005 the Council highlighted that this work was potentially unlawful. The Council subsequently obtained counsel's opinion in June 2006 that indeed this work was beyond its powers. The income and expenditure, amounting to around £3 million per annum, relating to this activity in the 2005/06 accounts is therefore unlawful. A disclosure note was included in the financial statements to reflect this. The Council has considered in July 2006 the implications of how and when to withdraw from the arrangement with WSA and is relying on its wellbeing powers to follow a phased withdrawal concluding in June 2007. The Council has also been unable to demonstrate that it has a formal contract with WSA.

- Far Cotton Resource Centre - The Council is acting as the accountable body on behalf of the Northamptonshire Partnership for the construction of the Far Cotton Resource Centre which has a total cost of some £2.3 million of which a significant amount, £1.37 million, is being funded by the East Midland Development Agency (EMDA). The EMDA contract with the Council provides for the money to be spent before 1 April 2006 or for EMDA to be advised in writing beforehand. In the event of not spending any part of the money and not informing EMDA the whole £1.37 million is potentially repayable at any time to EMDA. The contract for the works was awarded in February 2006 but no work was carried out by 1 April 2006. In late March a 'bond' arrangement was entered into by the Authority with the contractor whereby the Council paid the full amount of the EMDA money over to the contractor. The whole of the £1.37 million was paid over to contractor without the bond actually having been executed. In fact this has only occurred in November 2006. The bond has no provision for the Council to be paid interest.
- Ecton Lane refurbishment - work commenced in the autumn of 2005 despite no contract having been signed by the contractor. Questions have arisen regarding the quality of the work undertaken which has been difficult to determine owing to the absence of a detailed specification.

The Council has commissioned an internal review to examine its contracting procedures. This should be completed as soon as possible with a view to strengthening its processes and controls over its contract letting and management procedures.

#### **Recommendation**

*R1 The Council should ensure its review is completed as soon as possible and that it strengthens its processes and controls over its contract letting and management processes.*

## **Use of Resources assessment**

- 39 The annual Use of Resources assessment evaluates how well authorities manage and use their financial resources. This is the second year of carrying out the assessment and KPMG's work has focused on updating for any changes and improvements to arrangements. The Council was assessed as Level '1' (below minimum requirements - inadequate performance) in 2005. In the revised assessment the Authority has showed no improvement and its score remains at Level '1'.

## 18 Annual Audit and Inspection Letter | Financial management and value for money

- 40 KPMG's findings are an important component of the CPA framework described above. In particular, the Use of Resources score is derived from the assessments made by the auditor in the following areas.
- Financial reporting (including the preparation of the Council's accounts and the way these are presented to the public).
  - Financial management (including how financial management is integrated with strategy to support council priorities).
  - Financial standing (including the strength of the Council's financial position).
  - Internal control (including how effectively the Council maintains proper stewardship and control of its finances).
  - Value for money (including an assessment of how well the Council balances the costs and quality of its services).
- 41 The Council's arrangements for use of resources in these five areas have been assessed as follows.

---

**Table 1**

<b>Element</b>	<b>Assessment</b>
Financial reporting	1 out of 4
Financial management	1 out of 4
Financial standing	1 out of 4
Internal control	1 out of 4
Value for money	1 out of 4
Overall assessment of the Audit Commission	1 out of 4

*(Note:*

*1 = below minimum requirement - inadequate performance*

*2 = at only minimum requirements - adequate performance*

*3 = consistently above minimum performance - performing well*

*4 = well above minimum performance - performing strongly)*

- 42 The key issues arising from the audit, as reflected in the above judgements, where appropriate, are set out overleaf.

**Financial reporting**

43 To achieve improvements, the Council needs to ensure that:

- financial statements:
  - contain no significant errors; and
  - are complete with the necessary disclosures and notes.;
- comprehensive working papers:
  - are available at the start of the audit visit;
  - have been reviewed and agreed by a responsible senior financial officer; and
  - fully support and are referenced to the item(s) of account.

**Financial management**

44 To achieve improvements, the Council needs to ensure that:

- its priorities for the current and subsequent years are clearly stated and linked to service and corporate plans as well as the medium term financial plan;
- the medium term financial plan is reviewed annually and takes account of the prior year's outturn;
- the capital programme is aligned to the Council's priorities and is affordable;
- it has robust and frequent budget monitoring arrangements at both officer and member level;
- the financial information in reports is clear, concise and enables decisions to be taken with full knowledge of the financial consequences of those decisions;
- internal audit recommendations for financial systems regarded as 'inadequate' should be implemented as a matter of urgency; and
- it continues to develop its arrangements to manage its assets, linking requirements to the Council's priorities and has programmes of planned maintenance and undertakes a rolling survey programme.

**Financial standing**

45 To achieve improvements, the Council needs to:

- ensure that it has arrangements in place to monitor and take any necessary action to achieve its budget, throughout the year;
- recognise that its working balance is below that which it considers to be its minimum requirement and determine how the minimum level can be restored; and
- identify all its material sources of income, profile its receipts and monitor actual collection accordingly.



## 20 Annual Audit and Inspection Letter | Financial management and value for money

### Internal control

46 To achieve improvements, the Council needs to ensure that:

- its risk register:
  - properly reflects its corporate business risks at all levels through out the Council; and
  - is regularly reviewed and updated.
- it takes the action(s) necessary to mitigate against the identified risks;
- risk assessments are reflected in all strategic policy decisions and projects;
- its system of internal control is sound by:
  - identifying its sources of assurance;
  - senior officers and members confirming the level of assurance obtained;
  - developing its business continuity plan;
  - developing procedure notes/manuals for key financial systems;
  - responding promptly and positively to reports which identify systems controls as inadequate or weak;
  - developing and communicating widely a counter fraud and corruption policy; and
  - developing and communicating widely a whistleblowing policy.

### Value for money

47 To achieve improvements, the Council needs to:

- determine what its priorities are and that they are aligned to both its revenue and capital budgets;
- define its priorities in terms of the performance it expects to achieve and over what timescale;
- determine the relationship between service cost and level of provision. At present a number of services are high cost and poor performance. A balanced scorecard approach based on prompt, reliable financial and performance data, should be developed and be seen to influence improved performance;
- develop benchmarking all its services to help understand how others achieve better performance and/or lower costs and use it consistently across the Council when reviewing services;
- link additional investment in services to defined increases in service performance with stated timescales; and
- develop a programme of service reviews.

## Conclusion

- 48 This letter has been discussed and agreed the Interim Chief Executive. A copy of the letter will be presented at the cabinet on 11 June 2007.
- 49 The Council has taken a positive and constructive approach to our audit and inspection I would like to take this opportunity to express my appreciation for the council's assistance and co-operation.

## Availability of this letter

- 50 This letter will be published on the Audit Commission's website at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk), and also on the council's website.

Mary Perry  
Relationship Manager

March 2007



# NORTHAMPTON BOROUGH COUNCIL

The Guildhall  
St. Giles Square  
Northampton NN1 1DE

Tel: (01604) 838721  
Fax: (01604) 838722  
Minicom: (01604) 838970  
DX 703139 Northampton 6

Angela Smith MP  
Parliamentary under Secretary of State  
Department for Communities & Local  
Government  
Eland House  
Bressenden Place  
LONDON SW1E 5DU

Our Ref: TW/CB/1532  
Your Ref:  
Please Contact: Councillor A W Woods  
Ext/Direct Line 01604 837210  
Date: 7<sup>th</sup> June, 2007  
E-mail: [cllr.awoods@northampton.gov.uk](mailto:cllr.awoods@northampton.gov.uk)

Dear Minister,

## Northampton Borough Council

I am writing to you as the newly elected Leader of Northampton Borough Council to update you on our progress. I have been fully apprised of our plans to improve the Council and satisfy the requirements set out in recent Audit Commission inspections.

As an administration, I want to assure you that we fully accept the Audit Commission's Progress Assessment, published in March 2007, and their Annual Audit and Inspection Letter currently available to us before publication as clear statements of our starting position as an administration. They provide the baseline against which we will be judged in the coming months.

We have identified three immediate priorities which will assist in the process of recovery:

- To release the energies of our staff to deliver a much better services to the public.
- To improve the way the Borough Council works with other key organisations in the town – such as the County Council, West Northants Development Corporation and the Police. Only by working better together, can we make significant improvements to Northampton.
- To satisfy the demands of our local community that Northampton Borough Council has effective leadership and is taking urgent steps to improve from its current position as one of the worst performing councils in the country.

In short, we are committed to **Stop Being Poor** at the earliest possible time.

Only once we have stabilised and improved the Council can we realistically deliver our manifesto commitments.

Cont/....

- 2 -

You will be aware of the substance of the recommendations already. However, I want to assure you that the most pressing, the need to appoint a new Chief Executive, is already underway. An appointment should be made in early August 2007.

In addition, to deliver the essential service improvements we have already asked for options on the future approach to our Housing, Leisure and Recycling Services. Northampton Borough Council currently does almost everything in house and has not, in my view, adequately investigated alternative delivery models. These reviews will provide clear information on realistic options.

As you are also aware, John Edwards, our Interim Chief Executive, is helping us to move forward at speed and is acting as powerful stimulus to our improvement. John has already proved his worth in clarifying the governance arrangements for officers and is currently working with members to ensure that member and officers' decision-making is appropriately aligned. A new Finance Director, Isabell Proctor, is in post and has already recruited additional staff to strengthen the finance function. We will, shortly, be recruiting a Head of Planning.

I am confident that, when the Audit Commission return for their inspections this month and November this year, they will find an organisation that is, at long, long last, moving forwards.

I anticipate that as a poorly performing organisation there will be significant efficiency savings to be realised. Of course, these will take some time to be released. We do have capital assets – particularly in the form of land within the town centre – and we are using these to lever in investment into growth and regeneration. The timing of their release is critical to that successful growth and regeneration. Inevitably with such a large and immediate agenda, the budget is stretched this year and we're probably faced with an even tighter budget round for next year – at exactly the time we will need to invest in improvement. It would be remiss of me not to mention that I trust this urgent need to invest for sustained improvement and long term growth will have some recognition in your Department's support to the Council.

I look forward to meeting with you again soon after the Audit Commission's June inspection to update you on our progress.

Yours sincerely



Councillor Anthony W Woods  
**Leader of the Council**

Copy: Pete Murphy

cc J Edwards



Angela Smith MP  
Parliamentary Under Secretary of State

Department for Communities and Local Government  
Eland House  
Bressenden Place  
London SW1E 5DU

Councillor Anthony W Woods  
Leader of the Council  
Northampton Borough Council  
The Guildhall  
St Giles Square  
Northampton  
NN1 1DE

Tel: 020 7944 3016  
Fax: 020 7944 4339  
E-Mail: [angela.smithMP@communities.gsi.gov.uk](mailto:angela.smithMP@communities.gsi.gov.uk)

[www.communities.gov.uk](http://www.communities.gov.uk)

Our Ref: AS/017047/07  
Your Ref: TW/CB/15322

26 JUN 2007

Dear Mr Woods

Thank you for your letter dated 7<sup>th</sup> June about your progress on implementing the Audit Commission's recommendations set out in the Audit Commission's Progress Assessment which was published in February 2007.

It is important that there are significant improvements in Northampton Borough Council's performance and I am very grateful both for your letter and for the detailed comments within it. As you will appreciate strong, committed political leadership is vital for Northampton's recovery, and I too look forward to a time when Northampton is no longer in the 'poor' CPA category. I also await with interest the review of the Audit Commission, which I believe is now anticipated in early July rather than June.

I look forward to discussing this in due course and with yourself, John Edwards and Peter Murphy.

Sincerely  
Angela Smith

ANGELA SMITH

Copies: Peter Murphy, GO-EM, Lead Official  
John Edwards, Interim-Chief Executive

**Council**  
**Monday 23<sup>rd</sup> July 2007**

**Report of the Portfolio Holder for Community Engagement & Safety**

*Improve our town centre*

**Car Parks**

Following the conversion of a number of Northampton's car parks from pay-and-display to pay-on-foot, we will be spending £450,000 this year on bringing St Michaels and St Johns car parks into line with the new system.

*Make Northampton people proud of their parks, open spaces, leisure and cultural heritage*

**Balloon Festival**

After consideration I took a delegated decision to introduce an entrance fee for the Balloon Festival this year. In previous years the Festival has come at considerable cost to Northampton tax payers, regardless of whether they attend or not. By introducing a small charge we will be able to offer a far wider range of events on a continuous rolling programme during the course of the day, such as displays and workshops from the David Beckham Football Academy and the Motorcycle Stunt Trials Display Team, and negate the losses previously experienced by this council. The charge will be £4 per adult, with children under 16 going free. There will no longer be a Hospitality Tent for councillors, saving the council £20,000.

*Safe, clean neighbourhoods for people to live in/Enforcement and engagement*

**Crime and Disorder Reduction Partnership**

I have attended a two-day meeting of the Northampton Safer Stronger Community Partnership, at which I met key partners from around the town. At this meeting I discovered that 43% of all Northamptonshire crime happens in Northampton, highlighting why this council must drive forward initiatives to help reduce crime & disorder. A number of Home Office recommendations have been made in the past but not acted upon, which we will be reviewing. Neighbourhood Managed Areas will also be key to reducing crime & disorder in Northampton and I will be looking to drive these forward in the near future.

Brendan Glynane  
10<sup>th</sup> July 2007.

