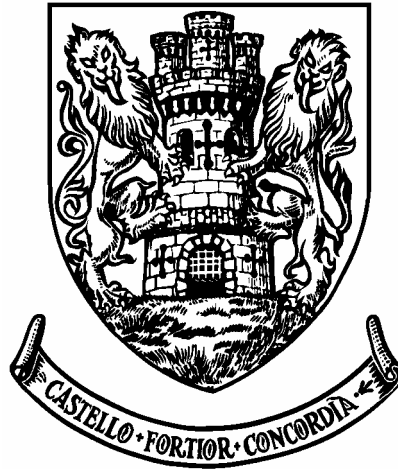


NORTHAMPTON BOROUGH COUNCIL



COUNCIL

Monday, 27 October 2008

YOU ARE SUMMONED TO ATTEND A MEETING OF NORTHAMPTON BOROUGH COUNCIL, WHICH WILL BE HELD AT THE GUILDHALL NORTHAMPTON ON MONDAY, 27 OCTOBER 2008 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 Special Meeting of the Council held on 29 September 2008.

2. APOLOGIES.

3. DECLARATIONS OF INTEREST

4. MAYOR'S ANNOUNCEMENTS.

5. PUBLIC COMMENTS AND PETITIONS

- (i) Petition from residents of South Priors Court area for action to prevent use of open space by travellers.
- (ii) Other.

6. MEMBER AND PUBLIC QUESTION TIME

Copies of the questions and answers are attached.

7. CABINET MEMBER PRESENTATIONS

8. REMUNERATION PANEL

Report of Chief Executive

9. PARISH COUNCILS: COMMUNITY GOVERNANCE REVIEWS

Report of the Borough Solicitor

10. CHANGES TO THE CONSTITUTION

Report of Borough Solicitor

11. CONFIRMATION OF APPOINTMENTS OF MONITORING OFFICER AND SECTION 151 OFFICER

Report of Borough Solicitor.

12. OPPOSITION GROUP BUSINESS

Councillor Hadland to make a statement regarding the Council's current financial position.

13. MOTIONS

(A) Councillor Yates to move and Councillor Perkins to second the following motion:-

“This Council wishes to recognise the exceptional efforts of individuals who live or work in, or are otherwise connected with Northampton. It therefore requests Cabinet to bring forward proposals, based on the policy adopted by this Council on 8 November 2004, but never implemented, for a scheme of Citizen Awards.

Further, this Council believes that there should be no award exclusively for councillors or ex-councillors. This Council therefore resolves to end the Practise of granting the title of Honorary Alderman forthwith and instructs Monitoring Officer to make the necessary changes to the council's constitution to this effect.”

(B) Councillor Collins to move and Councillor Davies to second the following motion:-

“This Council supports South Northamptonshire District Council in their determination to retain the Formula 1 Grand Prix at Silverstone. We recognise that the county as a whole derives great benefit from the motor sport industries that have been drawn to the area by the presence of the Silverstone circuit, as well as the ancillary businesses which have grown up to support these high-tech enterprises.”

(C) Councillor Paul Varnsverry to move and Councillor Glynane to second the following motion:-

“This Council recognises that large-scale fires in industrial buildings risk the lives of the public and emergency service personnel as well as causing serious damage to the environment and the local economy.

This Council supports the efforts of the Northamptonshire Fire and Rescue Service to encourage wider installation of automatic sprinkler systems in industrial buildings, where appropriate within the Borough.

This Council asks the West Northants Joint Strategic Planning Committee to consider including a requirement for sprinkler systems in appropriate new buildings within the Local Development Framework process.”

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

The Guildhall
Northampton
17th October 2008

D. Kennedy Chief Executive

Questions for Full Council Monday 27th October 2008

Question to Cllr Beardsworth from Anjona Roy

Question 1

Does the Portfolio Holder for Housing consider that the Council is working sufficiently successfully in support Council Tenants with disabilities in their own homes?

Can the Portfolio holder explain why Mr William Marriott of 13 Glebeland Gardens is still waiting for an adaptation to his front door step to enable him to leave his house without assistance?

This issue has been ongoing the entire duration of the Portfolio Holder's tenure of office, but still does not seem to have been resolved.

Response

This administration has commissioned an additional £3.7 m of capital for Disabled Facilities Grants and Disabled Adaptations Scheme in the 2008/09 budget. This is enabling a massive backlog of applications to these schemes to be addressed and many people to live more easily in their own homes.

There remain constraints on our ability to meet the demand - largely because previous administrations failed to operate the Disabled Facilities Grant and Adaptations schemes correctly but also because of the additional workload releasing these extra resources has place on already hard pressed Occupational Therapists.

So, to answer ^{Miss} Mr Roy's first question, I am convinced that we are now dealing correctly and compassionately with individual applications and are making the resources available to correct the intolerable backlog that had been built up under previous administrations.

However, I will not be satisfied until the backlog of applications has been cleared and new applicants can be served quickly and efficiently.

Unlike Mrs Roy, I am unwilling to use individual cases for political gain. I have already written to Mrs Roy on the individual case she seeks to publicise.

Questions for Full Council Monday 27th October 2008

Question to Cllr Woods from Anjona Roy

Question 2

Following the Lord Justice Moses Judgment on hearing in the High court between Kaur and Shah versus the London Borough of Ealing on 29th July 2008, what steps is the leader of the Council taking to avoid litigation by undertaking equality impact assessments for policy decisions before they are taken?

Response

Generally speaking, in the high court case Ealing Council was found to have acted unlawfully because they formulated a policy before conducting an Equality Impact Assessment – in other words they put the cart before the horse.

This Council has put systems in place to ensure that Equality Impact Assessments (EIA) are carried out for all new policy proposals and these are reviewed as the policy progresses to ensure continued equality compliance.

Training and awareness initiatives have included equality training for managers under the leadership training programme, Equality Impact Assessment clinics to help managers to understand and conduct effective Equality Impact Assessments and a workshop on how to conduct an Equality Impact Assessment for managers which was held in September of this year. Managers have also been offered ad-hoc help as and when required.

Equality Impact Assessments are specifically included in the services equality plans and these form part of the Council's performance framework discussed in Corporate Performance Reviews.

I am therefore satisfied that all is reasonably being done to equip managers to comply with our equality duties.

