

MINUTES

OF THE PROCEEDINGS OF A MEETING OF NORTHAMPTON BOROUGH COUNCIL HELD AT THE GUILDHALL, NORTHAMPTON, ON MONDAY THE TWENTY FIRST DAY OF JANUARY 2008 AT SIX THIRTY O'CLOCK IN THE EVENING

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

COUNCILLORS: Beardsworth, Capstick, Caswell, Chaudhury, Choudary, Church, Collins, J. Conroy, R. Conroy, Crake, Davies, Duncan, Edwards, Flavell, Garlick, Glynane, Hadland, Hawkins, Hill, B. Hoare, M, Hoare, Hollis, Larratt, C. Lill, J. Lill, Malpas, B. Markham, I. Markham, Matthews, Meredith, Mildren, Palethorpe, Perkins, Reeve, Scott, Simpson, Taylor, P.D. Varnsberry, P.M. Varnsberry, Wilson and Woods

1. MINUTES.

The minutes of the proceedings of the meeting of Northampton Borough Council held on 19 November 2007 were signed by the Mayor subject to the inclusion of Councillor Hill's name in the list of those present.

2. APOLOGIES.

Apologies for absence were received from Councillors De Cruz, Lane, Tavener and Yates.

3. MAYOR'S ANNOUNCEMENTS.

The Mayor wished everyone a Happy New Year and commented that she had attended fifty engagements in the three weeks before Christmas, which although had been very busy had also been very rewarding.

The Mayor referred to the following awards made in the New Year's Honours List and congratulated the recipients on behalf of the Council:

Mrs Bronwyn Mary Curtis CBE
Dr Marie Dickie OBE
Miss Grace Ononiwu OBE
Mrs Susan Cole MBE
Mrs Penelope Joan Escombe MBE

The Mayor referred to the sponsored post Christmas walk which took place on 5 January 2008 and thanked those Councillors that had sponsored her.

The Mayor offered the Council's congratulations to Councillor Wilson upon the birth of her son on 27 December 2007.

4. DEPUTATIONS/PUBLIC ADDRESSES/QUESTIONS.

- RESOLVED:**
- (1) That County Councillor Dickie be granted leave to address the Council in respect of item 11(A) Notice of Motion "The Needle and The Canopy".
 - (2) That Mr K Bonham be granted leave to address the Council in respect of item 11(B) Notice of Motion "Little Billing Village Green".
 - (3) That Messrs Adams and Swinn be granted leave to address the Council in respect of item 11(C) Notice of Motion "Portfolio Holder and Cabinet Consultation".

Councillors Collins, J Conroy, Davis, Hill, Hollis, M Hoare, Malpas, B Markham, Meredith and P D Varnsvery declared a personal interest in respect of item 11(A) Notice of Motion "The Needle and The Canopy" as members of the Council's Planning Committee.

Councillors Church and Flavell declared a personal interest in item 11(A) Notice of Motion "The Needle and The Canopy" as members of West Northamptonshire Development Corporation.

Councillor Larratt declared a personal interest in item 11(A) Notice of Motion "The Needle and The Canopy" as a member of West Northamptonshire Development Corporation Board.

5. QUESTION TIME

The Mayor advised that five questions had been received from members and a member of the public and that the questions and answers had been tabled in accordance with the Constitution. She advised that she would take the questions in the order in which they had been received.

Mr Jwanczuk asked Councillor Woods as Leader of the Council what progress had been made in making the Birdcage alleyway in Delapre accessible to all that wished to use it and in particular those who are disabled?

Councillor Woods reported that officers had visited Birdcage Walk and were now estimating the cost of works so that a capital bid could be made as part of the Council's capital programme. He further commented that he would be happy to meet with Mr Jwanczuk to discuss the situation.

Mr Jwanczuk asked a supplementary question concerning the length of time it had taken to get this far and for the residents to get a response to their original petition submitted to Cabinet on 2 July 2007.

Councillor Woods apologised for the delay and indicated that he would try to get the situation moving.