**Council**  
**Monday 23<sup>rd</sup> July 2007**

**Report of the Portfolio Holder for Housing**

*Value for money public services*

**Council Tax**

I have recently supported a campaign against council tax dodgers to ensure greater compliance and fairness for all residents of this town. This authority will be issuing bankruptcy orders against debtors owing over £5,000 who have the ability to pay. Northampton Borough Council offers advice and assistance to those who genuinely cannot pay their council tax, whilst acknowledging that it is unacceptable for others to refuse to pay for the services provided by the Borough and County Councils and the police.

I can report that by the end of May, Northampton Borough Council had signed up 48,943 people to pay their Council Tax by direct debit, the best ever level for the 8<sup>th</sup> week running, and I would like to congratulate staff for all their hard work.

*Give people more say in their neighbourhoods*

**Good Neighbour Declaration**

This authority has recently signed up to its own Good Neighbour Declaration, as part of the government's Respect initiative. Landlords and tenants will be expected to sign up to the Declaration as part of their tenancy agreements, giving a commitment not to tolerate criminal or abusive behaviour, or harassment of any kind. Landlords will have responsibility to take appropriate action to deal with neighbourhood nuisance, to ensure that the actions of a selfish minority do not spoil the lives of others within the community.

**Choice-based lettings scheme**

Northampton Borough Council has recently piloted a scheme in Spring Boroughs for single person accommodation to give potential tenants greater choice in their housing. The scheme allows individuals applying to the housing register to choose where they live. Based on the success of the pilot, the scheme is now being rolled out across town & will include more of those on the housing register.

*Build homes people can afford to live in*

**Decent Homes**

Meeting the Decent Homes standard will be a major challenge for this authority, and while some progress has already been made, I am keen to drive forward any improvements which will be beneficial to tenants. Kitchens, heating and roofs have been identified for priority attention, under a rolling programme. The council will also be revisiting sheltered accommodation properties previously fitted with double-glazed doors to fit newer, stronger pvc doors. Funding will also be channelled into empty properties to enable them to meet the Decent Homes standard.

## *Empowering people*

### Homelessness

Recommendations following work by the Overview & Scrutiny Task and Finish Group on Rough Sleepers have been considered and are already being implemented, for example, NBC has now taken a lead of all agencies in the homelessness forums, and research is being undertaken on the provision of extra beds and halfway houses. The Borough and County Councils have an aspiration to review provision of extra beds during bad weather. The Borough has also informed neighbourhood wardens on the frequented locations of rough sleepers in order to monitor their numbers and advise on available beds.

### **Tenant Participation**

All housing officers are now responsible for ensuring tenants are fully involved in decision making about council properties under the new Tenant Participation Agreement. For example, tenants will now be consulted on how money allocated to achieving the Decent Homes standard is spent and the Borough's allocations policy.

### **Revenues & Benefits**

The Revenues & Benefits team have recently been nominated for the Institute of Revenues Rating and Valuation (IRRV) award for the Most Improved Team, and have just learnt that they have been shortlisted. The judges panel will be visiting them over the next two months before making a final decision, and on behalf of the council I would like to wish them good luck.

Sally Beardsworth  
10<sup>th</sup> July 2007



**Council**  
**Monday 23<sup>rd</sup> July 2007**

**Report of the Portfolio Holder for Regeneration**

***Improve our town centre***

**Grosvenor/Greyfriars**

This is the key priority for the regeneration team. We are continuing to work closely with Legal & General with a view to signing a heads of terms agreement with them for the redevelopment of the Grosvenor centre and Bus station area. The challenging timescales have been agreed with Legal and General, while significant progress has been made with the development of a detailed financial model, it has not been possible to achieve all target dates.

As a direct result of this, Northampton Borough Council has strengthened its consultant team by the appointment of a new commercial agent. The revised target for completion of Heads of Terms is late August.

As a significant landowner, the council has to be sure that the best use is being made of its assets for the benefit of the whole town. We want to see an innovative development that brings additional high quality retail to the town centre that complements and enhances what we already have. We also need to ensure that bus facilities to replace the bus station are accessible and attractive, and that adequate temporary facilities are provided during development.

**St Johns Cultural Quarter**

Consultants have now been appointed to draw up a master plan for the area south of the Royal and Derngate, incorporating the former Blueberry Diner site, St Johns car park and the lower part of Guildhall Rd. We want to see development and investment in this area to complement the theatres.

**Market Square**

The regeneration of the Market Square is a key priority for the new administration. We want to work with all users of the market square to come up with a plan that will create a flexible space that can be used day and night for trading, entertainment, and relaxation. This involves not just looking at the layout of the stalls, but the surfacing, the lighting and planting to create an attractive environment that will draw more people into the town.

## *Parks, Leisure & Cultural Heritage*

### **Delapre Conservation Area**

The cabinet has confirmed the creation of a conservation area for part of Delapre Park around the abbey. Following a strong public wish for the conservation area to include a wider area, council staff will be preparing a management plan and appraisal for consultation within a year

### ***Consider the planet in everything we do / Safe, clean neighbourhoods for people to live in / build homes people can afford to live in***

### **Joint Core strategy- Issues and Options**

An Issues and Options paper for the Joint Core strategy for West Northamptonshire (Northampton Borough, Daventry and South Northants District Councils) is being published for consultation. It asks some challenging questions about the growth of our area over the next 20 years. I hope councillors will respond, and encourage as many other people to respond to the consultation as possible.

### **Development Control**

Our planning staff should be congratulated for delivering a significant improvement in the time taken to process planning applications, addressing a key weakness identified by the audit commission. While there are a large number of vacancies in the department, we will continue to use Urban Vision to maintain the standard of service but look forward to recruiting new planning officers as soon as possible.

Richard Church  
10<sup>th</sup> July 2007

**Council**  
**Monday 23<sup>rd</sup> July 2007**

**Report of the Portfolio Holder for Environment**

*Consider the future of the planet in everything we do*

**Carbon Management Programme**

On 6<sup>th</sup> June 2007 Ming Campbell joined me to launch the Carbon Management Programme for Northampton Borough Council in conjunction with the Carbon Trust. The programme is aimed at reducing the council's 'carbon footprint' and will involve an audit of all the Council's carbon-emitting activities including its use of IT equipment, its vehicle fleet and energy consumption. The audit will also identify value for money savings that the authority can make. A strategy has been produced detailing how the authority will meet its target of becoming carbon-neutral by 2020. This has been submitted to the Carbon Trust and is awaiting ratification.

**Northamptonshire Waste Partnership**

I have attended a number of meetings of the Northamptonshire Waste Partnership and with other partners to emphasise the Borough Council's renewed commitment to dealing with waste. I am currently considering specific proposals for dealing with kitchen waste and increasing the efficiency in collection and disposal of household waste, on which I will report back in due course.

*Improve our town centre*

**Litter Campaign**

The recent campaign against litter, which saw the arrival of penguins in Abington Street, was extremely successful and well received, and as a result we are looking to run another campaign some time next year.

**Sheep Street Toilets**

The Sheep Street toilets were identified for closure in the budget cuts imposed by the previous administration, however, they remain open at the present time. The toilets in Abington Park remain open, and we are reviewing future provision. We remain committed to ensuring that facilities are available at key locations in the town.

**APSE Seminar**

I recently attended a seminar run by Association for Public Service Excellence (APSE) sharing best practice on waste and streetscene, although I am pleased to say that Northampton Borough Council has already implemented many of the suggestions made by APSE.

*Safe clean neighbourhoods for people to live in*

**Smoking Ban**

The national smoking ban was successfully implemented in Northampton on 1<sup>st</sup> July, with measures put in place to enable full compliance with the legislation including new bins in Abington Street and wall-mounted ashtrays.

### **Neighbourhood Wardens**

We have reversed a budget cut of £150,000 under the previous administration and are now looking to recruit staff to 2 vacant posts within the team of 15 neighbourhood wardens, and I would like to reiterate my commitment, and that of my colleagues, to building on the success of neighbourhood wardens, having spearheaded the introduction of the scheme in 2004/5.

### **Travellers**

At 6<sup>th</sup> June meeting of Cabinet I gave a report on options for managing the Ecton Lane Travellers Site. Cabinet resolved to agree a tendering process to seek long term management of the site based on a 25 to 99 year lease, which will allow the council to divest capital costs associated with ongoing repair and improvement works to the site whilst ensuring the site is sufficiently maintained for residents' needs and retaining ownership of the site and negating any risk of increased illegal encampments around the town.

### **Disability Grants**

Having begun in administration with a backlog of grants to be processed, I am pleased to report that all urgent cases have now received their disability grants. In the interests of achieving best practice for the future, where the authority is unable to offer assistance to applicants, officers are currently working on producing information on other sources of funding and assistance within the local area.

### **Property Maintenance**

I am pleased to report that the number of empty council properties has decreased significantly from around 90 a year ago to 35 now. I do, however, acknowledge that the number of empty properties can fluctuate and for this reason I will continue to monitor this figure and drive continuous improvement in this area.

Trini Crake  
10<sup>th</sup> July 2007

**Council**  
**Monday 23<sup>rd</sup> July 2007**  
**Report of the Portfolio Holder for Performance**

*A clear vision for Northampton*

**Corporate Plan**

A constant criticism of Northampton Borough Council has been the absence of a clear sense of direction set out in a Corporate Plan. A Corporate Plan covering 2007/11 was agreed by Council on 28<sup>th</sup> June but the content biased towards the immediate “recovery agenda”. Work to produce the next plan covering 2008/12 has already commenced and will reflect the new administration’s priorities and vision for Northampton.

**Best Value Performance Plan**

The 2007/08 Best Value Performance Plan, an annual requirement of the Audit Commission, was approved by Council and submitted to the Audit Commission as required by the 30<sup>th</sup> June 2007. The performance management culture of the organisation and councillors must become a higher priority, therefore, the cabinet will receive a monthly report on performance management. The first of these was considered at Cabinet in June. Further consideration is being given to the performance monitoring needs of Overview & Scrutiny and Portfolio Holders and separate reports for these audiences are being considered.

**Performance monitoring**

Performance reviews are currently being undertaken with Directors and Corporate Managers. Further reviews are planned in 2 months time and the format and focus of the reviews is being considered.

**Data Quality Audit**

KPMG have recently undertaken a Data Quality Audit on behalf of the Audit Commission to ensure robustness of our Data Measurement systems and the results will be published later in the year. Considerable work has been undertaken introducing a Data strategy and Service action plans in line with the Audit Commissions best practice and the authority hopes to achieve at least data quality level 2 by 2008.

*Straightforward, honest leadership*

**Human Resources**

Following advice from the district auditor last year the previous administration agreed that the Highways DSO activity would cease to be managed by NBC at the end of June 2007. Discussions were held with Atkins and the DSO staff on the transfer of the activity and ongoing opportunities of employment with NBC. At the end of June 25 members of staff chose to transfer to other posts in NBC and 3 members of staff were transferred to Atkins.

The Single Status project is a major Pay and Grading review which this authority is undertaking as part of a national agreement. The project Board meets monthly to review progress and is working towards implementation in April 2008. Almost 400

jobs have to be evaluated and work in this area is generally on plan. The outcome of this work will have financial consequences for the authority and will need to be reflected in the 2008/09 budget setting.

### **Governance and Councillor Engagement**

Arrangements for cross party engagement in training and services provided to councillors are being reviewed. It is hoped the first meeting of the group will be held shortly to agree terms of reference and review the induction training. Increasing the skills and capacity of the councillors is a vital part of the improvement agenda of this council.

The Northamptonshire County Council (NCC) Independent Remuneration Panel was commissioned to undertake work on behalf of NBC with regard to allowances in 2005 and they produce initial recommendations. The follow up work that they recommended was not completed and discussions are in hand with NCC to establish working arrangements that ensure that there is a clear work plan and long term objectives for this panel in respect of NBC requirements.

### *An open and efficient council*

#### **Maintaining compliance to legal duties**

The Government's Home Improvement Pack (HIP) initiative relating to house purchases has not progressed as planned but local authorities providing House search information have received advice on the way to set their search charges. The cabinet have agreed revised Land Charges to reflect the true cost of providing this service. The full house search service provided by NBC will be maintained at the same charge.

New statutory responsibilities under the Gaming Act began on 21<sup>st</sup> May and will be fully operational from 1<sup>st</sup> September. Cabinet agreed an extra post in the Licensing section to cover the new statutory responsibilities and ensure proper regulation and compliance in Northampton.

#### **IT Infrastructure and Connectivity**

The intake of new councillors has required considerable work with regard to providing IT facilities and connectivity to the Borough Council. All councillors were provided with email facilities as soon as possible, with hardware following afterwards. The initial focus was to provide hardware facilities to new councillors and work will shortly moved to reviewing the hardware provision to re-elected councillors.

Planning is underway to provide a more up to date and efficient computer infrastructure for the Borough Council. This will mean that the computer systems will be supported by a number of servers rather than a single mainframe, reducing the long term maintenance costs of our computer systems. Prior to implementation considerable archiving work is required and this will be commissioned shortly.

**Brian Hoare**  
**10<sup>th</sup> July 2007**

**Council  
Monday 23<sup>rd</sup> July 2007**

**Report of the Portfolio Holder for Finance**

**Sort out the Council's finances**

In accordance with the need to understand and monitor the authority's financial pressures, I have attended a number of meetings with the Audit Commission, Government Monitoring Board, Internal and External Auditors, the Interim Chief Executive & Corporate Directors. I am also attending bi-monthly performance reviews. I have also commenced preliminary work with the Finance Director on formulating a budget setting process for the 2008/09 budget.

**Revenue outturn 06/07 & first projected outturn for 07/08**

These were presented to Cabinet on 2 July 2007.

**Audit Committee**

I attended a meeting of the Audit Committee on 26<sup>th</sup> June 2007.