Questions for Full Council Monday 27th October 2008

Question to Cllr Glynane from Kathryn Smith – probably Brendan

Question 3

Who took the decision to charge the Thorplands Brook Community Co-op Shop and the Kings Heath Need2Know shop rent for this year?

When was the decision taken?

Why were the organisations only informed of this issue in August this year, when the total rent between April and September was sought?

Was an equalities impact assessment undertaken on this policy change?

Response

Ms Smith may remember the circumstances surrounding the setting of this authority's budget in February 2007. There had been considerable detailed discussion, negotiation and compromise between the Political Groups to reach a sufficient consensus whereby this authority could set a legal budget in very difficult financial and political circumstances.

Just before the start of the budget meeting, Mrs Roy, then a Councillor, raised a completely new issue regarding the Thorplands Brook Community Co-op Shop and the Kings Heath Need2Know Shop. In doing so she very nearly destabilised a carefully constructed arrangement. The minutes of the meeting record:-

Councillor Roy then proposed a further amendment and in doing so declared a personal and non-prejudicial interest as a member of UNISON and as an employee of the Race Equality Council. The amendment was seconded by Councillor Conroy and was as follows:

- (D) "In addition in the context of the detailed Budget to vire £13,820 from Community Grants to Community Centres for the purpose of securing the rental costs of the Need 2 Know shop and the Thorplands and Thorplands Brook Community Co-operatives as independently managed community spaces."

NB Councillor Boss declared an interest as a Director of Thorplands Community Co-operative.

Councillor Hadland accepted this further amendment for incorporation into the Budget.

This change was passed with the rest of the budget. Its effect was to provide the Thorplands Brook Community Co-op Shop and the Kings Heath Need2Know Shop with rent free accommodation for one year.

So, in answer to Ms Smith's question, who took the decision to charge the shops rent for this year, Council as a whole took the decision based on the framing of the amendment by then Cllr Roy.

An equalities impact assessment was not undertaken as there has been no change in policy.

Council agreed to fund the rent for 2007/08. There was no funding agreement in place for this current financial year 2008/09. No application for a community grant was received by the Council and therefore they would be billed for rent for the first six months of the year in the normal manner.

Questions for Full Council Monday 27th October 2008

Question to Cllr Beardsworth from Norman Adams

Question 4

As or will, Northampton Borough Council put or be putting an expression of interest to The Communities and Local Government department for its sixth PFI bidding round.

Response

As has been widely publicised we hope to put an expression of interest to the Department of Communities & Local Government by 31 October 2008. Cabinet will meet on 30 October 2008 to decide whether to proceed with an expression of interest. If successful this would allow us to refurbish, rebuild or replace a number of council properties that have or will fall below the Decent Homes Standard.

Questions for Full Council Monday 27th October 2008

Question to Cllr Beardsworth from Norman Adams

Question 5

At the 7th March 2005 Council Meeting, you moved a motion (which received unanimous support) containing the following:

"This Council requests the formation of a new tenants participation panel at the earliest opportunity. The panel should be on a properly constituted basis that is representative of and fully accountable to our tenants."

Are you still of that opinion?

Response

Yes.

Questions for Full Council Monday 27th October 2008

Question to Cllr Beardsworth from Chris Swinn

Question 6

"How many Council Housing Surveys for type 2 Asbestos have been undertaken, and at what cost, and how many Council Dwellings has Asbestos been found and removed, and at what cost, in the period from 1st April 2008 to 1st October 2008?"

Response

To date there is £48,000 of a £90,000 budget spent on asbestos surveys and removals. Since April there have been 198 homes surveyed plus some ancillary areas such as lift shafts, boiler houses and additional communal areas.

There have been 6 urgent removals noted on these reports. In these cases the contractor also phoned to us immediately.

Removals take place under controlled conditions by a specialist company and so far have all been dealt with inside two days.

There is one case at the present which is proving problematic as it seems there is asbestos sheeting from a shed buried in the garden (probably by a previous tenant). The Institute of Occupational Medicine (IOM) and our contracted surveyor are returning to site to test the whole garden so a removal strategy can be worked out. The tenant in question has been requested to refrain from digging the garden for now, but as he is keen to have a vegetable plot. We want and need to resolve this position as soon as possible.

Sixteen (16) tenants have refused access for an asbestos survey, after they had made appointments.

A further 15 tenants have asked to be taken off the surveying list before the appointment stage.

Questions for Full Council Monday 27th October 2008

Question to Cllr Woods from Cllr K Davies

Question 7

Is it the intention of the cabinet in the next financial to allocate money specifically for the removal of Delapre park bund or will bund removal now take place after May 2011?

Cllr Keith Davies

Response

Our intention is that the London Road bund – that is, the part of the bunding in Delapre Park within the direct control of Northampton Borough Council, should be removed. To this end we have been in discussions with English Partnerships who are, in principle, willing to take the material for use on the Ransome Road development site.

When English Partnerships (or their agents) are ready to take the material NBC will need to fund necessary inspection and works. This funding will be drawn from the appropriate reserve.

The timing of works is dependent on English Partnerships.

Questions for Full Council Monday 27th October 2008

Question to Cllr Glynane from Cllr J Capstick

Question 8

Can the administration give a pledge that Lings Forum will not be closed as a cost saving measure to fill the £7.2 million gap in the Council's finances?

Response

Work is well in hand to identify potential efficiency and other savings to address the budget pressures for financial year 2009/10.

It would, very clearly, be irresponsible for the administration to rule any particular option for savings in or out at this stage. Options will be brought for public consultation in December.

The Leisure & Culture Service is one of three identified by Cabinet for the first round of Strategic Business Reviews. One of the objectives of this review will be to identify how improved sports and leisure facilities can be provided for a rapidly growing town.

Northampton will need more and better sports and leisure facilities as it grows to a city of nearly 300,000 people – not less.

Questions for Full Council Monday 27th October 2008

Question to Cllr Crake from Cllr Larratt

Question 9

The portfolio holder will no doubt recall the question I put to her at full council on 21st July 2008, regarding the removal of the public bench formerly located on the junction of St. Edmunds Street, Alfred Street and Stockly Street. At that meeting, the portfolio holder gave assurances that we could expect to see a replacement bench installed in the near future.

Three months have now past and the bench is still to be replaced. Would the portfolio please explain why, as of 17th October, she has failed to provide a replacement bench, and again tell me when we can expect a replacement?