Councillor Clarke then asked a question of Councillor Beardsworth as the relevant Portfolio Holder in terms of the completion date for the installation of new heating system for St Marks, St Lukes, St Stephens, St Johns and St Barnabas' houses within Spring Boroughs, the total cost of temporary heating provision for those properties since the failure of the old system and compensation to tenants for the additional cost to them of providing alternative electric heating and for the boiling of water when the supply had been interrupted. Councillor Clarke noted the response as tabled and asked a supplementary question seeking an assurance that funding was available for the installation of the new heating system and that there was a commitment to complete the project and that the issue of compensation to tenants be reconsidered.

Councillor Beardsworth stated that there was sufficient funding to complete the project and the work was due to start in April and be completed by September. Ex-gratia payments of £25 per tenant had been agreed by the Leaders of the three political groups based on information supplied by Powergen.

Councillor Malpas asked a question of Councillor Woods as the appropriate Portfolio Holder in respect of a list of outside bodies to which Cabinet members had been appointed. Councillor Malpas noted the response as tabled and asked a supplementary question concerning Councillor Glynane's attendance at one particular body. Councillor Woods commented that Councillor Glynane had missed one meeting but would make every effort to attend in future.

Councillor Clarke then asked a question of Councillor Crake as the relevant Portfolio Holder. He noted that the Abbey Street toilets in St James had been open during the Christmas of 2007 and asked whether the toilets would be opened for other religious festivals during 2008. Councillor Clarke noted the response as tabled and further queried why these toilets had only been opened for Christmas.

Councillor Crake commented that the Abbey Street toilets had not been re-opened specifically for the Christmas festival but had been opened for residents and shoppers at St James at a particularly busy time of year.

Councillor Choudary asked a question of Councillor Beardsworth as the relevant Portfolio Holder. He referred to a letter in the Chronicle and Echo on 7 December 2007 from Councillor Beardsworth indicating that the previous administration had been sitting on £5.8m and he asked how this money would be used to meet the Decent Homes Standard by the Government target date of 2010. Councillor Choudary noted the response as tabled and asked a supplementary question that the stock condition survey be reported to Council once it became available.

Councillor Beardsworth indicated that the results of the stock condition survey would be reported to Council.

6. CABINET MEMBER PRESENTATIONS

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

In presenting his Portfolio update Councillor Woods referred to a meeting with the Government Monitoring Board on 17 January 2008 where it had been confirmed that the Council was substantially moving forward. Revenues and Benefits were now meeting the disengagement criteria. Leisure Services, Planning and Finance were on the way to meeting the disengagement criteria that had been set. Councillor Woods also referred to a report that had been circulated in respect of the establishment of a joint strategic Planning Committee and which would be considered as a Matter of Urgency later on in the meeting. He further commented that the Sustrans Connect 2 Scheme which he had reported on at the last meeting of the Council had been successful in its bid for funding.

Councillor Hadland, in noting that Councillor Larratt was standing down from the WNDC Board and that nominees were required to declare their support for that body, queried how the Liberal Democrat Group were going to reconcile this against their publicly stated position. Councillor Woods commented that he was opposed to the West Northamptonshire Development Corporation as being an undemocratic body but as part of their function was to oversee the regeneration of the town the Liberal Democrat Group needed to have a role in this and therefore supported it to that extent. He noted that there were five different delivery vehicles within the Milton Keynes South Midlands Development Area but only the one for West Northamptonshire was a Development Corporation. The Liberal Democrat Group had to accept the roles as the current Government had set them.

Councillor Church, Portfolio Holder for Regeneration, presented his Portfolio update and referred to signing of a Heads of Terms Agreement with Legal and General for the Expansion and Regeneration of the Grosvenor Centre. He also noted that the footpath works at the river frontage in Becketts Park to the town centre had already started.

Councillor Clarke enquired as to what a Heads of Terms Agreement really was. Councillor Church commented that it was about land issues and put in place a framework for a legal agreement to follow. He hoped that a legal agreement would be concluded during the first half of 2008. A great deal of work remained to be done with Planning, the County Council, the bus companies and the WNDC. In answer to a question from Councillor Larratt, Councillor Church commented that he could not predict when the groundworks would actually commence.