**Financial Accounts & Statement of Internal Control**

At a meeting of the Cabinet on 28<sup>th</sup> June 2007 I presented reports on the financial accounts and statement of internal control for the financial year ending March 2007. Both these documents were the result of a great deal of effort by our finance officers and have now been passed to the external auditors within the required deadline. They are now available for public viewing and questions.

**Value for money public services**

**Resources for finance directorate**

Appropriate staff recruitment is being undertaken to boost the capacity of the finance directorate in order to improve financial controls and reporting, including the recent recruitment of a professional Housing Revenue Accountant.

**Asset Management**

On 2<sup>nd</sup> July 2007 I presented a report to Cabinet on a key decision to agree in principle to negotiate changes to the lease of land at Sixfields with Northampton Town Football Club (NTFC). If agreed, this will allow NTFC to grant a sub-lease on part of the land to a hotel developer, with the potential to generate capital receipts for both the Council and NTFC.

Malcolm Mildren  
10 July 2007

# Agenda Item 7

Appendices: 1



**NORTHAMPTON**  
BOROUGH COUNCIL

Item No.

7

<b>Name of Committee:</b>	<b>COUNCIL</b>
<b>Meeting Date:</b>	23 July 2007
<b>Directorate:</b>	Chief Executive
<b>Corporate Manager:</b>	Francis Fernandes Solicitor to the Council and Monitoring Officer
<b>Agenda Status:</b>	Public part of Agenda

**Report Title**

NEW CODE OF CONDUCT

## **Recommendations**

That Council pass a resolution adopting the Model Code as the Borough Council's Code of Conduct pursuant to Section 51 of the Local Government Act 2000 with effect from 1 September 2007.

## **Background**

1. The Government have published by Order a Revised Model Code of Conduct for Members. The Order came into force on 3 May 2007 and local authorities have until 1 October 2007 to adopt the Code. A copy of the Revised Model is appended to this Report. Once an authority has adopted the Code they must publish the fact and make copies available for inspection. They must also send a copy to the Standards Board for England.

## **Main Changes**

2. The content of the Revised Code broadly follows the existing one, but there are the following significant changes:
  - 2.1 Scope – Following the judgement in the *Livingstone* case the Code states



that it only applies to conduct in a member's official capacity. The only exception to this is conduct that constitutes a criminal offence for which the member is convicted. The Code states that certain of its provisions (including the obligation not to bring the member's office or the authority into disrepute) apply to such conduct at any other time also.

- 2.2 Two new types of conduct are now specifically prohibited. These are (1) bullying and (2) intimidation in connection with investigations or proceedings under the Code.
- 2.3 The provisions about interests are amended in some respects. As with the previous code there are two categories of interest, firstly those which must be registered and secondly what might be called ad hoc interests. In the old Code these were where the member could be regarded as having a greater interest in a matter than Council Tax payers, rate payers or inhabitants of the Council's area as a whole. For an authority divided into electoral divisions or wards this is now changed to an interest greater than the majority of Council Tax payers, etc, of the electoral division or ward affected by the decision.
- 2.4 Another change on interests is that it is now provided that a member with a prejudicial interest can make representations to a meeting in the same manner as a member of the public (but unlike a member of the public they must leave the meeting after making the address). This is to mitigate the rather harsh effects of the Court's decision in *Richardson*.
- 2.5 A further change will help "dual hatted" members or those appointed by the Council to outside bodies. An interest arising from those situations (so long as it is not also a prejudicial interest) will, in future, only need to be declared at a meeting when the member actually speaks on the relevant item. (Note however that if the interest is prejudicial, as it might be for example with a planning or licensing application by the body concerned, then the member must declare the prejudicial interest and withdraw as normal.)
- 2.6 The duty placed on members by the old Code to report breaches of the Code by other members is not repeated in the new Code.

### **Adaptations of Model?**

3. A local authority are permitted to make minor alterations and additions to the Model Code, so long as they are consistent with it. The Borough's existing Code changed the numbering system from the earlier model and made some minor changes of terminology. There appears to be little or no advantage in doing that with the present model and it can create cross referencing difficulties. It is not therefore suggested that the Borough Council make any similar adaptations to the new Code.

### **Guidance**

5. The Standards Board have produced a comprehensive Guide to the new Code and also a Pocket Guide. Copies of these will be given to all Council members.

### **Declarations and Register of Interests**

6. It will be advisable to require Councillors to sign fresh declarations to abide by the Revised Code, since the declarations they have previously made have headings referring to the 2001 Order, which brought in the previous Code.
7. It will also be necessary for all Councillors to complete new declarations of interest within twenty eight days of the adoption of the revised Code. Because of this timescale and possible difficulties that might be encountered in the holiday period, it is recommended that the adoption of the Code take effect on 1 September 2007.

### **Standards Committee**

8. The revised Model Code was considered by Standards Committee at their meeting on 10 July 2007. They resolved to welcome the new Code and to invite the Council to adopt it as recommended in this report. They also agreed to recommend adoption of the Code by the Parish Councils in the Borough (preferably in a form prepared by the Standards Board for use by Parish Councils).

### **Background Papers**

The Local Authorities (Model Code of Conduct) Order 2007 (S1 2007/1159)

The Local Government Act 2000

Standards Board for England Guidance and Bulletins

Author – J Inch, Senior Solicitor    Tel: 837335

## THE MODEL CODE OF CONDUCT

### Part 1

#### General provisions

#### **Introduction and interpretation**

1. —(1) This Code applies to **you** as a member of an authority.

(2) You should read this Code together with the general principles prescribed by the Secretary of State.

(3) It is your responsibility to comply with the provisions of this Code.

(4) In this Code—

"meeting" means any meeting of—

(a) the authority;

(b) the executive of the authority;

(c) any of the authority's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

"member" includes a co-opted member and an appointed member.

(5) In relation to a parish council, references to an authority's monitoring officer and an authority's standards committee shall be read, respectively, as references to the monitoring officer and the standards committee of the district council or unitary county council which has functions in relation to the parish council for which it is responsible under section 55(12) of the Local Government Act 2000.

#### **Scope**

2. —(1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you—

(a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or

(b) act, claim to act or give the impression you are acting as a representative of your authority,

and references to your official capacity are construed accordingly.

(2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.

(3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time,

where that conduct constitutes a criminal offence for which you have been convicted.

(4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).

(5) Where you act as a representative of your authority—

(a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or

(b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

### **General obligations**

**3.** —(1) You must treat others with respect.

(2) You must not—

(a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006);

(b) bully any person;

(c) intimidate or attempt to intimidate any person who is or is likely to be—

(i) a complainant,

(ii) a witness, or

(iii) involved in the administration of any investigation or proceedings,

in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

(3) In relation to police authorities and the Metropolitan Police Authority, for the purposes of sub-paragraph (2)(d) those who work for, or on behalf of, an authority are deemed to include a police officer.

**4.** You must not—

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—

(i) you have the consent of a person authorised to give it;

(ii) you are required by law to do so;

(iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is—

(aa) reasonable and in the public interest; and

(bb) made in good faith and in compliance with the reasonable requirements of the authority; or

(b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You—

(a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

(b) must, when using or authorising the use by others of the resources of your authority—

(i) act in accordance with your authority's reasonable requirements;

(ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

7. —(1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

(a) your authority's chief finance officer; or

(b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory

requirements and any reasonable additional requirements imposed by your authority.

## Part 2

### Interests

#### **Personal interests**

**8.** —(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;

(ii) any body—

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

(iii) any employment or business carried on by you;

(iv) any person or body who employs or has appointed you;

(v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;

(vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);

(vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);

(viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;

(ix) any land in your authority's area in which you have a beneficial interest;

(x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;

(xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or

(b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of—

(i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;

(ii) (in the case of the Greater London Authority) other council tax payers, ratepayers or inhabitants of the Assembly constituency affected by the decision; or

(iii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.

(2) In sub-paragraph (1)(b), a relevant person is—

(a) a member of your family or any person with whom you have a close association; or

(b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;

(c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

(d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

### **Disclosure of personal interests**

**9.** —(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and

nature of that interest when you address the meeting on that business.

(3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

(4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

(5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

(6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

(7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.

### **Prejudicial interest generally**

**10.** —(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) You do not have a prejudicial interest in any business of the authority where that business—

(a) does not affect your financial position or the financial position of a person or body described in paragraph 8;

(b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or

(c) relates to the functions of your authority in respect of—

(i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;

(ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;



(iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;

(iv) an allowance, payment or indemnity given to members;

(v) any ceremonial honour given to members; and

(vi) setting council tax or a precept under the Local Government Finance Act 1992.

### **Prejudicial interests arising in relation to overview and scrutiny committees**

**11.** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

### **Effect of prejudicial interests on participation**

**12.** —(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—

(a) you must withdraw from the room or chamber where a meeting considering the business is being held—

(i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;

(ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from your authority's standards committee;

(b) you must not exercise executive functions in relation to that business; and

(c) you must not seek improperly to influence a decision about that business.

(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but

only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

### Part 3

#### Registration of Members' Interests

##### **Registration of members' interests**

**13.** —(1) Subject to paragraph 14, you must, within 28 days of—

(a) this Code being adopted by or applied to your authority; or

(b) your election or appointment to office (where that is later),

register in your authority's register of members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's monitoring officer.

(2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

##### **Sensitive information**

**14.** —(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.

(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

# Agenda Item 8

Appendices: 1



**NORTHAMPTON**  
BOROUGH COUNCIL

Item No.

8

<b>Name of Committee:</b>	<b>COUNCIL</b>
<b>Meeting Date:</b>	23 July 2007
<b>Directorate:</b>	Chief Executive
<b>Corporate Manager:</b>	Francis Fernandes Solicitor to the Council and Monitoring Officer
<b>Agenda Status:</b>	Public part of Agenda

<b>Report Title</b>	PROBITY IN PLANNING PROTOCOL
---------------------	------------------------------

## **Recommendations**

That Council adopts 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 (on Speaking at Planning Committee Meetings) being retained as an Appendix to the new Protocol.

## **Background**

A revised Protocol on Probity in Planning has been drafted as part of the improvements to the Planning Service which the Council are seeking to implement in response to the Audit Commission's Service Inspection Report published last September.

The Council have had a protocol on Probity in Planning for some years, which has been subject to minor revision at times. The present draft however is a complete rewriting of the Protocol to put it into a more accessible format of "do's" and "don'ts", and to take account of the Revised Model Code of Conduct and the revised Scheme of Delegations agreed by Council at their last meeting.

A draft of the new Protocol was taken to Standards Committee on 10 July 2007 and received their full endorsement.

It is intended that the Rules on Public Speaking at Planning Committee contained in Appendix 3 of the present Protocol will remain unchanged.

**Background Papers**

Audit Commission Service Inspection Report: Environment Planning Services  
September 2006

Existing Protocol in Council's Constitution

Report to Standards Committee 10 July 2007

Author – J Inch, Senior Solicitor    Tel: 837335

## **Draft Revised Probity in Planning Protocol**

### **Introduction**

**The aim of this Protocol:** to ensure that in the planning process there are no grounds for suggesting that a decision has been biased, partial or not well founded in any way.

**The key purpose of Planning:** to control development in the public interest.

**Your role as a Member of the Local Planning Authority:** to make planning decisions openly, impartially, with sound judgement and for justifiable reasons.

**When the Probity in Planning Protocol applies:** this code applies to Members at all times when involving themselves in the planning process. (This includes when taking part in the decision making meetings of the Council in exercising the functions of the Local Planning Authority or when involved on less formal occasions, such as meetings with officers or the public and consultative meetings). It applies as equally to planning enforcement matters or site specific policy issues as it does to planning applications.

**If you have any doubts about the application of this Protocol to your own circumstances you should seek advice early, from the Monitoring Officer or one of his or her staff, and preferably well before any meeting takes place.**

### **1. Relationship to the Code of Conduct for Councillors**

- **Do** apply the rules in the Code of Conduct for Councillors first, which must be always be complied with.
- **Do** then apply the rules in this Probity in Planning Protocol, which seek to explain and supplement the Code of Conduct for Councillors, for the purposes of planning control. If you do not abide by this Probity in Planning Protocol, you may put:
  - the Council at risk of proceedings on the legality or maladministration of the related decision; and
  - yourself at risk of either being named in a report made to the Standards Committee or Council or, if the failure is also likely to be a breach of the Code of Conduct, a complaint being made to the Standards Board for England.

### **2. Development Proposals and Interests under the Code of Conduct for Councillors**

- **Do** disclose the existence and nature of your interest at any relevant meeting, including informal meetings or discussions with officers and other Members. Preferably, disclose your interest at the beginning of the meeting and not just at the commencement of discussion on that particular matter. (*Use the disclosure form provided for disclosing interests.*)
- **Do** then act accordingly. **Where your interest is personal and prejudicial:-**
  - **Don't** participate, or give the appearance of trying to participate, in the making of any decision on the matter by the planning authority. You may attend the meeting of the Planning Committee, but only for the purpose of making representations, answering questions or giving evidence relating to the planning application in which you have a prejudicial interest, provided that the public are also allowed to

attend that meeting for the same purpose.