Response

There has been an unfortunate delay in obtaining the replacement bench. However, it has now been received by NBC and is programmed to be fitted on Tuesday 28th October,

Council
Monday 27th October 2008

Portfolio Holder Presentations

1. Report of the Leader of the Council, Portfolio Holder for Partnerships and Improvement (Page 1)
2. Report of the Portfolio Holder for Community Engagement & Safety (Page 6)
3. Report of the Portfolio Holder for Housing (Page 11)
4. Report of the Portfolio Holder for Environment (Page 13)
5. Report of the Portfolio Holder for Regeneration (Page 16)
6. Report of the Portfolio Holder for Performance (Page 18)
7. Report of the Portfolio Holder for Finance (Page 21)

Council

Monday 27th October 2008

Report of the Portfolio Holder for Partnerships & Improvement

1. Management Restructure

The new management structure came into effect on 1st October 2008.

The result of internal recruitment was that the existing Director of Finance filled the post of Director of Finance and Support. A total of 8 Heads of Service were appointed internally. Four of these were internal promotions. In addition, one Corporate Manager was appointed to the post of Director of the Local Strategic Partnership after external advertisement.

Two new Directors, Lesley Wearing (Housing) and David Bailey (Planning & Regeneration) both join NBC in early November. Three Heads of Service (so far) are new recruits to the organisation. Interviews for the Director of Environment and Culture are expected to take place on 6th and 7th November 2008. Interviews for the Assistant Chief Executive and four other Heads of Service posts will also take place in November. There are internal candidates for some of these posts.

A new post of Head of Joint Planning has been created, within NBC but working to the Joint Strategic Planning Committee. It is hoped to advertise this jointly funded post shortly.

The new structure will contain around 50% of existing staff and managers recruited through external advertising. The integration of this new team into the Council will be a critical priority.

2. Changes to Portfolios

To ensure a close match between the management structure and the responsibilities of individual Portfolio Holders I am making some adjustments to the responsibilities of Cabinet Members as follows:-

- **Cllr Tony Woods Leader Partnerships, Policy & Improvement**
In addition to current responsibilities for Partnerships and Improvement – which are cross cutting – I will be taking direct responsibility for Policy and Communications within the Chief Executive's Office.
- **Cllr Brendan Glynane Deputy Community Safety & Engagement**
Brendan will have responsibility for Leisure & Culture within the Environment & Culture Directorate, Community Engagement within the Chief Executive's Office and for the Safer Stronger Northampton Partnership and its support teams.
Further clarification of the division of responsibility between this portfolio and the Environment Portfolio within the Environment & Culture Directorate may be required as there could be areas of overlap.
- **Cllr Sally Beardsworth Housing**
Sally will continue to be responsible for all aspects of Housing. The much greater clarity of the new management structure with a dedicated Director of Housing will help clarify Sally's area of responsibility which will be co-terminus with the Housing Directorate.

- **Cllr Trini Crake** **Environment**
 Trini will look after those parts of the Environment & Culture Directorate under the Head of Neighbourhood Services and the Head of Public Protection's teams. As above, there are some areas of overlap with the Portfolio Holder for Community Safety & Engagement's areas of interest (within Public Protection) that may need to be clarified.
- **Cllr Richard Church** **Planning & Regeneration**
 Richard will oversee the work of the Planning & Regeneration Directorate and matters relating to the Market Square.
- **Cllr Brian Hoare** **Performance and Support Services**
 Brian will oversee the Support Services (Human Resources, Customer Services & ICT. . and within the Finance & Support Services Directorate. He will continue to monitor the Council's Performance working with the Head of Performance & Improvement in the Chief Executive's Office and be responsible for legal services.
- **Cllr Malcolm Mildren** **Finance**
 Malcolm will continue to be responsible for Finance & Assets and will now have responsibility for Revenues & Benefits and Procurement.
- **Cllr David Perkins** will continue his role as Strategic Advisor to the Cabinet and will support the Portfolio Holder for Housing on the financial and contractual aspects of the Housing Asset Management Strategy.

3. Government Monitoring Board

A meeting of the Government Monitoring Board was held on 16th October 2008. This was extremely positive and formally wound up the sub-boards for Housing and Planning. This means that there are now no services of Northampton Borough Council in close supervision by the GMB. The GMB continues to monitor the overall performance of the Council. However, this is a very important step in their disengagement from Northampton Borough Council.

I should like to record our thanks to:-

1. The staff and managers in Planning and Housing whose dedication to raising performance and customer focus in their areas has resulted in the improvements that give the GMB the confidence to disengage from these services.
2. Staff in other services across the Council who have helped their colleagues in Housing and Planning to achieve disengagement. I would like to especially mention the Customer Services Team who are increasingly important in providing the first point of contact for most enquiries to this Council.
3. The members of the Sub-Boards for Planning and Housing (Chaired by Andrew Wright and Joanne Drew respectively) who have provided invaluable assistance to this Council over the past months and years.

When this Administration took control in May 2007 five service areas were subject to close government monitoring:-

1. Revenues & Benefits
2. Finance
3. Leisure & Culture
4. Planning
5. Housing

I do not claim that this Administration is solely responsible for the improvement – indeed staff must take the lion's share of any responsibility for improvement. Kendrick Ash had been appointed to support Revenues & Benefits and were already making strong progress when we came in. The Director for Finance was in post and reorganising the Finance Department to make it fit for purpose when we took control. Likewise, John Edwards, then Interim Chief Executive, had been in post for a couple of months and was beginning to stabilise the organisation.

However, there is no doubt whatsoever that the bulk of the improvement leading to disengagement from these services took place under the current Administration and benefited from this Administration's strong focus on putting right the mistakes inflicted on this Council by previous administrations.

There is no complacency. The performance, efficiency and customer focus of this Council is still in need of improvement and we are ambitious for this Council to be one of the best by 2013. This Council will continue to improve under this Administration with this realistic but challenging objective in mind.

4. IDeA Peer Review

To provide a clear benchmark of where we are as a council today as the new management arrangements take effect and as the Government Monitoring Board winds down its activities we commissioned an IDeA Peer Review. Their report will be published later this year or early in 2009. However, staff and Councillors who had been involved in the review were invited to a feedback session on Friday 17th October 2008.