Councillor Beardsworth, the Portfolio Holder for Housing then presented her Portfolio update and commented that Revenues and Benefits performance in dealing with new claims was now in the top quartile of comparisons. The Council congratulated the staff involved. She further commented that performance in Voids was causing concern and a series of meetings were being held to identify problems and put in place solutions.

Councillor Davies asked whether there was an effect on routine maintenance if the best teams were diverted to Voids repairs. Councillor Beardsworth commented that there had been no effect on normal housing maintenance. Councillor Beardsworth accepted the thanks of Councillor Meredith upon the work of the Homelessness

section.

Councillor Mildren as the Portfolio Holder for Finance then presented his Portfolio update and in answer to a question from Councillor Hadland indicated that the comment in respect of Use of Resources referred to the situation up to March 2007.

Councillor Larratt commented that he was pleased to see the comments in respect of the Sea Cadets and enquired what the percentage net increase in rent to them was. He also queried the criteria used to support organisations and how this reconciled with Northampton Town Football Club's rent of £1 per annum for Sixfields.

Councillor Mildren indicated that he would write to Councillor Larratt with the percentage increase in rent that applied to the Sea Cadets and further commented that the agreement with Northampton Town Football Club for use of Sixfields had been concluded by a previous Council many years previously. Generally speaking, the Council needed to balance the Council's need to get the best overall deal for Northampton as a whole against the benefits provided by groups to the community.

(NB Councillor Clarke declared a personal interest in this part of the debate in so far as it concerned Northampton Town Football Club, due to his being an employee of the Club.)

Councillor Crake as the Portfolio Holder for Environment then presented her Portfolio update. Councillor J Lill in noting that Fixed Penalty Notices could be issued by Neighbourhood Wardens to cyclists riding on the pavements, enquired how many wardens were so empowered and how many FPNs had been issued. Councillor Crake indicated that she would write to Councillor J Lill with this information.

Councillor Larratt enquired what legislation Neighbourhood Wardens were empowered to enact and Councillor Crake specifically referred to litter and rubbish and indicated that she would send a detailed response to Councillor Larratt.

Councillor Edwards enquired as to why the public toilets in St James were not open on Saints' match days and Councillor Crake undertook to find out and respond to Councillor Edwards.

Councillor Glynane as the Portfolio Holder for Community Engagement and Safety then presented his Portfolio update and made particular reference to Holocaust Memorial Day on 27 January.

Councillor Hill queried why the Collingtree Bus Shelter which had been accidentally demolished was not being replaced until April. Councillor Glynane commented that this issue fell within Councillor Church's Portfolio area and in answer to a question from Councillor Hadland commented that the comprehensive review of car parking would be strategic, taking account of the redevelopment of the town centre and the County Council's proposals for park and ride. He commented that he wished all Councillors to be involved.

Councillor Clarke commented that the One Stop Shop did not appear to be aware of the availability of budget consultation leaflets and Councillor Glynane commented that he would check this but noted that three public meetings had already been held together with a public Overview and Scrutiny meeting.

7. THE LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY

Councillor Taylor submitted a report and commented that since the adoption of the legislation in 2004 the Licensing Sub-Committee had dealt with 71 premises and the Licensing Authority had issued 1,336 personal licences, 385 TEN's and 650 premises licences. Councillor Taylor moved and Councillor Matthews seconded the adoption of the Statement of Licensing Policy for a Three Year Period.

RESOLVED: That the Statement of Licensing Policy attached to the report be adopted under Section 5 of the Licensing Act 2003 for the three year period commencing 7 February 2008.

8. APPOINTMENT TO KINGSTHORPE MANOR AND TOWN CHARITY

Councillor Woods submitted a report seeking two appointments to the Kingsthorpe Manor and Town Charity and proposed that Councillors Beardsworth and Hollis be appointed. Councillor Glynane seconded the proposal.

Councillor Davies proposed and Councillor Malpas seconded that Councillor Beardsworth's name be deleted and substituted by Nova Keown.

Upon a vote the amendment was lost.

Upon a vote the substantive motion was carried.