- **Don't** try to represent Ward views, get another Ward Member to do so instead.
- **Don't** get involved in the processing of the application.
- **Don't** seek or accept any preferential treatment, or place yourself in a position that could lead the public to think you are receiving preferential treatment, because of your position as a councillor. This would include, where you have a personal and prejudicial interest in a proposal, using your position to discuss that proposal with officers or members when other members of the public would not have the same opportunity to do so.
- **Do** be aware that, whilst you are not prevented from seeking to explain and justify a proposal in which you have a personal and prejudicial interest to an appropriate officer, in person or in writing, the Protocol places greater limitations on you in representing that proposal than would apply to a normal member of the public. (For example, where you have a personal and prejudicial interest in a proposal to be put before a meeting, you will have to withdraw from the room or chamber whilst the meeting considers it, whereas an ordinary member of the public would be able to observe the meeting's consideration of it from the public gallery.)
- **Do** notify the Monitoring Officer in writing in the event of you submitting your own application and note that:
  - notification to the Monitoring Officer should be made no later than the time of the submission of the application;
  - the proposal will always be reported to the Planning Committee as a main item and not dealt with by officers under delegated powers; and
  - it is advisable that you employ an agent to act on your behalf on the proposal in dealing with officers and any public speaking at Committee.

### **3. Fettering Discretion in the Planning Process.**

- **Don't** fetter your discretion and therefore your ability to participate in planning decision making at this Council by making up your mind, or clearly appearing to have made up your mind (particularly in relation to an external interest or lobby group), on how you will vote on any planning matter prior to formal consideration of the matter at the meeting of the Local Planning Authority and of your hearing the officer's presentation and evidence and arguments on both sides.

**Fettering your discretion** in this way and then taking part in the decision will put the Council at risk of a finding of maladministration and of legal proceedings on the grounds of there being a danger of bias or pre-determination or a failure to take into account all of the factors enabling the proposal to be considered on its merits.

- **Do** be aware that you are likely to have fettered your discretion where the Council is the landowner, developer or applicant and you have acted as, or could be perceived as being, a chief advocate for the proposal. (This is more than a matter of membership of both the proposing and planning determination committees, but that through your significant personal involvement in preparing or advocating the proposal you will be, or perceived by the public as being, no longer able to act impartially or to determine the proposal purely on its planning merits.)
- **Do** also be aware that, whilst you may regard yourself as not having a prejudicial interest in matters which relate to the organisations mentioned below, you must exercise your discretion in deciding whether or not to participate in each case and where:

- you have been significantly involved in the preparation, submission or advocacy of a planning proposal on behalf of:
  - another local or public authority of which you are a member; or
  - a body to which you have been appointed or nominated by the Council as its representative; or
- you are a trustee or company director of the body submitting the proposal and were appointed by the Council

you should always disclose a prejudicial as well as personal interest and withdraw.

- **Do** consider yourself able to take part in the debate on a proposal when acting as part of a consultee body (where you are also a member of the parish council, for example, or both a district/borough and county councillor), provided:
  - the proposal does not substantially affect the well being or financial standing of the consultee body;
  - you make it clear to the consultee body that::
    - your views are expressed on the limited information before you only;
    - you must reserve judgement and the independence to make up your own mind on each separate proposal, based on your overriding duty to the whole community and not just to the people in that area, ward or parish, as and when it comes before the Committee and you hear all of the relevant information; and
    - you will not in any way commit yourself as to how you or others may vote when the proposal comes before the Committee; and
  - you disclose the personal interest regarding your membership or role when the Committee comes to considers the proposal.
- **Don't** speak and vote on a proposal where you have fettered your discretion. You should also withdraw.
- **Do** explain that you do not intend to speak and vote because you have or you could reasonably be perceived as having judged (or reserve the right to judge) the matter elsewhere, so that this may be recorded in the minutes. (*Use the disclosure form provided for disclosing interests.*)
- **Do** take the opportunity to exercise your separate speaking rights as a Ward/Local Member where you have represented your views or those of local electors and fettered your discretion, but do not have a personal and prejudicial interest. Where you do:
  - advise the proper officer or Chairman that you wish to speak in this capacity before commencement of the item;
  - remove yourself from the member seating area for the duration of that item; and
  - ensure that your actions are recorded.

#### **4. Contact with Applicants, Developers and Objectors**

- **Do** always refer those who approach you for planning, procedural or technical advice to officers.
- **Don't** agree to any formal meeting with applicants, developers or groups of objectors where you can avoid it. Where you feel that a formal meeting would be useful in clarifying the issues, you should never seek to arrange that meeting yourself but should request the Development Control Manager to organise it. The officer(s) will

then ensure that those present at the meeting are advised from the start that the discussions will not bind the authority to any particular course of action, that the meeting is properly recorded on the application file and the record of the meeting is disclosed when the application is considered by the Committee.

- **Do** otherwise:
  - follow the rules on lobbying;
  - consider whether or not it would be prudent in the circumstances to make notes when contacted; and
  - report to the Development Control Manager any significant contact with the applicant and other parties, explaining the nature and purpose of the contacts and your involvement in them, and ensure that this is recorded on the planning file.

#### **In addition in respect of presentations by applicants/developers:**

- **Don't** attend a planning presentation unless an officer is present and/or it has been organised by officers.
- **Do** ask relevant questions for the purposes of clarifying your understanding of the proposals.
- **Do** remember that the presentation is not part of the formal process of debate and determination of any subsequent application, and that this will be carried out by the appropriate Committee of the planning authority.
- **Do** be aware that a presentation is a form of lobbying and you must not express any strong view or state how you or other Members might vote.

## **5. Lobbying of Councillors**

- **Do** explain to those lobbying or attempting to lobby you that, whilst you can listen to what is said, it prejudices your impartiality and therefore your ability to participate in the Committee's decision making to express an intention to vote one way or another or such a firm point of view that it amounts to the same thing.
- **Do** remember that your overriding duty is to the whole community not just to the people in your ward and, taking account of the need to make decisions impartially, that you should not improperly favour, or appear to improperly favour, any person, company, group or locality.
- **Don't** accept gifts or hospitality from any person involved in or affected by a planning proposal. If a degree of hospitality is entirely unavoidable, ensure it is of a minimum, its acceptance is declared as soon as possible and remember to register the gift or hospitality where its value is over £25 (in accordance with the authority's rules on gifts and hospitality).
- **Do** copy or pass on any lobbying correspondence you receive to the Development Control Manager at the earliest opportunity.
- **Do** promptly refer to the Development Control Manager any offers made to you of planning gain or constraint of development, through a proposed S106 Planning Obligation or otherwise.
- **Do** inform the Monitoring Officer where you feel you have been exposed to undue or excessive lobbying or approaches (including inappropriate offers of gifts or hospitality), who will in turn advise the appropriate officers to follow the matter up.



- **Do** note that, unless you have a personal and prejudicial interest, you will not have fettered your discretion or breached this Probity in Planning Protocol through:
  - listening or receiving viewpoints from residents or other interested parties;
  - making comments to residents, interested parties, other Members or appropriate officers, provided they do not consist of or amount to pre-judging the issue and you make clear you are keeping an open mind;
  - seeking information through appropriate channels; or
  - being a vehicle for the expression of opinion or speaking at the meeting as a Ward Member, provided you explain your actions at the start of the meeting or item and make it clear that, having expressed the opinion or ward/local view, you have not committed yourself to vote in accordance with those views and will make up your own mind having heard all the facts and listened to the debate.

## 6. Lobbying by Councillors

- **Don't** become a member of, lead or represent an organisation whose primary purpose is to lobby to promote or oppose planning proposals. If you do, you will have fettered your discretion and are likely to have a personal and prejudicial interest and have to withdraw.
- **Do** join general interest groups which reflect your areas of interest and which concentrate on issues beyond particular planning proposals, such as the Victorian Society, CPRE, Ramblers Association or a local civic society, but disclose a personal interest where that organisation has made representations on a particular proposal and make it clear to that organisation and the Committee that you have reserved judgement and the independence to make up your own mind on each separate proposal
- **Don't** excessively lobby fellow councillors regarding your concerns or views nor attempt to persuade them that they should decide how to vote in advance of the meeting at which any planning decision is to be taken
- **Don't** decide or discuss how to vote on any application at any sort of political group meeting, or lobby any other Member to do so. Political Group Meetings must never dictate how Members should vote on a planning issue.

## 7. Site Inspections

- **Do** try to attend Site Inspections organised by the Council where possible.
- **Don't** request a Site Inspection unless you feel it is strictly necessary because:
  - particular site factors are significant in terms of the weight attached to them relative to other factors or the difficulty of their assessment in the absence of a site inspection; or
  - there are significant policy or precedent implications and specific site factors need to be carefully addressed.
- **Do** ensure that any information which you gained from the Site Inspection is reported back to the Committee, so that all Members have the same information in respect of the material considerations applying to the application
- **Do** ensure that you treat the Site Inspection only as an opportunity to seek information and to observe the site.

- **Do** ask the officers at the Site Inspection questions or seek clarification from them on matters which are relevant to the Site Inspection.
- **Don't** hear representations from any other party. Where you are approached by the applicant or a third party, advise them that they should make representations in writing to the authority and direct them to or inform the officer present.
- **Don't** express opinions or views to anyone.
- **Don't** enter a site which is subject to a proposal other than as part of an official Site Inspection, even in response to an invitation, as this may give the impression of bias unless:
  - you feel it is essential for you to visit the site other than through attending the official Site Inspection **and**
  - you have first spoken to the Development Control Manager about your intention to do so and why (which will be recorded on the file) **and**
  - you can ensure you will comply with these good practice rules on site visits.

## 8. Public Speaking at Meetings

- **Don't** allow members of the public to communicate with you during the Committee's proceedings (orally or in writing) other than through the scheme for public speaking, as this is likely to give the appearance of bias.
- **Do** ensure that you comply with the Council's procedures in respect of public speaking.

## 9. Officers

- **Don't** put pressure on officers to put forward a particular recommendation. (This does not prevent you from asking questions or submitting views to the Development Control Manager, which may be incorporated into any committee report).
- **Do** recognise that officers are part of a management structure and only discuss a proposal, outside of any arranged meeting, with the Corporate Manager (Development, Building Control and Environmental Health), the Development Control Manager or those officers who are authorised by the Corporate Manager to deal with the proposal at a Member level.
- **Do** recognise and respect that officers involved in the processing and determination of planning matters must act in accordance with the Council's Officers' Code of Conduct and their professional codes of conduct, primarily the Royal Town Planning Institute's Code of Professional Conduct. As a result, planning officers' views, opinions and recommendations will be presented on the basis of their overriding obligation of professional independence, which may on occasion be at odds with the views, opinions or decisions of the Committee or its Members.

## 10. Decision Making

- **Do** ensure that, if you request a proposal to go before the Committee rather than be determined through officer delegation, that your reasons are recorded and repeated in the report to the Committee.
- **Do** come to meetings with an open mind and demonstrate that you are open-minded.

- **Do** comply with section 38 of the Planning and Compulsory Purchase Act 2004 and make decisions in accordance with the Development Plan unless material considerations indicate otherwise.
- **Do** come to your decision only after due consideration of all of the information reasonably required upon which to base a decision. If you feel there is insufficient time to digest new information or that there is simply insufficient information before you, request that further information. If necessary, defer the application.
- **Don't** vote or take part in the meeting's discussion on a proposal unless you have been present to hear the entire debate, including the officers' introduction to the matter.
- **Do** have recorded the reasons for Committee's decision to defer any proposal.
- **Do** make sure that if you are proposing, seconding or supporting a decision contrary to officer recommendations or the development plan that you clearly identify and understand the planning reasons leading to this conclusion/decision. These reasons must be given prior to the vote and be recorded. Be aware that you may have to justify the resulting decision by giving evidence in the event of any challenge.
- **Do** ensure that if you request an application to go before the Committee rather be determined by officer delegation that your reasons *on planning grounds* are submitted to officers in writing, preferably within the 21 day consultation period.

## 11. Training

- **Don't** participate in decision making at meetings dealing with planning matters if you have not attended the mandatory planning training prescribed by the Council.
- **Do** endeavour to attend any other specialised training sessions provided, since these will be designed to extend your knowledge of planning law, regulations, procedures, Codes of Practice and the Development Plans beyond the minimum referred to above and thus assist you in carrying out your role properly and effectively.
- **Do** participate in the annual review of a sample of planning decisions to ensure that Members' judgements have been based on proper planning considerations.



# Overview & Scrutiny

annual report  
**2006 - 2007**



**NORTHAMPTON**  
BOROUGH COUNCIL

# Contents



<b>Foreword by the Chair of Overview and Scrutiny</b>	<b>2</b>		
<b>Introduction</b>	<b>4</b>		
<b>Part One</b>			
<b>The Overview &amp; Scrutiny Process</b>	<b>5</b>		
Northampton's Scrutiny Structure	5		
Determining the Scrutiny Work Programme	6		
Involving the Public	7		
Local Democracy Week	8		
Use of the Web	10		
Overview and Scrutiny Toolkit	10		
E-Bulletin Newsletter	11		
Training and Development	12		
Scrutiny Support	13		
<b>Part Two</b>			
<b>Improvements and Long term Objectives</b>	<b>14</b>		
Improvements	14		
Long-Term Objectives	15		
<b>Part Three</b>			
<b>The Overview and Scrutiny Programme 2006/2007</b>	<b>16</b>		
		Overview and Scrutiny Committee	16
		Call In of Cabinet decisions	18
		Meetings of the Chair and Deputies	19
		<b>Task and Finish Groups: -</b>	<b>21</b>
		Allotments (Water Charges)	21
		Housing Repairs	24
		Tree Policy	25
		Leisure Services	27
		Street Scene	30
		Homelessness (Rough Sleepers)	32
		Evaluation of Dispersal Orders	35
		<b>Working Group: -</b>	<b>38</b>
		BVPP	38
		<b>Monitoring Process</b>	<b>39</b>
		Planning	39
		Homelessness	39
		Public Engagement and Communications	39
		Allotments (Water Charges)	40
		<b>Co-Opted Scrutiny Councillors to Northamptonshire County Council's Healthier Communities Scrutiny Committee</b>	<b>41</b>
		<b>Part Four</b>	
		Previous Overview and Scrutiny Reviews	42
		<b>Contact Overview and Scrutiny at Northampton Borough Council</b>	<b>43</b>
		Feedback Form	44

# Foreword by the Chair of the Overview and Scrutiny Committee

This, the second Annual Report by Northampton Borough Council's Scrutiny Committee, gives an overview of the Committee's activities over the past twelve months and its plans for the forthcoming year.