Feedback was generally positive and showed that the council is making good progress. Nonetheless, and as expected, the team did raise a number of challenging issues.

Overall they identified a number of key action points for the Council as:

- Need to fully embed Team Northampton concept
- Do the big things well
- Much further clarity required on priorities and non-priorities
- Reputation issues must improve dramatically
- Resourcing and managing change initiatives and major projects
- Maintain focus on partnership development
- Strategic procurement must be quickly established and deliver
- Aggressive communications programme must be deployed

We await the final report of the Review Team which, I am sure, will be an extremely useful document that we will be able to use to accelerate improvement of the Council.

5. Fresh Thinking

At Cabinet on 15th October 2008 we launched a prospectus for Northampton – Fresh Thinking – aimed at providing a framework for discussions with partners and stakeholders on the long-term future development of Northampton.

A copy of the document can be found here:-

<http://tinyurl.com/3s2ktj>

6. The Effect of the Economic Downturn on NBC

Councillors will have seen that the Local Government Association expressed concerns at the effects on Council's of the economic downturn on 3 October 2008. See:-

<http://news.bbc.co.uk/1/hi/uk/7650192.stm> for BBC coverage.

<http://www.lga.gov.uk/lga/core/page.do?pagelId=1066431> for LGA Press Release.

The effects on Northampton Borough Council could be severe. We entered this financial year knowing that we would need to find savings – mainly through better working methods and efficiency savings – of £2.772 million for the 2009/10 budget. These would not have been included in the 3 year budget passed by Council in February 2008 if we had not been confident that these savings could be found.

However, additional pressures are emerging:-

It is now predicted that a number of additional pressures could swell the gap to over £7M. The main ones are:-

- | | |
|--|-------|
| • Additional costs of Concessionary Bus Fares | £1.0M |
| • Reduction in income, principally car parking | £1.5M |
| • Increases in energy costs | £0.5M |
| • Other pressures | £1.5M |

The Administration, supported by managers, are now looking closely at where additional savings can be made.

A significant element of this budget gap is the very tight settlement in the Comprehensive Spending Review of 2007. While this provided certainty as to our funding through to the end of financial year 20010/11 the settlement:-

- Is based on a significant underestimate of Northampton's population costing us at least £0.5 million each year.
- Only providing a 0.5% increase this year and next. This decision was made in relatively benign economic circumstances. Now inflation is in excess of 5%. This is costing us a further £1 million.

In addition, government's failure to properly fund the Concessionary Bus Fares Scheme is costing this Council £1 million. Government claim the scheme is fully funded. It is not.

So £2.5 million of our funding gap is directly attributable to the failure of government to properly fund this Council to deliver its objectives.

On a brighter note, Northampton Borough Council did not have any investments in Icelandic Banks that have recently collapsed. Our investments, including short-term investments, are predominantly held in British or Irish Banks subject to government guarantees. Relatively small sums are held elsewhere but the risk is judged to be low and this money will be repatriated at the earliest opportunity.

7. Joint Strategic Planning Committee

The West Northamptonshire Joint Strategic Planning Committee has now been established and will hold its first meeting on 21st October 2008. At that meeting the Committee will be asked to adopt a revised Local Development Scheme.

8. Homeless Reception & Support Centre

I have written to the Under Secretary of State in the Department of Communities and Local Government expressing this Administration's continuing support for this Places for Change scheme project.

9. West Northamptonshire Development Corporation

We anticipate the announcement of a new Chair for the WNDC shortly.

The WNDC were not represented at the Scrutiny Inquiry into partnership working between NBC and WNDC on 2 September 2008 and I understand they will not be represented on 23 October 2008. As Board Members of WNDC, Richard Church and I are arguing strongly that the WNDC should be represented at the Inquiry and that, as an organisation, it has much to gain from working with O&S to improve partnership working.

Developers have now appealed against the WNDC's non-determination of three planning applications in and around Daventry. Inspectors will hear these early in 2009. The absence of a Local Development Framework puts West Northamptonshire at risk of 'planning by appeal' and makes it vital that we progress the production of the Local Development Framework with all dispatch.

Cllr Tony Woods
October 2008

Council

Monday 27th October 200

Report of the Portfolio Holder for Community Engagement & Safety

Within the new Directorate of Environment and Culture we are bringing together Public Protection, Neighbourhood Environmental Services and Culture and Leisure

This brings such services as Environmental Health, Community Safety, Neighbourhood Wardens, Street Cleansing, Grounds and Parks Maintenance, Waste Services and Leisure centres together.

This means that each service will be able to work better together for the benefit of the town and all that live and work here. For example by exploring the use of both traditional and more recent environmental enforcement tools such as those to control litter in the town centre it is hoped that not only will it be cleaner but the council will actually need to pick less up thus saving on service costs in the future. This will help the area to appear tidier and well kept and thus giving it safer and more welcoming feel. There will be many of these opportunities that will now arise and it will be exciting to work with the teams within the new Directorate

Engagement Strategy

The action plan for the Community Engagement Strategy adopted by Cabinet is now being delivered. A consultation toolkit is in final draft, and managers will be given guidance in its use. A group has been set up to review how the Council's website can support its engagement with the community. The recently announced programme of strategic service reviews will have engagement with users as a core principle.

Forums

The Council's community forums continue to be active both in formal meetings and less formal events. Cabinet has now received the first of what will be regular reports on the forums' work, highlighting the diversity of engagement opportunities and the numbers of local people involved. The Youth Forum, for example, has been involved with local cultural and sporting organisations, and along with members of other forums taking a leading role in Local Democracy Week activities. The potential role of the forums in providing a 'critical friend' perspective on policy development, particularly its impact on diverse communities, is being assessed.

Policy and Corporate Planning

In bringing together an analysis of the various pressures facing the Council in its operating environment, through the 'Context' document adopted by Cabinet, the Council now has the beginnings of a single repository for its background business planning data. This will need to grow and develop over time, but will be used to shape the new Corporate Plan. The challenge for the

next few months is to develop a policy framework that allows the Council to develop its work programme based on clear policy decisions rather than reaction to events.

Equalities

Progress continues to be satisfactory in raising the Council's performance on equalities issues to 'level 3' of the Equalities Standard for Local Government. Equality Impact Assessments are now becoming a routine feature of policy and service development, and will need to be a key component of decision-making on budgetary options. There is still some way to go in ensuring that thorough consideration of the effects of Council activities on our diverse communities is part of the Council's culture everywhere, but training and other activities are being delivered to move towards this goal.