RESOLVED: That Councillors Beardsworth and Hollis be appointed to the Kingsthorpe Manor and Town Charity for a period of four years.

9. PRUDENTIAL INDICATORS FOR CAPITAL FINANCE 2007-08 POSITION AS AT END OF NOVEMBER 2007

Councillor Perkins submitted a report and proposed that the revised Prudential Indicators set out in the report be adopted and that the CIPFA Code of Practice for Treasury Management in Public Services also be formally adopted. Councillor Mildren seconded the proposal.

RESOLVED: (1) That the following revised prudential indicator for the estimates of capital expenditure in 2007-08 be approved:

	2007-08
Estimates of Capital Expenditure	Estimate as at 30 Nov 2007
	£000

Housing Revenue Account (HRA)	9,075
General Fund (Non HRA)	10,113
Total	19,188

- (2) That the following revised prudential indicator for the Capital Financing Requirement (CFR) estimates be approved:

	2007-08
Estimates of Capital Financing Requirement	Estimate as at 30 Nov 2007
	£000
Housing Revenue Account (HRA)	(8,175)
General Fund (Non HRA)	21,848
Total	13,673

3. That the following revised prudential indicator for the estimate of ratio of financing to net revenue stream be approved:

Ratio of Financing Costs to Net Revenue Stream	2007-08
	%
HRA	(0.53)
Non HRA	0.75

4. That the CIPFA Code of Practice for Treasury Management in Public Services be adopted.

10. CALCULATION OF NORTHAMPTON BOROUGH COUNCIL'S TAX BASE 2008/09

Councillor Mildren submitted a report and moved the adoption of the recommendations set out in the report. Councillor Woods seconded the proposal.

- RESOLVED:** (1) That the calculation of Northampton Borough Council's Tax Base for the year 2008/09 and that the report herein for the calculation of Northampton Borough Council's Tax Base for the year 2008/09 be approved.
- (2) That the calculation of Northampton Borough Council's Tax Base for the year 2008/09 under the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003 (SI 2003/3012) be adopted.
- (3) That the calculation of Tax Bases for 2008/09 for the following parishes namely, Billing, Collingtree, Duston, Great Houghton, Hardingstone, Upton, Wootton & East Hunsbury and Northampton (unparished) be approved.

- (4) That pursuant to the report herein and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended, the figure calculated for the Tax Base for the year 2008/09 shall be 65,443 (2007/08 – 64,844).
- (5) That pursuant to the report herein and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended, the figure calculated for the Tax Base for the year 2008/09 for the following areas shall be:

	2008/09	(2007/08)
Billing	2,583	2,587
Collingtree	515	517
Duston	5,176	5,206
Great Houghton	285	287
Hardingstone	752	756
Upton	1035	765
Wootton & East Hunsbury	6,340	6,287
Northampton (Unparished)	48,757	48,439

- (6) That the policy decision made by Council on 15 December 2003, to reduce the discount level on Class B (second homes) to 10%, be continued.
- (7) That in future years the calculation of Northampton Borough Council's Tax Base be delegated for agreement at Cabinet.

11. NOTICES OF MOTION

- (A) Dr M Dickie addressed the Council and expressed frustration that the WNDC had spurned an approach from CASPAR + NR to work together over this issue and had not consulted the local County Councillor or the Borough Ward Councillors. She commented that Northampton had a history stretching back over a thousand years to which the Shoe Industry had contributed a relatively small part. It was important that changes had to be right for the town.

Councillor Clarke then moved and Councillor Hawkins seconded "This Council notes that the West Northamptonshire Development Corporation (WNDC) Planning Committee for Northampton has approved a planning application, submitted by Northamptonshire County Council, for public art known as "The Needle and Canopy" in Castle Ward at the junction of St Andrews Road, St Peter's Way, Black Lion Hill and Westbridge.

This Council further notes that:

The Northampton Borough Council Planning Committee resolved on 24 October 2007, when consulted, "That the Council raise objections to the application for the following reasons":

1. The application is premature until the conclusion of the Town Centre Area Action Plan and a Strategy for the Adjacent Ancient Monuments and the Cultural Heritage.
2. That the concept would spoil the visual amenity of the Gateway to the Town Centre”.