This is my second year as Chairman of Scrutiny, we have made successful progress in developing our Scrutiny function at Northampton a large part of that success is due to the dedicated support, enthusiasm and hard work of our Scrutiny Officer, Tracy Tiff, on behalf of the Committee I thank her for this.

We have developed an Overview and Scrutiny Toolkit, which provides a practical guide to everyone involved with Overview and Scrutiny. It gives clear guidance on the Council's Overview and Scrutiny function and provides practical advice for all those who take part.

Members of Scrutiny have been keen to involve members of the public as far as possible in the reviews carried out by Scrutiny; members of the public have been part of our reviews into Allotments (Water Charges), Housing Repairs, and Street Scene. The members of the public have contributed well to these investigations, and helped

to improve the working of this Borough Council with many of the recommendations now in place. I would like to place on record my and the Committee's thanks to the Co-opted members who put in a huge amount of their free time last year. Their contribution is greatly appreciated.

As part of Local Democracy Week Scrutiny held a workshop for members of the public giving a brief presentation on the role of Overview and Scrutiny, how members of the public could get involved, and how Scrutiny can help improve the working of the Council.

We produced a structured work programme for the first time, which reflected the Council's priorities; the work plan has changed over time and is now also linked to the Council's Improvement Plan. Effective scrutiny is not an easy task, but it is a rewarding one. My thanks go to all those involved who have

invested their time to bring change about.

Lastly I would like to pay tribute to Councillor Marion Allen and Councillor Margaret Pritchard who are standing down at the forthcoming elections, thank you on behalf of the Scrutiny Committee for your hard work, I

have no doubt that your contributions to the Scrutiny process will have changed the lives of Northampton people for the better, thank you.



A handwritten signature in black ink, appearing to read 'B Glynane'. The signature is fluid and cursive.

**Councillor Brendan Glynane**  
**Chair of the Overview and Scrutiny Committee**

# Introduction

Since 2001, in accordance with the Government's "modernisation" agenda, the Council has operated a very different political decision making structure, moving away from the traditional subject-based committees to a model more closely resembling that of Central Government with its Cabinet and Select Committees.

Councillors fall into two categories.

The Leader and five other Councillors form the Cabinet. They are responsible for the direction of the Council and take key decisions within the budgetary and policy framework agreed by the Council. Each Cabinet member (Portfolio Holder) has responsibilities for specific aspects of the Council's policy or work (portfolio).

The remaining 41 Councillors are known as non-Executive Councillors and are given the opportunity to be involved in scrutinising policy and the services provided for residents which is done through Overview and Scrutiny Task and Finish Groups.

In 2005 the Council reviewed its political structures and replaced its seven Overview and Scrutiny Committees with one.

The Overview and Scrutiny Committee has two main functions, namely holding the Cabinet to account – *Scrutiny* and conducting policy reviews into areas of the Council's services with a view to making recommendations for improvement – *overview*.

Overview and Scrutiny is objective and constructive, aiming to add value to any area it considers. It is based on an evidenced process that leads to Task and Finish Groups compiling reports to Cabinet and/or Full Council.

## **The four main principles of Overview and Scrutiny are: -**

- Policy development and review
- Holding the Cabinet to account
- Investigating issues of local concern
- External scrutiny including health scrutiny



# The Overview and Scrutiny Process

## Northampton's Scrutiny Structure

Overview and Scrutiny within the Council continues to evolve.

The Overview and Scrutiny Committee comprising fourteen Councillors from each Political Group sets up time limited Task and Finish Groups to carry out strategic and operational reviews.

All non-Executive Councillors are given the opportunity to be involved in the reviews by putting themselves forward to join the Task and Finish Groups. The Task and Finish Groups look in detail at specific topics and produce reports following their investigations that put forward evidence-based recommendation to Cabinet and/or Full Council.

Overview and Scrutiny reviews cover a wide range of topics and complex issues.

Community involvement at all stages of the Task and Finish Group investigations is encouraged and a variety of methods are used to gather residents' views, for example interviewing expert witnesses and co-opting experts in the topic being reviewed. This is discussed in more detail on page 7.

Overview and Scrutiny at Northampton engages with external partners and other organisations to obtain evidence.

# Determining the Overview and Scrutiny Work Programme

A structured Overview and Scrutiny Annual Work Programme was produced for the first time for 2006/2007. Initially the work programme reflected the Council's priorities, for example, "make Northampton a safer, cleaner and greener place to live". Over time the work programme changed and is now also linked to the Council's Improvement Plan. This allows the Council to use Overview and Scrutiny as part of its approach to improving its services.

The review areas that were agreed for 2006/2007 were: -

- Tree Policy
- Best Value Performance Plan Process
- Allotments (Water Charges)
- Housing Repairs
- Leisure Services
- Street Scene
- Homelessness (Rough Sleepers)

- Evaluation of Dispersal Orders

## Monitoring Process

The monitoring system was introduced in 2006. This system monitors the implementation of the recommendations that the various Task and Finish Groups produce.

Approximately six months after Cabinet has accepted Overview and Scrutiny recommendations, the Portfolio Holder is requested to attend a meeting of the Overview and Scrutiny Committee to provide details of the implementation of the recommendations. Should recommendations be outstanding, the Portfolio Holder is asked to come back to the Overview and Scrutiny Committee in a further six months time to provide more details.

# Involving the Public

Overview and Scrutiny at Northampton involves the public as far as possible in the reviews that are carried out by its Task and Finish Groups. The public can be involved in a number of ways, for example:

- By becoming a co-opted member to one of the Task and Finish Groups for the life of that review.
- Individuals with a particular knowledge of the subject being reviewed can be invited to give evidence at a Task and Finish Group meeting. This enables Councillors to make well-informed recommendations but also gives individuals and organisations from outside the Council a way of having their voice heard and influence the delivery of Council services.

During the last year, Task and Finish Groups have involved the public by a variety of methods such as: -

- Interviewing expert witnesses
- Co-opting experts in the topic being reviewed
- Inviting Residents Associations and Parish Councils to give information on side waste (littering) and abandoned vehicle issues

- Inviting local churches to give information on assistance they provide to rough sleepers
- Visits to rough sleeper drop-in sessions
- Visits to users of relevant services
- Inviting local residents to an Overview and Scrutiny Workshop

Members of the public are welcome to attend Overview and Scrutiny meetings to hear the range of issues under discussion.

Overview and Scrutiny has begun to use technology more to keep people informed, for example, an information sheet is attached to the E-Bulletin newsletter that informs the public how it can find out about the work of Overview and Scrutiny and become involved by: -

- Attending a meeting of the Overview and Scrutiny Committee
- Writing to the Task and Finish Groups
- Expressing an interest to become a co-opted member
- Becoming a witness
- Suggesting future issues that they would like the Overview and Scrutiny Committee to review

Further details are given on page 11.

# Local Democracy Week – Overview and Scrutiny Workshop

Local Democracy week took place in Northampton during the week commencing 16 October 2006. Key aims were for Local Councils to engage with citizens, including young people, to help promote and encourage active citizenship and participation in local democracy.

An all day event took place on Saturday 14 October 2006, at the Guildhall, hosted by the Northampton Borough Council's Community Forums.

Councillor Glynane (Chair of the Overview and Scrutiny Committee), Councillors Malpas and Roy (Deputy Chairs) and Councillor Pritchard hosted the workshop and gave brief presentations on: -

- The role of Overview and Scrutiny

- The role of co-optees and witnesses in the Scrutiny process
- Details of the recommendations contained in the Public Engagement and Communications Task and Finish Group's final report
- Monitoring of the implementation of the recommendations contained in the Task and Finish Groups' final reports

Attendees at the workshop made comment regarding the cleanliness of the town's bus station and queried whether this could be included as part of the Overview and Scrutiny's Work Programme 2006/2007. As the Annual Work Programme was full, the relevant Portfolio Holder was requested to attend the Overview and Scrutiny Committee meeting of 12 December 2006 to provide a response to the concerns and queries raised by the Workshop.

The Portfolio Holder advised that: -

- The Bus Station is cleaned daily with staff around during the daytime, but most of the cleaning takes place with a night shift. This was set up due to the amount of people using the station during the day.
- Deep cleansing is carried out as and when the service is asked to do so and the Town Centre Manager provides an order for this work.
- Providing the individuals with Community Service Orders are closely supervised, the Portfolio Holder could foresee no reason why they could not contribute to helping keep the Bus Station tidy, however, it was presumed they would only be available for the day shift rather than nights.



## Use of the Web

Overview and Scrutiny now has a dedicated section on the Council's website ([www.northampton.gov.uk/scrutiny](http://www.northampton.gov.uk/scrutiny)) that has been developed over the past year. It details the role of Overview and Scrutiny and how it works at Northampton, together with times and dates of meetings. The site contains the contact details of the Scrutiny Officer and there is also the facility for the public to submit suggestions for a future Overview and Scrutiny Review. There is a list of current Scrutiny reviews and a library of past Scrutiny reviews.

The site also contains a number of documents including details of the current and previous Overview and Scrutiny Annual Reports, Annual Work Programme, Overview and Scrutiny Guidance Information, Co-Optee Handbook, Overview and Scrutiny Toolkit and the E-Bulletin Overview and Scrutiny Newsletter.

## Overview and Scrutiny Toolkit

The Overview and Scrutiny Toolkit was developed in 2006/2007 and provides practical guidance to

everyone involved with Overview and Scrutiny in Northampton, which includes Councillors, members of the public, Council staff, co-opted members and witnesses.

The Overview and Scrutiny Toolkit sets out how Scrutiny at Northampton works and how people can get involved. It is intended to make Scrutiny challenging and constructive and also be an inclusive process.

The Toolkit aims to give clear guidance on the Council's Overview and Scrutiny function as well as provide practical advice to all those who take part in the Overview and Scrutiny process: -

- Members of the Overview and Scrutiny Committee and its Task and Finish Groups
- Co-opted members
- Cabinet members
- Council Employees
- Witnesses in Overview and Scrutiny inquiries
- Members of the public

The Toolkit is published on the Council's website and a copy can also be obtained by contacting the Scrutiny Officer. Contact details are given on page 43.

# E-Bulletin Newsletter

The first edition of the E-Bulletin Newsletter was published in the Spring 2006 and will continue to be published three times a year. This newsletter has proved useful to Councillors, staff and the public and continues to raise awareness of Overview and Scrutiny across the Authority, with partners and across the local community.

**SCRUTINY: NEWSLETTER**  
ISSUE 1 SPRING 2006

**THIS ISSUE**

- Introduction 1
- What is Overview and Scrutiny 1
- Who is Involved 1
- Task and Finish Groups 2
- A Critical Friend to The Council 2
- Staff Involvement 3
- Annual Work Programme 3
- Overview and Scrutiny Annual report 3
- Forthcoming Meetings 3
- Have Your Say 3
- Website 4
- Feedback 4

**introduction**

Welcome to the first edition of the Council's Overview and Scrutiny E-Bulletin, the e-mail newsletter of Northampton Borough Council's Overview and Scrutiny Committee, which is available for employees and the public

The bulletin will keep you up to date with the Overview and Scrutiny Committee and Task and Finish Group news, training events, additions to the website, forthcoming meetings and new developments.

**Who is involved in Scrutiny**

The new Overview and Scrutiny Committee was set up in September 2005 and comprises fourteen councillors representing each political group:

- Councillor Brendan Glynane** (Chair)  
Telephone: (01604) 453833  
Email [cllr.bglynane@northampton.gov.uk](mailto:cllr.bglynane@northampton.gov.uk)
- Councillor Christopher Malpas** (Deputy Chair)  
(Chair of the Public Engagement and Communications Task and Finish Group)  
Telephone (01604) 233640  
Email [cllr.cmalpas@northampton.gov.uk](mailto:cllr.cmalpas@northampton.gov.uk)
- Councillor Anjona Roy** (Deputy Chair)  
(Chair of the Protocol Working Group)  
Telephone 07976 260268  
Email [cllr.aroy@northampton.gov.uk](mailto:cllr.aroy@northampton.gov.uk)

**councillors:**

1 Marion Allen	7 Jamie Lane (Chair of the Planning Task and Finish Group)
2 Richard Church	8 Margaret Pritchard
3 Brandon Eldred	9 Lee Mason (Chair of the Homelessness Task and Finish Group)
4 Michael Hill	10 Andrew Simpson
5 Brian Hoare	11 Liz Tavener
6 Michelle Hoare	

**PAGE 1**

# Training and Development

The Overview and Scrutiny Committee Chair and the Scrutiny Officer attend meetings of the East Midlands Regional Local Government Association (EMRLGA) Scrutiny Network which bring together Scrutiny Chairs and Scrutiny Officers from the East Midlands to discuss issues of mutual benefit.

The Authority recently hosted a Seminar on the Government's White Paper – Strong and Prosperous Communities – Implications for Overview and Scrutiny. The seminar was open to all Borough Councillors and invitations were sent to Scrutiny Chairs, Vice Chairs and Scrutiny Officers of neighbouring Local Authorities. It was well received and well attended.