Culture and Leisure Services.

Culture and Leisure Services now sits within the directorate of Environment and Culture and is thus well placed to enhance and promote internal partnership working across these and other NBC service areas to promote Leisure, Sport, Play and Cultural activity. In turn, we will be focussed on improving participation and health as well as promoting social cohesion and quality of life.

Leisure Services

All 3 Leisure Centres are being re-audited for QUEST quality award over the next 3 months.

This will be the second audit for QUEST and we are hopeful that all scores will improve by at least 5%, and will aspire to reach the 'highly commended' status, thus achieving the upper quartile in the country.

Trilogy Fitness Suites are currently on target to achieve in excess of over £1 million income, excluding VAT.

Free swimming for over 60's and under 16's has been accepted, and will commence in April 2009 for 2 years.

All participants, to gain access will need to apply for a 'swim only' leisure card (free of charge) that will be used for proof of age.

Participation by over 50's has reached a record high since recording attendances, and thus over 50's contribute over £20k per month to Leisure income.

Chartermark (Customer Service Excellence) will be re-audited in December 2008, for the whole of Leisure Services.

Northampton Sports And Play Development Team

The 3-year, Big Lottery funded, Play Development Programme, Northampton Improved Places for Play started on 1st September. We have employed 2 new staff members as Play Rangers (Chris Serbyn and Jemma Locke) who are also acting up as the Play Development Worker on a temporary basis until November 2008.

Our team led on a successful joint application with NBC Neighbourhood Co-ordinators, NBC Street Cleansing Support Team and The Friends of Eastfield Park for a £50,000 grant from the Playbuilders fund to provide new challenging and innovative play equipment for Eastfield Park.

The 3 year Eastfield and Spencer Sport and Physical Activity Project funded by Sport England's Community Investment Fund (CIF) started on 1st September. We have employed a full time Development Officer (Nina Bridge) and a part time Coordinator (Mark Lyons) to lead on the project.

Our new Sports Development Officer, Steve Johnson, started on 6th October replacing Andrew Jackson who left in July 2008 to pursue a career in teaching. Steve will be working on a variety of sport and physical activity projects and initiatives

EVENTS, MUSEUMS AND ARTS

Christmas Lights

The Events Team is working closely with their colleagues at Westbridge to produce a good show of lights this year. Without having the large budgets of yesteryear, the Team are hoping to provide the maximum number of lights without incurring large infrastructure costs. LED's will be used extensively this year. They are much lower maintenance than ordinary bulbs, and power consumption is minimal.

Creative Apprenticeship

The museums service has been successful in its bid to host a Creative Apprentice. Part of a national scheme, and externally funded by Renaissance, this will give an opportunity to a young person to gain practical experience in the areas of heritage, events, and the arts.

Audience Development

Another Renaissance funded project sees the installation of a p.c. in the galleries at the museum in Guildhall Road. Visitors will be able to input information about themselves and their visitor experience directly into the computer. This information can then be used to gain a much more comprehensive picture of who the museums' visitors are. This information can then be used directly to inform the audience development plan for the museums.

Northamptonshire Heritage Awards

The museum service was successful in three award categories at this years awards held at Sulgrave Hall. These were the Inspiration award for 'X marks the spot'; the Best exhibition award for ' Best Foot Forward '; and a highly commended for the ' Death in Venice' murder mystery.

One8 Festival

The team of young people who were responsible for ' X marks the spot ' represented Northampton at a large regional showcase event at Nottingham. This was a celebration of all the work museums have done working with young people.

Market Square

The Events Team continues its input into the Market Square project by drawing up briefs for the consultants to pull together a programme of events for the space, and by preparing the job specification for a new NBC events post for the square.

Diwali

The Indian Hindu Welfare Organisation chaired by Neelam applied for Arts Council funding earlier in the year using NBC (my time) as support in kind. They were successful in getting £5000 and Festive Road (Carnival Arts) were commissioned to work on the project. To date 48 lanterns have been made at Delapre Primary School and 30 lanterns at the Gujarati Saturday school over a series of workshops. There are open workshops at The Fishmarket this coming Friday and Saturday for public participation. A 6 ft figure has been constructed by Festive Road and will be pulled on a trailer. The idea is to tell the story of Rama and Sita and the procession on the 25th October will represent this - Delapre Primary school lanterns represent the forest/birds/trees and the Gujarati School represent the monkey section. The flower lanterns will be used from last year and the Diva light (paid for by the Arts Team a few years ago) will be carried by leading Councillors. IHWO will provide the lorry to carry "Rama and Sita" and will be at the rear of the procession and candles will be offered at The Guildhall and All Saints Church.

Customer Service Operations

Customer Services celebrated National Customer Services Week during the week beginning 6th October. The team organised a number of events to recognise and reward the role that customer service professionals play within the Council. An awards ceremony was held on Friday 10th October and prizes were awarded to the most complimented team (Face to Face Operations), the most popular internal customer service department (Post Room), and individual prizes for achieving their Institute of Customer Services Award.

The main focus of the week was around asking our customers how they felt about the service received. Customers using the Contact Centre were called back to ask their opinion on the service and all week staff have been conducting exit surveys in the One Stop Shop. Suggestion boxes were also left in the Council's other offices and leisure centres. The views of customers will be fed into work that has begun on our Customer Access Strategy.

Support Services

The Council has signed a new deal with Royal Mail called Clean Mail advance. The contract will save NBC 2.9 pence per second class letter. At current postage levels, this means a saving of approximately £15,000 per year. Managers are working closely with Royal Mail to get the new contract working within the current financial year.

Cllr Brendan Glynane

October 2008

Council

Monday 27th October 2008

Report of the Portfolio Holder for Housing

The following is an update on key issues delivered or being progressed within the housing services portfolio.

Performance

The Housing sub group of the Government monitoring board held its final meeting in September. The report to the main board has recognised significant improvements in housing in the last 18 months. The lead inspector from the Audit Commission will still be visiting on a monthly basis to continue their support to the authority.

The Sheltered Housing service is currently being inspected by the Supporting People team to ensure compliance with the quality assessment framework. I hope to be able to report positively on the outcome of this inspection at the next full Council meeting.