At the request of Overview and Scrutiny the Leader of the Council wrote to WNDC to request they postpone the development work in the area pending the report of the Historic Buildings/Regeneration Opportunities Task and Finish Group.

“The Needle and Canopy” were selected by competition held in private with no public participation in consideration of the alternatives.

Serious concerns have been raised as to the suitability of the “Needle and Canopy” in this important and historic location.

This Council calls on the West Northamptonshire Development Corporation and Northamptonshire County Council to withdraw their plans for “The Needle and Canopy” and to implement a full and thorough public consultation on the appropriate artwork to occupy this important historic approach to the town centre.”

The motion was debated.

Upon a vote the motion was carried unanimously.

- (B) Mr Keith Bonham on behalf of residents at Little Billing expressed disappointment that the Cabinet had not already acted to grant village green status to Little Billing Green when they had the opportunity in July 2007. He commented that the Cabinet had never discussed the petition that had been presented and the Leader of the Council had not approached residents. He sought the Council’s support for their wish for Little Billing Green to be designated a village green.

Councillor Malpas proposed and Council Palethorpe seconded that “In July 2007 Councillor Palethorpe and myself proposed a motion on behalf of residents of Little Billing, requesting that the Cabinet take steps to have the main green space there, officially designated as a village green. It has now been six months since the Leader of the Council promised to visit the people of Little Billing and discuss this issue. Unfortunately, to date the administration has failed to deliver either of these, and so this Council once again requests that the Cabinet works to have village green status bestowed upon the land at Little Billing”.

The motion was debated.

Upon a vote the motion was carried.

- (C) Mr N Adams commented that much of the evening's meeting had been taken up with discussing consultation however the Council needed to take its own advice and ensure that it consulted with people just as it expected third parties to consult with it.

Mr C Swinn commented that he believed that the Council did not really understand what consultation meant in a participatory democracy. He commented that using the example of the Tenant Participation Survey the Council had made an agreement with its tenants but had not kept to it.

Councillor Malpas moved and Councillor Reeve seconded: "This Council requests that in future Portfolio Holders and the Cabinet endeavour to engage in proper consultation before making decisions".

The motion was debated.

Councillor Simpson proposed and Councillor Perkins seconded: "That the question now be put".

Upon a vote the motion was carried.

Upon a vote the substantive motion was carried unanimously.

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

The Mayor was of the opinion that the following item be discussed as a Matter of Urgency due to the undue delay if consideration of it were deferred:

ESTABLISHMENT OF A JOINT STRATEGIC PLANNING COMMITTEE

The Leader of the Council referred to a report which had been circulated seeking the Council's endorsement of the establishment of a Joint Strategic Planning Committee with Daventry and South Northamptonshire District Councils and Northamptonshire County Council. The Committee would be responsible for the production of joint local development schemes and joint local development documents setting out strategic planning policy for West Northamptonshire. Councillor Church seconded the adoption of the proposal. It was noted that the proposal before Council differed to that originally proposed to Cabinet on 18 October by the increase to two of County Council places on the Committee.

- RESOLVED:** (1) That the establishment of the Joint Strategic Planning Committee to be known as the West Northamptonshire Joint Strategic Planning Committee be approved.
- (2) That the Secretary of State be requested to constitute by Statutory Instrument the Joint Strategic Planning Committee as

the planning authority for the purposes of planning policy formulation and adoption under of the Planning and Compulsory Purchase Act 2004.

- (3) That the Solicitor to the Council be delegated the powers to amend the Constitution to implement the necessary and consequential changes to implement this decision.
- (4) That the Council's representation on the Joint Strategic Planning Committee as four members be confirmed.
- (5) That the Chief Executive be delegated in consultation with the Leader of the Council any changes to the memorandum of intent following the completion of negotiations between the local authorities concerned.
- (6) That the Chief Executive be delegated in consultation with the Leader of the Council appointments to the Committee in relation to the Council's representation as soon as practicable.

The meeting concluded at 21.18 hours