The Centre for Public Scrutiny facilitated the half-day Seminar which was split into two sessions:

Session one concentrated on future developments in Overview and Scrutiny and the White Paper and

Scrutiny. Session two concentrated upon Community Call for Action. Attendees broke into five groups and gave case studies of issues that they perceived would be dealt with either through Community Call for Action or dealt with locally.





# Scrutiny Support

The Council is committed to the Overview and Scrutiny process and has put in place the relevant resources to support the process.

Overview and Scrutiny is supported by a Corporate Director and two Corporate Managers. Each Task and Finish Group has one Corporate Manager and a senior employee dedicated to it for the life of the review.

The Overview and Scrutiny Committee has a Scrutiny Officer who carries out research, assists in compiling the Task and Finish Groups' final reports, produces the E-Bulletin newsletter, drafts the Annual Report, assists in the production of the Annual Work Programme, produces the agendas and minutes of the Overview and Scrutiny Committee and its Task and Finish Groups meetings and sets up relevant meetings, such as Task and Finish Groups, meetings with the Portfolio Holders and meetings of the Chair and Deputy Chairs. The Scrutiny Officer produces the Overview and Scrutiny web page, and updates it on a regular basis.

The contact details for Overview and Scrutiny can be found on page 43.

# Improvements and Long Term Objectives

## Improvements

The aim of Overview and Scrutiny in Northampton is to develop an effective scrutiny function that assists the Cabinet and staff to continuously improve services.

Many improvements have taken place over the last year:-

- The development of a structured Annual Work Programme that is formally published and widely distributed.
- Further development of the good practice Overview and Scrutiny Protocols and guidance notes.
- Production of the Overview and Scrutiny Toolkit.
- Production of the Overview and Scrutiny dedicated web site.
- The introduction of a monitoring system to log progress of the implementation of the recommendations that arose in the Task and Finish Group's review reports to Cabinet.
- Actively involving the public in the work of Scrutiny.
- Regular progress meetings are now held with the Corporate Directors and the Chair and two Deputy Chairs of Overview and Scrutiny.
- External experts are invited to provide evidence to inform Task and Finish Group reviews.

# Long Term Objectives

Looking to the future, we continue to seek to improve Overview and Scrutiny and have put in place a number of long term objectives: -

- Work more closely with the media and public relations
- Work closely with Northampton County Council for successful delivery of the Local Area Agreement (LAA)
- Continue to develop Overview and Scrutiny's role to raise its profile
- Continue to develop training for members of staff who may be called as witnesses by the Overview and Scrutiny Committee. The training will also ensure that key employees understand the Scrutiny process
- Continue to actively involve the public in the work of Overview and Scrutiny
- Develop the Overview and Scrutiny Work Programme based, as far as possible, on the Council's priorities and on service areas that require improvement

# The Overview and Scrutiny Programme 2006/2007

## The Overview and Scrutiny Committee

The Overview and Scrutiny Committee met six times from June 2006 to May 2007.

It looked at issues such as: -

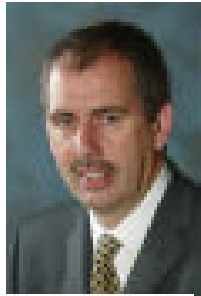
- Annual Work Programme 2006/2007,
- Local Area Agreement (LAA) Joint Scrutiny Arrangements,
- Update and final reports from the Tree Policy, Allotments (Water Charges), Housing Repairs, Leisure Services, Street Scene, Homelessness (Rough Sleepers), Evaluation of Dispersal Orders Task and Finish Groups,
- Overview and Scrutiny Toolkit,

- Defined Overview and Scrutiny lead Councillors to each Portfolio Holder
- Annual Report 2006/2007.

The Committee monitored the implementation of the recommendations contained in the Planning, Homelessness and Public Engagement and Communications final reports from work carried out during 2005/2006.

A Working Group to investigate the Best Value Performance Plan process was set up. The Working Group that produced good practice Overview and Scrutiny Protocols re-convened and produced an Overview and Scrutiny Councillors' Code of Conduct Protocol.

# The Overview and Scrutiny Committee



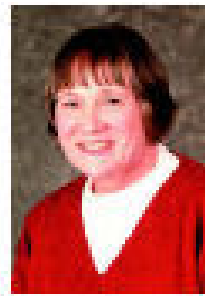
Cllr. Glynnis (Chair)



Cllr. Roy (Deputy Chair)



Cllr. Mubau (Deputy Chair)



Cllr. Allen



Cllr. Church



Cllr. Elford



Cllr. Hill



Cllr B Hoare



Cllr M Hoare



Cllr Lane



Cllr Massey



Cllr Mason



Cllr Pritchard



Cllr Simpson

# Call-In of Cabinet Decisions

The Cabinet makes key decisions, which are decisions that affect more than two wards, and/or involves more than £50,000. Within three working days of the minutes of the Cabinet meeting being published, two Councillors may “call in” a decision made at that meeting. This means that Overview and Scrutiny examines the decision to make sure that it was made in the correct way and using robust information. Overview and Scrutiny may recommend that the Cabinet or Full Council should reconsider the decision. It may also be consulted by the Cabinet on forthcoming decisions and the development of policy.

At Northampton call-in is used sparingly, and during 2006/2007 the facility was not used at all.



# Meetings of the Chair and Deputy Chairs of Overview and Scrutiny



This Group met six times during 2006/2007. It sets the agendas for the Overview and Scrutiny Committee meetings.

During the year, the Group has discussed the Scrutiny role, the Seminar on the Government's White Paper – Strong and Prosperous Communities – Implications for Overview and Scrutiny, the Local Democracy Week workshop and the need for further good practice Overview and Scrutiny Protocols. The Corporate Directors have attended regular meetings of the Chair and Deputies of Overview and Scrutiny

to provide details of priorities and information within their service area.

The Overview and Scrutiny Committee delegated the monitoring of call-in recommendations to the Chair and Deputy Chairs of Overview and Scrutiny. Councillor Hadland, Leader of the Council, attended the meeting on 15 March 2007 and provided an update on the implementation of the recommendations contained in the Sixfields Area Action Plan Call-In (January 2006).

Recommendations included: -

- That in pursuing its aspirations to support the Northampton Town Football Club, Cabinet should keep its support of specific interests separate from its plan making activities for Sixfields. This will maintain the necessary distinction between the obligations of the Council as a Planning Authority and its other interests promoting social and economic activity in the town.
- That the Committee recommends to Cabinet that it reviews its decision to demonstrate that it has: -
  - taken into account all the evidence;
  - taken into account the wider community, social and economic interests in the development of its plan for the Sixfields area;
  - properly evaluated all four options and that the resulting plan complies with all legislative requirements and Government guidance; and
  - given regard to the compelling legal advice provided and taken steps to mitigate against any risk that may arise

from future actions against the Council on the legitimacy of its plan making for the Sixfields area.

- That to ensure there is consistency in plan making, Cabinet considers running in parallel the development of the Area Action Plan for Sixfields and the Town Centre Area Action Plan.

The Chair and Deputies Chairs met with the Leader of the Council and heard that all of the above recommendations are now enshrined in the Local Development Framework Document and Scheme.

The Local Development Scheme focuses on the nature of the Scheme rather than the location.



# Task and Finish Groups

Task and Finish Groups' reports are published on the website and can be located at [www.northampton.gov.uk/scrutiny](http://www.northampton.gov.uk/scrutiny).

## Allotments (Water Charges)

### Task and Finish Group Membership



Cllr Allen  
(Chair)

Cllr Crake

Cllr M Hoare

Cllr Patterson

### Work Undertaken

The Overview and Scrutiny Task and Finish Group, comprising Councillors Marion Allen, Trini Crake, Michelle Hoare, Les Patterson and two co-opted members, Mr Tony Care and Mr Barry Oliver, was set up because a motion was put forward and carried at Full Council on 22 May 2006 that asked for a time limited Scrutiny investigation to be undertaken for the

proposed water charges for allotment holders within the Borough.

The review was a short, focussed piece of work that linked to the Council's corporate priorities and examined a range of information.

The Task and Finish Group met four times during July and September 2006 and looked at water usage on allotment sites within the Borough of Northampton, water costs were investigated as were other Local Authorities allotment rental and water charges. Site visits to various allotments within the Borough took place; interviews with the Portfolio Holder (Community Engagement and Democratic Services) and relevant senior staff from Northampton Borough Council were held. Desktop research was undertaken using the Internet.

### Outcome of the Review

After gathering evidence the Task and Finish Group established that the introduction of water charges to allotment holders could not be investigated in

isolation. Other issues such as water leakage, water conservation, security on the allotment sites and possible concessionary discounts needed to be considered too.

The Task and Finish Group made a series of recommendations to Cabinet for implementation by April 2008 at the latest: -

- That there should be no introduction of water charges until all water pipes on each allotment site have been replaced.
- That a Water Charging Policy be introduced containing the following conditions: -
  - (a) Water usage to be charged at a rate per pole (30 yards) per field as an incentive to conserve water.
  - (b) When permission to erect a shed on an allotment plot is granted, the placing of a water butt with guttering, for water conservation should be a condition of approval.
- That when the water pipes are replaced, the installation of standpipes of allotment sites is explored.

- That consideration be given to taking out a short-term loan against future land sale to cover the cost of replacing water pipes on all allotment sites.

The following recommendations were outside the Group's original remit but were put forward for consideration as they were connected to the issue under review. They arose during the work of the review and are significant to the future management of the allotment sites and are offered as support to the work of the Council: -

- That consideration be given to revisiting and updating the Allotment Strategy 2004. The Allotment Strategy should be adopted by April 2007. Once approved and implemented, it could be used as a benchmark for the future, such as an umbrella for a five-year business plan for each allotment site. Within the Allotment Strategy the following issues need to be addressed: -
  - Security
  - Water conservation plan
  - Disabled access

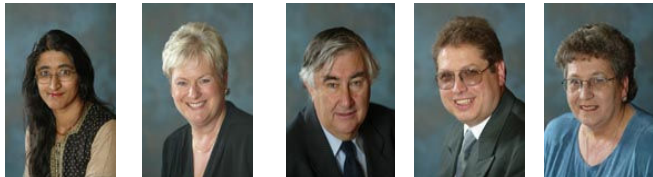
- Alternative methods to manage/run allotment sites
- That consideration be given to the introduction of 50% concessions for allotment rental charges and the following groups be considered: -
  - Individuals over 60 years of age
  - Disabled users
  - Unemployed users

The report and its recommendations was accepted by Cabinet at its meeting in October 2006. The Overview and Scrutiny Committee monitored the implementation of the recommendations at its meeting on 27 March 2007.



# Housing Repairs

## Task and Finish Group Membership



Cllr Roy  
(Chair)

Cllr Beardsworth

Cllr Hill

Cllr Malpas

Cllr Tavener

This Task and Finish Group was set up to look at the Housing Repair Service within the Council. Two members of Northampton Tenants and Council Together Group (NTACT) were co-opted onto the Task and Finish Group to provide valuable expertise and knowledge in the topic being reviewed.

Mid review, the Task and Finish Group realised that it would not be able to complete the review in the allocated timescale and asked the Overview and

Scrutiny Committee to suspend the review to a later date.

Although the Housing Repairs review has been suspended, it was agreed at the October 2006 meeting of the Overview and Scrutiny Committee that it be recommended for inclusion in the Scrutiny Work Programme 2007/2008.

# Tree Policy

## Task and Finish Group Membership



Cllr Lane  
(Chair)



Cllr Hollis



Cllr Mason

## Work Undertaken

The Overview and Scrutiny Committee set up this Task and Finish Group to review whether the Council has a Tree Policy in place in order to achieve a consistent Urban Landscape Management Policy within the Council.

The Task and Finish Group met four times during May and July 2006. It looked at what the needs were within the Borough and the resources it had, it also looked at Tree Policies from other Local Authorities. There was a site visit to Kingsthorpe Recreation

Ground and interviews were held with relevant Council senior staff. Desktop research was carried out using the Internet.

After gathering evidence the Task and Finish Group established that there was a need for: -

- A comprehensive Tree Policy for the Borough.
- More allocated resources for tree maintenance, particularly due to the age of some of the trees in the Borough that will mean heavy investment of funds over the next five years.
- Freeing up the Tree Inspectors of tree related complaints and other administrative duties so

that they are able to carry out their inspections on every tree within the Borough every 12 months.

- A review of the agreement with Northamptonshire County Council and the Borough Council in respect of the number of grass cuts per year.
- Trees to be managed in such a way that they maximise their contribution to the landscape and environment but also minimise their conflict with other urban activities.
- Consulting citizens in Tree Maintenance Policy development.
- The maintenance of hedgerows to be investigated further.

## Outcome of the Review

The Task and Finish Group made a number of recommendations, which were aimed at formalising and improving tree maintenance within the Council. Recommendations included:

- Considering the draft Tree Policy as the basis for a Northampton Borough Council Tree Policy.

- Seeking public consultation on the draft Tree Policy.
- Giving consideration to further resources to ensure the thorough maintenance of trees and the delivery of the Tree Policy.
- Requiring tree related complaints to be dealt with by an Administration Officer to free up the Tree Inspectors to undertake their inspections so that every tree within the borough is checked every twelve months for safety.
- Reviewing the agreement with Northamptonshire County Council regarding tree cuttings to be undertaken.
- Carrying out further work on involving citizens in awareness raising in tree maintenance.
- Considering including the maintenance of hedgerows in a future Policy.

The relevant Portfolio Holder will be asked to attend a meeting of the Overview and Scrutiny Committee in the Summer 2007 to provide details of the implementation of the recommendations contained in the report.