1. Partnership Working

Officers recently met with their counterparts in Daventry to make progress on the sub regional Choice based lettings scheme. Now that "Homechoice" is up and running in Northampton we can look at extending the scheme more widely in the county.

Trends are starting to emerge following the economic downturn although the true extent of the impact is not yet known. The Council understands that there have been on average 45 mortgage repossessions a month in the town in the last quarter and that secondary debt, e.g. credit cards, is now a major factor contributing to this increase. The Housing Service are working with partner Housing Associations and Registered Social Landlords (RSLs) to ensure an ongoing supply of affordable housing for vulnerable people.

Key Issues

Lesley Wearing, the new Director of Housing starts work on 3rd November.

Recruitment is also underway for the vacant Head of Service positions, Head of Landlord Services and Head of Investment and Strategy.

Cabinet approved the new Homelessness strategy on 15th October. The key themes of this strategy, which is for the next 5 year period are; partnership working, early intervention, work with 16/17 year olds and improving the quality of temporary accommodation.

2. Housing Asset Management Strategy

The Housing Asset Management Strategy is about the need to invest in our housing stock and our ability to identify the funds to enable us to do so. It is increasingly clear that the Council has been seriously under-investing in the maintenance of our council housing for many years. We are not alone in that and the Decent Homes Standard is one mechanism that the government have used to try to reverse this trend.

There is currently an opportunity to submit an “Expression of Interest” for a Private Finance Initiative (PFI) bid for up to £100 million to regenerate, refurbish and renew Council housing areas. PFI is neither universally popular nor an easy option. However, nearly 40 schemes are currently in various stages of progression. PFI is one of a very limited range of options available so it would be irresponsible to ignore it at this stage.

Cabinet on 30th October 2008 will consider options for our Housing Asset Management Strategy and whether to submit an expression of interest for this round of Housing PFI credits.

To retain as wide a range of options as possible and to ensure that we have a strong evidence base we will be undertaking a Housing Options Appraisal. The last Housing Options Appraisal undertaken in 2005 needs to be updated – not least because the Council’s financial data is now much more robust.

Ward members in ‘Northampton East’ have been briefed on the options available. We will be holding a further “Housing Visioning Day” on 29 October 2008 in the Guildhall.

Employment & Support Allowance

The legislation goes "live" on the 27th October, which we are currently on track to meet. The software has been delivered and is being tested, with upgrade to full system booked for this weekend. The training program is in the process of being delivered for back office and customer service teams.

Benefit Processing

Continues to be delivered in accordance with targets, 16 days new, 8 days changes, however with the current economic climate as it is, we have started to closely monitor our active caseload. We will keep everybody informed of findings and potential impacts and risks.

Council Tax Collection

Similar to benefits in the fact, on target, but have now started to monitor trends in customer behaviour and ability to pay etc.

Business Rates

Still on target, but 2% reduction in collection rate as compared to last year. This is mainly due to the changes in legislation with regard to empty rates (national variances between 2-6% impact). We have also started to send out more reminders recently, as compared to previous years, which suggests some businesses are potentially having cash flow issues.

Cllr Sally Beardsworth
October 2008

Council

Monday 27th October, 2008

Report of the Portfolio Holder for Environment

3. Public Protection – the coming together of services

The new council structure brings Environmental Health, Community Safety and Neighbourhood Wardens services together. This enables the well being of residents and the environment in Northampton to be better protected and improved. These combined services will seek ways of working together to produce real benefits and better outcomes for the town.

As Portfolio Holder I look forward to working with the Public Protection Team

Carbon management

The Carbon Trust's funding arm, Salix, carried out an audit on our strategy for the reduction of carbon with Atkins. After a rigorous check they found we had reached a high standard and agreed to match fund £25,250 in Oct, £36,650 in Jan 09 and £31,842 in April 09.

The independent assessors concluded, "Northampton Borough Council has the capability to successfully manage the Fund and implement the related projects. There is good integration across the various interested functions within the Borough. Furthermore, there is clearly a good degree of high level support for the initiative".

The 9 projects are:

- ❑ Loft Insulation at Lings.
- ❑ Cavity Wall Insulation at Weston Favell.
- ❑ Pipe insulation – boiler rooms
- ❑ St Johns car park – energy efficient lighting
- ❑ Steam control valve fixed/replaced at Mounts Baths LC.
- ❑ Time clocks – on NBC appliances
- ❑ Variable Speed Drive replacement at Lings Forum.
- ❑ Power Perfector voltage optimization – Guildhall, Westbridge, Mayorhold, Lings, St Michael's car park, Cliftonville, Mounts Baths, Danes Camp.
- ❑ Building Energy Management System – extended at Guildhall

Food and Safety services

This service within Public Protection is committed to helping businesses maintain and improve the standard of Food Hygiene and Health and Safety. However, NBC will take sanctions against those who seem not to care and who put members of public at risk. In the August and September 2008 the council successfully prosecuted 2 local businesses for food safety offences.

Where are the safest places to eat in Northampton? The local media have shown great interest in the web site that has been developed with the county Environmental Health Services that displays the results of Food Safety inspections using a system of star ratings. Last Saturday's Chronicle and Echo had a 7 page spread listing all the 4 and 5 star places in the town. Those businesses gained positive publicity by ensuring their hygiene standards are high.

4. Neighbourhood Environmental Services

The following is an update on key issues delivered or being progressed within Neighbourhood Environmental Services

Street Scene

Britain in Bloom

In September 2008 Northampton were awarded a Silver Gilt medal award for Best in City category in East Midlands in Bloom, missing out on the much coveted Gold Medal by three points.

Street Cleansing

Weed spraying contractors are currently working across the Borough, carrying out the 3rd spray of the year. This function is funded by NCC, and allows us to spray up to four times per annum.

Grounds/Parks.

All summer bedding plants are in the process of being removed, and beds made ready for winter bedding. We will also have some winter hanging baskets this year, around the town centre/Guildhall area.

The Council has recently submitted to the County Council, 3 bids for play builder money. We have been successful for one bid for improved play equipment in Eastfield Park. This new equipment needs to be challenging and suitable for use by 8-13 year olds.