# Leisure Services

## Task and Finish Group Membership



Cllr Glynnane  
(Chair)

Cllr Eldred

Cllr McCutcheon

Cllr Simpson

## Work Undertaken

The Task and Finish Group reviewed the objectives of Leisure Services, to investigate the extent to which the Service meets these objectives and whether the Service provides value for money. A representative from the School of Health, University of Northampton, was co-opted to this Task and Finish Group to provide valuable expertise and knowledge.

The Group met six times between September and March 2007, looked at models of best practice, gathered statistical information and data, interviewed key front line staff and carried out desktop research.

## Outcome of the Review

The Task and Finish Group made a number of recommendations that were aimed at the production of a three year Leisure Services Strategy for Northampton.

Recommendations included: -

- A three-year Leisure Services Strategy for Northampton will be devised by December 2007, making reference to longer-term issues such as the 2012 Olympics and Paralympics and the Growth Agenda.
- The role of Leisure Services in delivering Healthier Communities outcomes will be described in the Strategy.
- It is recognised within the Strategy that the Council's role is to identify the needs for leisure

within Northampton and facilitate provision of relevant services.

- Northampton Borough Council engages with key partners, including Planning and Regeneration within the Council, West Northamptonshire Development Corporation and Northamptonshire County Council, in the development of the Leisure Strategy.
- A clear vision for the improvement and development for Leisure Services in Northampton will be established.
- The aims of Leisure Services are adopted as follows: -
- Leisure Services and Programmes should, wherever possible, address the following key areas: -
  - To improve Health
  - Enhance Social Inclusion
  - Promote access and participation
  - Enhance community development
- It ensures that the aims and objectives for Leisure Services will be supported by a clear monitoring and evaluation process.

- A needs assessment of the leisure provision will be undertaken, particularly addressing the following: -
  - The Growth Agenda
  - The implications of the 2012 Olympics and Paralympics
  - Planning and Regeneration Policy process
  - Health Agenda
- The value for money of Northampton Borough Council's major leisure facilities will be assessed and recommendations provided before any future decision on the provision of Leisure Services is made.
- A thorough Options Appraisal process will be carried out before a decision on future provision is made.
- A copy of the Task and Finish Group's final report will be forwarded to the relevant Corporate Managers (Planning, Regeneration and Leisure) to ensure that action is taken on the recommendations.
- A copy of the Task and Finish Group's final report will be forwarded to the Chief Executive of the Primary Care Trust and the Chair of



Northamptonshire County Council's Healthier Communities Scrutiny Committee for consideration.

- It ensures that the vision of Leisure Services will be included in the Local Development Planning Framework.

The Task and Finish Group's final report will be presented to Cabinet at its July 2007 meeting.



# Street Scene

## Task and Finish Group Membership



Cllr Church  
(Chair)

Cllr Crake

Cllr Duncan

Cllr Hill

## Work Undertaken

This Task and Finish Group undertook a review of the poor performance indicators on the collection of abandoned vehicles and it reviewed the new legislation, *Clean Neighbourhoods and Government Act 2005*, particularly in relation to dealing with problems of side waste and litter left following refuse collection and whether appropriate resources are available.

Two local residents were co-opted onto this review. The Group met five times between November and March 2007 and heard evidence from a range of representatives, including Neighbourhood Wardens,

the Magistrates Court, ward Councillors and Residents Associations. Desktop research was carried out and statistical information and data was gathered.

## Outcome of the Review

The Task and Finish Group made a number of recommendations including:-

- The Council uses its powers, within legislation, to reduce the problems of extensive use of vehicles put up for sale on the highway are

dealt with before they become a major nuisance.

- In accordance with the Clean Neighbourhood and Environment Act 2005, retailers who allow litter within 100 yards of their premises be fined.
- Cabinet supports the gating of alleyways as a measure to reduce fly-tipping.
- The Council's legal department seeks an agreement with the Magistrates Court on the evidence required for the Council to achieve successful prosecution against fly-tipping and littering.
- Cabinet considers adopting the Westminster model of prosecuting for fly-tipping and littering and that a presentation be given to Northamptonshire Magistrates on the Council's intentions to adopt a similar process.
- Cabinet monitors impact of the littering campaign after six months.

- It is recommended to supermarkets that they introduce a deposit system for the use of supermarket trolleys.
- Leaflets in appropriate languages regarding recycling and refuse collection be distributed to particular language groups where they know there are people in the household of that language. Leaflets in ethnic minority languages should be available through community organisations.
- Nets to put over recycling boxes be widely publicised and consideration be given to providing them free of charge when new boxes are issued.
- In the proposed evaluation of the recycling system currently used, Cabinet considers the use of a different type of receptacle that can be closed at the top.

The Task and Finish Group will present its final report to Cabinet at its July 2007 meeting.

# Homelessness (Rough Sleepers)

## Task and Finish Group Membership



Cllr Allen  
(Chair)



Cllr Lane



Cllr Pritchard

## Work Undertaken

During the Homelessness review (2005/2006) the issue of rough sleepers was investigated and the need for a further Task and Finish Group within 2006/2007 be set up to examine rough sleepers was identified. Three co-optees joined the Group, representing Northamptonshire Health Care Trust, Town Centre Management and Northamptonshire Police.

The Group reviewed rough sleepers with the aim to further developing the multi Agency approach to rough sleepers and to reduce/eliminate rough sleeping in Northampton. Five meetings were held

during November and March 2007 and evidence was heard from a wide range of representatives. The Group met with rough sleepers at various drop in sessions and attended the annual Rough Sleepers Count.

## Outcome of the Review

The Task and Finish Group made a number of recommendations that were aimed at further developing the multi Agency approach to rough sleepers and to reducing/eliminating rough sleeping in Northampton.

Recommendations included: -

Northampton Borough Council takes the lead with all Agencies working together on rough sleeper initiatives, through the Single Homeless Forum.

- The membership of the Rough Sleepers Forum be re-visited to ensure that all relevant Agencies are included.
- All members of the Rough Sleepers Forum to sign a Confidentiality Protocol to ensure there is no breach of confidentiality especially when individual clients are discussed.
- The rough sleepers database is developed as a high priority.
- The 'Green Book' - '*A Pocket Guide for Anyone Threatened with Homelessness*' be updated and be used for all Agencies as a basis for information regarding available services for rough sleepers. A flow chart be produced detailing the process for rough sleepers and be included in the development of the 'Green Book.'
- A Rough Sleepers Strategy be produced with an emphasis on prevention. The evidence contained in this report should form part of that Strategy.
- The Portfolio Holder for Housing Services and the Corporate Manager for Housing Services meet with the Research and Development Department of the Salvation Army regarding the potential for the Salvation Army to develop its existing projects for rough sleepers. This should be investigated in conjunction with a current funding bid to the Department of Communities and Local Government for a purpose built hostel in the town.
- Research is undertaken regarding further funding opportunities and joint working for the provision of extra beds for rough sleepers and the provision of a 'halfway house'.
- Improved communication between County of Northampton Council on Addiction (CAN) and the Town Centre Partnership regarding rough sleepers is encouraged.
- The Town Centre Partnership is requested to donate funds to help alleviate the problem with

rough sleepers particularly in the town centre and the Grosvenor Centre.

- Northampton Borough Council works jointly with Northamptonshire County Council regarding providing provision for rough sleepers during severe weather conditions.
- The Council works with local hospitals regarding the introduction of a Protocol for the discharge of its patients.
- The Council works with the Hope Centre regarding the development of its day centre facility.
- Consideration is given to a multi Agency networking event, hosted by the Council, to facilitate joint working and highlight awareness of rough sleepers.

The Task and Finish Group's final report will be presented to Cabinet at its July 2007 meeting.



# Evaluation of Dispersal Orders

## Task and Finish Group Membership



Cllr B Hoare  
(Chair)

Cllr Simpson

Cllr Tavener

## Work Undertaken

This Task and Finish Group evolved from the previous Overview and Scrutiny system, which had set up a Dispersal Orders Working Group that had requested an evaluation of Dispersal Orders. When the previous Overview and Scrutiny system ceased in 2004, the Community Safety Team had carried out the evaluation. The Anti-Social Behaviour Act 2003, part 4, which came into effect in January 2004, created a power for a Senior Police Officer to designate an area, with Local Authority agreement,

where there is persistent anti-social behaviour and a problem with groups causing intimidation.

The Task and Finish Group carried out a short focussed Overview and Scrutiny Review to add value to the Dispersal Orders process. It met three times during January and March 2007, heard from a representative of Northamptonshire Police and received statistical information and data.

# Outcome of the Review

The Task and Finish Group made a number of recommendations which included: -

- Borough Councillors receive more training and understanding of the Dispersal Order process if they are to perform their community leadership role effectively.
- The Anti Social Behaviour Unit contributes to the Councillor Induction explaining how Councillors should engage in the Dispersal Order process. A copy of this will be used as part of the Councillor Induction process.
- Greater emphasis should be placed by the Police on the reporting of Dispersal Orders. The ComPaSS Unit will be asked to provide statistical data before a Dispersal Order is implemented, during and once it has been completed. This data will inform the evaluation process.
- Prevention is better than cure. Joint Action Groups (JAGs) will engage with the community and inform residents prior to the implementation of a Dispersal Order. Resolution of the problem rather than

implementing a Dispersal Order is the preferred outcome.

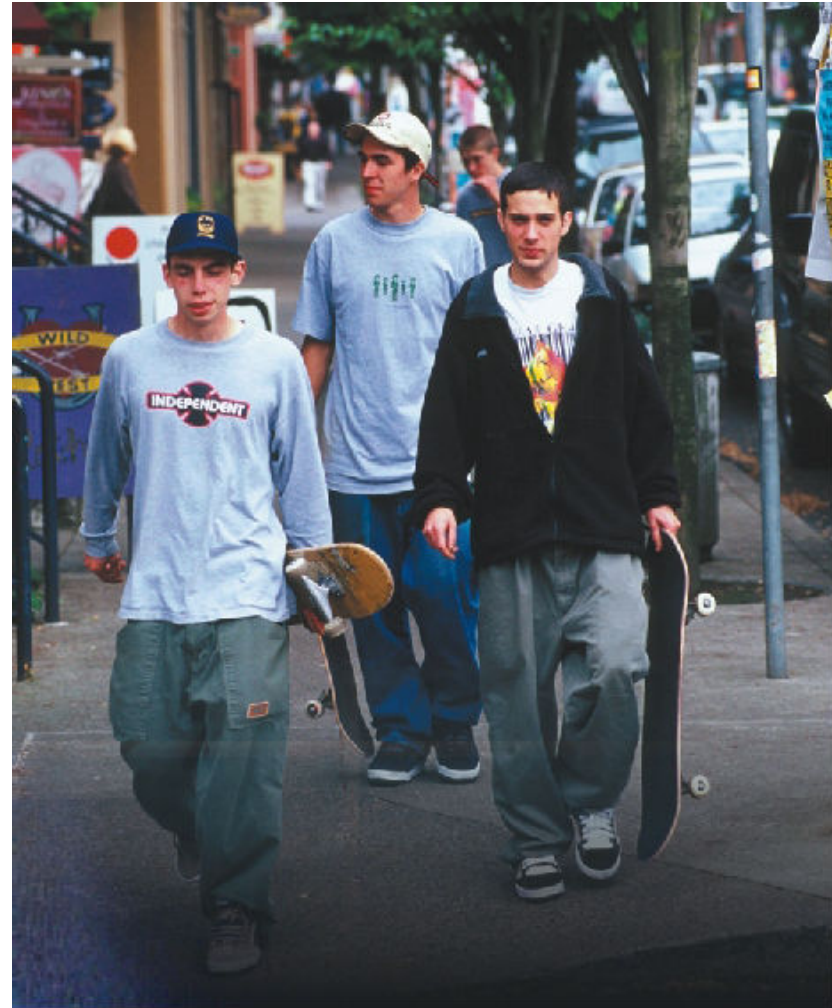
- Entry and Exit Strategies will form an integral part of the Dispersal Order Process. They will be formulated at the planning stage and without them the Dispersal Order is not an effective long-term intervention in the improvement of community safety.
- Monitoring and reporting back are essential elements in the process of improving community confidence. The Portfolio Holder for Business Intelligence, E-Government and People Support will present regular reports, including a summary of the evaluation of Dispersal Orders to the Community Safety Partnership (CSP).
- It is also essential to improve the confidence of local communities following a Dispersal Order. Therefore a précised evaluation report will be sent to the local residents with details of ongoing plans to maintain community safety.
- The provision of diversionary youth facilities appears to be a potential contributor to the resolution of problems and therefore the lack of need to implement Dispersal Orders. The Portfolio Holder with responsibility for Community Safety will ensure that there is a



programme to improve youth facilities across Northampton as an “invest to save programme”.

- Northampton Borough Council, and other Agencies, will work towards zero Dispersal Orders and see this as a success with problems being resolved at an earlier stage. If Dispersal Orders are used it indicates that problems are being allowed to escalate where this level of intervention is required.

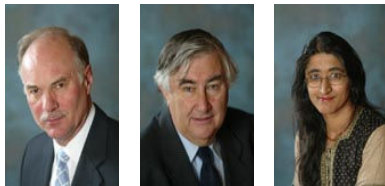
The Task and Finish Group will present its final report to Cabinet at its July 2007 meeting.



# Working Group

## Best Value Performance Plan (BVPP) Working Group

A Best Value Performance Plan explains how the Council intends to meet its Medium Term Objectives and reports progress against these and some locally agreed measures of its performance. The Plan also includes information on a number of national measures of the Council's performance called Best Value Performance Indicators.