Abandoned vehicles

The new contractors employed since April this year are continuing to deliver an excellent service and our performance indicators for this service are both running at a 100%. The ELVIS partnership is now being quoted as best practice and has received a number of enquiries from other authorities across the country.

Waste & Recycling Services

Glass collections

Cabinet have selected their preferred option for kerbside glass collections. The next steps include developing a detailed implementation plan. The preferred option is to use a specialist refuse vehicle with a Pod at the front for the glass and a compaction unit at the rear to collect the existing recyclates. This enables one vehicle to collect plastics/cans or paper/card alongside glass.

Additional plastics to be recycled

Waste & Recycling Service is now able to collect additional plastics such as margarine tubs, yoghurt pots and food trays. We have informed our customers through the media and by using hook-on labels that can be attached to wheelie bins and recycling boxes. This will help customers to reduce the amount of non-recyclable waste that goes into their black bin or sack.

New Recycling Calendars

The new recycling calendars for 2008/09 will be sent to customers shortly. They will show all the bin/box collection days, including the arrangements for Christmas and New Year 2008. They will also show the green waste 6-week suspension period.

Construction Services

Recently completed projects

The Construction team have just completed two new schemes to prevent flooding at Billing Brook Road and Rillwood Court.

New projects

The team are just starting two new projects, a new footpath in Dallington Cemetery and a new septic tank at Welford Road.

Cllr Trini Crake

October 2008

Council
Monday 27th October, 2008

Report of the Portfolio Holder for Regeneration

Concessionary Fares

It is good news that so many older people are using the free bus pass scheme. Leaving their car behind and using the bus saves both their pockets and the planet. The cost of the concessionary bus fares scheme is set to rise by £1 million, but the increased cost is not met by the government, putting the burden on the council tax payer and other council services. This extra cost is affecting councils around the country, and we will be pressing the government to properly fund the concessionary bus fares scheme.

Regional Spatial Strategy

The cabinet has responded to the consultation on proposed changes to the regional spatial strategy. We have objected to changes that might lead to more development related to the growth of Northampton being separated from our town, destroying more open countryside, and we have also called for a review of the timetable for new housing. The current economic downturn means that building 7,250 new homes between 2006 and 2011 is unrealistic, and we have asked for the housing targets to be amended to reflect that.

Beckets Park and The Racecourse

Progress on masterplans for both of these parks will be reported to cabinet on 5th November. New development beside the river provides a great opportunity to improve Beckets park as our prime town centre park, opening up the riverside and creating new links to the town centre. The Racecourse masterplan has developed through the dedication of volunteers in the Healthy Living Hub and Friends of Northampton Racecourse, supported by the funding from the River Nene Regional Park.

Northampton's Heritage

In recent weeks the spotlight has been on our town's excellent architectural heritage. On the weekend of 13th/14th September, thousands of people visited some of the town's finest buildings, including this one. The council put together a promotional leaflet for the event. A special thank you to our Heritage Champion, Jean Hawkins, who helped organise the event, and to all the volunteers, including a number of other councillors who helped on the day and all of the property owners who ensured that their buildings were open to visitors. On Monday 13th October, Northampton Borough Council hosted a Northamptonshire Heritage Summit in the Guildhall organized by English Heritage. It was well supported by many volunteers with an interest in Heritage, as well as the other Borough and District Councils and the County Council.

Market Square

Work on plans to regenerate the Market square continue, and include discussions with the Market Traders on the proposed layout. We will ensure that there is space for every trader currently using the square, plus room to grow as we attract more and different types of trader. Our aim is for Northampton Market square to take its rightful place as one of the finest town centre squares in England, the hub of the town for people to shop, relax and enjoy. To achieve that it needs to be a

place that can cater for a whole variety of uses of which a regular trading market is one key component.

Joint Planning Unit

The West Northamptonshire Joint Strategic Committee is holding its first meeting on 21st October 2008. The Committee is being asked to approve the revised Local Development Scheme for the preparation of the Joint Core Strategy and other Joint Development Plan documents, including the Developer Contributions and Affordable Housing DPD. The Borough Council takes the Chair of the Joint Strategic Committee on 21st October and becomes the lead manager of the Joint Planning Unit under the direction of the Director of Planning and Regeneration.

Cllr Richard Church

October 2008

Council
Monday 27th October 2008

Report of the Portfolio Holder for Performance

LEGAL SERVICES

The council continues to take action to maintain standards across the town and to reinforce acceptable behaviour of our citizens. Recently two food outlets have been successfully prosecuted for multiple breaches of food hygiene regulations, both cases received wide publicity and sends a message to other food outlets that the Council will take action to protect the users of such outlets.

The Council has also implemented its first court order demoting a Council Tenancy from Secure to Introductory this policy enables the council to take swifter action to end the tenancy should there be anti-social behaviour or rent arrears. An ASBO with a power of arrest has been secured, which will help to reduce anti-social behaviour in an area and finally the Council successfully defended an appeal against a Housing Benefit Fraud conviction, the Court award the Council significant costs as part of its judgement.

Lexcel

Legal Services continue to make steady progress towards the achievement of Lexcel accreditation (the Law Societies Quality Standard) of the service by November. A mock assessment carried out for us by Corby Council found the service well on track to pass the assessment.

ELECTORAL REGISTRATIONS

Nine weeks in to the annual canvass of voters a 74.5% response rate has been achieved with an extra 5K returns being received, an increase of 6% on this time last year. There is a considerable increase in Internet registration for those with "no changes", the increased use of the Internet shows that the Council's drive to e-enable more of its services is proving to be successful.

There has also been a considerable increase in Postal Vote applications with an additional 9,460 requested to date. This would bring an estimated total number of Postal Votes at the end of canvass close to 30,000.

LAND CHARGES

The recent trend in the housing market is reflected in the 25% reduction in search requests compared to the same time last year but more importantly a dramatic swing to personal searches associated with the introduction of HIPS packs. The fee for Personal Searches is set by the Government and does not cover the cost of providing this service and the LGA is asking Government to urgently review this matter.

Personal searches now account for 82% of the Land Search requests but this form of search does not provide access to all registers that may be of interest to house purchasers.

5. PERFORMANCE MANAGEMENT

The 'Place Survey'

The Council, together with the County Council and all other district councils is carrying out a government led survey asking people living within the county what it is like to live in their area and how things could be improved for the future. The findings will be available from February 2009 and will be used to make changes to the way services are run to bring about improvements to things that matter most to people.