Cllr B Hoare  
(Chair)

Cllr Hill

Cllr Roy

### Work Undertaken

This Working Group carried out a short, focussed piece of work that looked at the effectiveness and integrity of the Best Value Performance Plan (BVPP) process.

The Working Group obtained evidence from internal witnesses and gathered statistical and data. Desktop research and looking at models of good practice were also carried out.

### Outcome

The review resulted in a number of worthwhile recommendations aimed at improving the Best Value Performance Plan process.

The Working Group's report was presented to Cabinet at its meeting on 26 June 2006 and all of the recommendations contained in the report were accepted.

# Monitoring Process

## Planning Task and Finish Group

The Overview and Scrutiny Committee monitored the implementation of the recommendations contained in the Planning Task and Finish Group at its meeting in October 2006. Many recommendations had been implemented but some were still outstanding. The Portfolio Holder for Local Environment attended the Overview and Scrutiny Committee meeting in March 2007 and provided an update on the outstanding recommendations.

## Homelessness Task and Finish Group

At its meeting in December 2006, the Overview and Scrutiny Committee monitored the implementation of the recommendations contained in the Homelessness Task and Finish Group's final report. The Portfolio Holder for Residential Operations confirmed that a lot of progress had been made but some of the recommendations were still on going.

As there were actions that required further monitoring the Portfolio Holder will attend a future Overview and Scrutiny Committee to report progress on the outstanding recommendations.

## Public Engagement and Communications Task and Finish Group

At its meeting in January 2007, the Overview and Scrutiny Committee monitored the implementation of the recommendations contained in the Public Engagement and Communications Task and Finish Group. The recommendations had not been implemented at this stage and the Portfolio Holder for Community Engagement and Democratic Services attended the Committee meeting in March 2007 and confirmed that in order for some of the recommendations to be implemented posts required alignment and responsibilities needed to be resolved. Some recommendations had been implemented, some were on going and some were on hold. As

there were actions that required further monitoring the Portfolio Holder will attend a future Overview and Scrutiny Committee to report progress on the outstanding recommendations.

## Allotments (Water Charges) Task and Finish Group

At its meeting on 27 March 2007, the Overview and Scrutiny Committee monitored the implementation of the recommendations contained in the Allotments (Water Charges) Task and Finish Group's final report. The Portfolio Holder for Community Engagement and Democratic Services confirmed that the Allotments Strategy would be presented to Cabinet in April 2007 for approval. This document was key to the implementation of many of the recommendations. It will take some time to replace

the current water pipes with pipes of a larger size of 50mm and has been agreed not to impose water charges to allotment holders until the pipework has been replaced. The Task and Finish Group realised that many of the recommendation would take time to implement and asked that they be implemented by April 2008; therefore, the Portfolio Holder will attend a future Overview and Scrutiny Committee in 2008 to report on progress.

## Co-Opted Scrutiny Councillor to Northamptonshire County Council's Healthier Communities Scrutiny Committee



Cllr Eldred

Councillor Brandon Eldred represented Northampton Borough Council on Northamptonshire County Council's (NCC) Healthier Communities Scrutiny Committee during the last Municipal Year.

Councillor Eldred provided regular reports to the Committee on the work of NCC's Healthier Communities Scrutiny Committee. Reviews that the Committee has undertaken during the past year included:-

- Eligibility criteria and charging policy – A review of proposals to revise the County Council's eligibility criteria and charging policy for adult Social Care Services.
- Delivering preventative services – A review of the capacity of the Voluntary and Community Sector in Northamptonshire to deliver preventative services relating to health and social care.
- Review of access to adult Social Care Services - A review of the client pathway experience for people accessing adult social care services in the county.
- Community Services Budget Scrutiny – Monthly scrutiny was carried out on the delivery of the Community Services revenue and capital budgets for 2006/007.
- The Committee also scrutinised proposals for changes to the Meals on Wheels Service in the county, scrutinised and responded to the consultation proposals on changes to mental health and learning disability services in Northamptonshire, met with and questioned the new Chief Executive of Northamptonshire Primary Care Trust (PCT) about the vision for the future of the PCT and contacted Members of Parliament for Northamptonshire to express serious concerns about the financial deficit facing the NHS in Northamptonshire.

# Previous Overview and Scrutiny Reviews

## **Overview and Scrutiny Reviews 2005 - 2006**

Planning Task and Finish Group- Planning Committee meetings at Northampton Borough Council

Homelessness Task and Finish Group -Homelessness as a whole system

Public Engagement & Communications Task and Finish Group - How the Council consults and Involves residents

### **Working Group**

Protocol - Overview and Scrutiny Protocols and Guidance notes

### **Call-In of Cabinet Decision**

Overview and Scrutiny Committee - Sixfields Area Action Plan

## **Overview and Scrutiny Reviews 2006 – 2007**

Tree Policy Task and Finish Group – The Current Tree Maintenance Operations

Street Scene Task and Finish Group – Abandoned vehicles and the implications of the Clean Neighbourhood Act 2005

Allotments (Water Charges) Task and Finish Group – Water Charges for Allotment Holders

Housing Repairs Task and Finish Group – Housing Repairs Service within the Council

Leisure Services Task and Finish Group – The Council's Leisure Services

Homelessness (Rough Sleepers) Task and Finish Group - To further develop the multi Agency approach to rough sleepers

Evaluation of Dispersal Orders - To add value to the Dispersal Order Process

### **Working Group**

Best Value Performance Plan (BVPP) process

An archive of the above reports can be located on the Council's website [www.northampton.gov.uk/scrutiny](http://www.northampton.gov.uk/scrutiny)

## **Contact Overview and Scrutiny Services at Northampton Borough Council**

- Telephone 01604 837408
- Email: [ttiff@northampton.gov.uk](mailto:ttiff@northampton.gov.uk)
  - Fax 01604 837395
- Post:-  
Overview and Scrutiny  
Northampton Borough Council  
St Giles Square  
Northampton  
NN1 1DE
- Web Address  
[www.northampton.gov.uk/scrutiny](http://www.northampton.gov.uk/scrutiny)

# Feedback

Did you find this Annual Report useful and informative?

**Yes**

**No**

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

If not, please provide further information

There are a number of ways in which you can find out about the work of Overview and Scrutiny. Details of all of the current reviews are given on the Council's website and in the Overview and Scrutiny E-bulletin newsletter, but if you want to know more you can attend a meeting of the Overview and Scrutiny Committee, write to the Task and Finish Groups, become a witness or suggest issues that you would like the Committee to consider reviewing.

Would you like to become involved in the future work of Overview and Scrutiny

**Yes**

**No**

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

If yes, please complete the details below.

Name .....

Organisation (if applicable).....

Address.....

.....

Telephone number .....

Email address .....



If English is not your first language and you need help in translating this document please contact Tracy Tiff on 01604 837408

Jesli angielski nie jest Twoim jezykiem ojczystym a potrzebujesz pomocy w przetlumaczeniu tego dokumentu, prosze skontaktuj sie z Tracy Tiff pod numerem 01604 837408

Если английский не Ваш родной язык и Вам нужна помощь с переводом этого документа, то свяжитесь с Трайсу Тиф.Тел. 01604 837408

Haddii afka Ingriisigu aanu ahayn luuqad-daada kowaad oo aad u baahan-tahay in lagaa caawiyo turjumidda warqaddan fadlan kala xidhidh Tracy Tiff tilifoonka 01604 837408

如果英語不是你的主要說用語言而需要幫助將這份文件翻譯，請致電 01604 837408 向 Tracy Tiff 提出要求。

যদি ইংরেজী আপনার মাতৃভাষা না হয় এবং এই দলিলটি অনুবাদে আপনার সাহায্যের দরকার হয় তবে অনুগ্রহ করে ট্রেইসি টিফ-এর সাথে 01604 837408 এই টেলিফোন নম্বরে যোগাযোগ করুন।

## LARGE PRINT AND TAPE

If you would like this document as large print or as a tape recording please call 01604 837408

Item No.



**NORTHAMPTON**  
BOROUGH COUNCIL

Ward/s

<b>Name of Group:</b>	<b>COUNCIL</b>
<b>Meeting Date:</b>	23 <sup>rd</sup> July 2007
<b>Directorate:</b>	Governance and Resources
<b>Corporate Manager:</b>	Nicci Marzec
<b>Agenda Status:</b>	Public Report

<b>Report Title</b>	Council Nominations to Outside Bodies
---------------------	---------------------------------------

<b>Key Decision</b>	<b>NO</b>
---------------------	-----------

## 1. Recommendations

1.1 That the Council appoint the councillors nominated in Appendix A to the Council's places on Outside Bodies for the four year term of the Council.

## 2. Summary

2.1 The Council is requested to approve the appointment of the Council's representatives on outside bodies as detailed in Appendix A for the four year term of the Council.

### 3. Report Background

3.1 The Council has a number of Councillor representatives on various outside bodies. The nominations to those bodies for the current four year term of the Council are appended to the report.

3.2 It is important for Councillors who represent the Council on these outside bodies to be formally authorised as representatives owing to insurance liability issues. The Council's current insurance provides contingent cover for Councillors representing the Council on these outside bodies, however, the primary line of cover should be from the outside body itself.

### 4. Options and Evaluation of Options

N/A

### 5. Resource Implications (including Financial Implications)

N/A

### 6. Risk and Opportunity Issues

N/A

### 7. Consultees (Internal and External)

<b>Internal</b>	
<b>External</b>	

### 8. Compliance Issues

#### A: How Proposals Deliver Priority Outcomes

<b>Recovery Plan</b>
<b>Corporate Plan</b>
Engagement and participation in Outside Bodies is part of the Council's objective to build effective partnerships in the Corporate Plan.

## B: Other Implications

Other Strategies
N/A

Finance Comments
N/A

Legal Comments
Contained within the body of the report.

Crime and Disorder Issues

Equality Impact Assessments

## 9. Background Papers

Title	Description	Source
Nominations to Outside Bodies – 25 May 2006	Council Report	Committee Paper

<b>Name</b>	<b>Signature</b>	<b>Date</b>	<b>Ext.</b>
<b>Author</b>	Nicci Marzec	19/07/07	7431
<b>Corporate Manager</b>	Nicci Marzec	19/07/07	7431
<b>Director</b>			
<b>Monitoring Officer or Deputy (Key decision only)</b>	Jim Inch	19/07/07	
<b>Section 151 Officer or Deputy (Key decision only)</b>			

## COUNCIL REPRESENTATIVES ON OUTSIDE BODIES

2007/2008

NAME OF BODY {Number of representatives required in brackets	REPRESENTATIVES
Northampton Borough Allotments and Gardens Council [2]	John Yates Phil Larratt
Abbey Centre User's Association [2]	Richard Matthews 1 Conservative
Northamptonshire Race Equality Council [1]	Brendan Glynane
Citizens Advice Bureau Management Committee [2]	David Garlick 1 Conservative
Northamptonshire Co-op Development Agency [2]	Sadik Chaudhury 1 Conservative
Eastern Orchestral Board Council of the Association [1]	Scott Collins
National Local Government Forum Against Poverty [1]	Sally Beardsworth
Northampton Theatres Trust Is now 3 reps	David Perkins Tony Woods 1 Conservative
Northampton Town Football Supporters Trust [1]	Dennis Meredith
Council for the Museum of Leathercraft [3]	Pam Varnserry 1 Conservative Ifty Choudary
East Midlands Museums Service [2]	Lee Mason Jean Hawkins
East of England Orchestra [1]	Mel deCruz
Northamptonshire Councils Association [3]	Tony Woods Tim Hadland Keith Davies
Northampton Twinning Association [2]	Paul Varnserry Phil Larratt
Northampton Tourist Association [3]	Portia Wilson 1 Conservative Tess Scott
Heart of England Tourist Board [1]	John Yates
Council for Voluntary Services [2]	Brendan Glynane Tess Scott
Welfare Rights Advice Service [2]	Jenny Conroy 1 Conservative

Northampton Rape Crisis Centre Management Committee [2]	Sally Beardsworth Joy Capstick
Healthier Communities Scrutiny Committee [1]	Brian Markham
Northampton Local Nature Reserves Management Group [5]	Andrew Simpson Pam Varnsberry 2 Conservative Ifty Choudary
78 Derngate Trust [1]	Trini Crake

Town Centre Partnership Board [5]	Richard Church Tony Woods Marianne Taylor 1 Conservative Keith Davies
Northampton Schools Organisation Committee [1]	Malcolm Mildren
Northampton Town Learning Partnership	Andrew Simpson
Northamptonshire Enterprise Limited	Tony Woods
West Northants Joint Planning Group	Richard Church Tony Woods
WNDC Northampton Planning Committee	Richard Church John Yates Penny Flavell plus 3 substitutes Jane Hollis Paul Varnsberry 1 Conservative
Northamptonshire Waste management Partnership	Trini Crake Jane Hollis Sub – Sally Beardsworth
Northampton Safer Stronger Partnership Board [1]	Brendan Glynane
Regional Assembly	Tony Woods Brendan Glynane (Sub)
Regional Planning Board	Richard Church John Yates (Sub)
Various LGA Bodies	
[a] General Assembly	Tony Woods Brenda Glynane (Sub)
[b] Urban Commission	Richard Church

	Scott Collins (sub)
[c] East Midland Region LGA	Tony Woods Brendan Glynane (Sub)
[d] EMR LGA Employment Forum	Jane Hollis Malcolm Mildren (Sub)
LDD Steering Group	Brian Markham Richard Church 1 Conservative Keith Davies
Northampton Festival Limited	Brendan Glynane