Performance Headlines- August 2008

The council continues to focus on the indicators that are not achieving the targeted level of performance or do not match the performance in the previous year. Overall the picture is of an improving level of services.

Compared to the same time last year, burglary, robbery, vehicle crime and violent crime have all reduced. The amount of household waste the council sent to landfill reduced in August. Recycling and composting levels remained the same while the amount of waste collected from residents fell.

The council is playing its part in ensuring that businesses get paid as quickly as possible, by meeting their target of paying their invoices on time during August. Cabinet have asked for work to be undertaken to reduce the target from 30 to 10 days for payment. At the same time it is important that the Council ensures that it collects money due as quickly as possible. All of the council house rent due in August was collected together with an additional 3.60% of existing rent arrears. Furthermore the number of our tenants owing more than 7 weeks rent also fell below 10% for the first time this year.

HUMAN RELATIONS

The new management organisation took effect 1st October and recruitment continues to fill outstanding vacant positions. In support of the new organisation a programme for Senior Management Development and culture change is being developed with the Chief Executive as part of the development of **TEAM NORTHAMPTON**.

Progress has been made with resolution of Equal Pay liabilities during September. Around 75% of the potential agreed Equal Pay claims have been settled with individual COT3 settlements. Work is ongoing with the remainder to seek to resolve them before they proceed to Tribunal.

Discussions are underway reviewing current Absence Management procedures with the objective of streamlining these and providing clearer guidance and support to managers to tackle these issues.

A review of Recruitment processes and procedures has been undertaken of and these will be simplified with the objective of halving the time taken to recruit, putting greater emphasis on internal advertising of vacancies to improve internal employee development and reducing the costs of external advertising and use of agency staff.

Brian Hoare

October 2008

Council

Monday 27th October 2008

Report of the Portfolio Holder for Finance

Final Accounts

The 2007/08 accounts were reviewed by the Audit Committee on 25th September and approved by Council on the 29th September. The accounts received an unqualified opinion with no significant changes. Our auditors, KPMG, commented favourably on the improvement in the quality of the accounts and the positive, robust, relationship the Finance Section now have with them. It was also recognised that whilst finance performance, particularly in relation to the accounts, had significantly improved, that there is still scope for further improvement therefore a meeting will be held with our auditors to discuss improvements in process for next year.

Use of Resources

The evidence for the use of resources inspection was submitted to KPMG in August for audit. As part of their presentation on the accounts in September, KPMG indicated to the Audit Committee, that, subject to a final review of the evidence submitted for the use of resources inspection, in their view the authority had “passed” the use of resources inspection. This will still be subject to the normal Audit Commission review later this year but signs are positive.

The Budget

Work is well underway on the medium term financial plan, and the 2009/10 budget in particular. There are significant pressures and we are currently predicting a budget gap. These pressures, along with the known budget gap of £2.772m (which is included from the 2008/09 budget process, need to be off set by efficiencies and service reductions to enable the Council to balance the 2009/10 budget. This means that the Council, in line with the public and business, must make economies. We are looking to make services more efficient, deliver better value for money, rein in expenditure and reduce service levels, where necessary, over this difficult period of time. This will also need to be managed carefully in this financial year to ensure that there is minimal impact in reserves. Management board and managers are fully engaged in the budget process and options for addressing the gap are being worked up.

Investments

The authority did not have any investments in the Icelandic banks. We have changed our investment strategy and are placing our investments in UK banks and financial institutions, which are backed by Government Guarantee. We have some long-term overseas exposure - £5m out of a total investment portfolio of circa £76m is but current advice indicated that the risk is not significant. This is made up of £2m in Singapore and £3m in Irish Banks' which are currently not covered by the Irish Government's guarantee.

Risk

A Risk Management and Emergency Planning knowledge briefing is being held for Members on 13th November in Room 1, commencing at 3pm and 6pm. Please book to attend this important session.

Procurement Shared Service

The Council and five of its partners, Daventry, Corby, Wellingborough, Kettering and South Northamptonshire and signed an agreement to delivery procurement services jointly with the Borough as the host and lead. The service commences formally on the 3rd of November, when Gary Pyne, joins the borough as head of the shared service.

Former United Social Club, Green Street

We are in active discussions with WNDC over the future of the former United Social Club in Green Street, close to the Railway Station. We are looking at the part this land holding could play in bringing forward a comprehensive development of this locality.

Business Rates Liabilities

We are engaged in a programme of review of the opportunities for reducing the business rates liabilities of the Borough Council. A number of opportunities have already been identified and this will help the Council to achieve refunds in the current year and reduced costs in 2009/10.

Delapre Abbey Preservation Trust

We are working closely with the Delapre Abbey Preservation Trust to select an appropriate consultant to undertake the Delapre Parkland Appraisal study. This will help to support the bid that will be made to the Heritage Lottery Fund for the restoration of the property and its grounds.

Flooding – Links View, Parklands

Using the well being powers of the Council we are continuing to meet the cost of further investigations by external consultants of the causes of the flooding to gardens of residents of Links View, Parklands. We hope that this will help to identify possible measures that can reduce this risk in future.

Theatre Trust

We are continuing to work closely with the Theatre Trust to progress the second phase of roof renewal works to those parts of Royal and Dergate that the Council agreed to fund earlier this year".

Cllr Malcolm Mildren

October 2008



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

27 OCTOBER 2008

Agenda Status: Public

Directorate: Chief Executive

Report Title	REMUNERATION PANEL – MEMBERS' ALLOWANCES
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1. Summary

To seek Council's approval to amend the Council's current scheme on member allowances to take into account the advice received by the Council's new Independent Remuneration Panel.

2. Recommendations

To accept the following recommendations from the Council's Independent Remuneration Panel:

- A. The Basic Allowance is set at £6,464 per year.
- B. The recommended Special Responsibility Allowance for the Leader of the Council is set at £16,463
- C. That the following senior positions attract a % of the Leader of the Council's Allowance as follows:
 - a. Deputy Leader set at 60%
 - b. Cabinet members set at 55%
 - c. Chair of the Overview and Scrutiny Management Committee set at 35%
 - d. Chairs of Overview and Scrutiny Committees set at 30%
 - e. Chair of the Planning Committee set at 30%
 - f. Chair of the Licensing Committee set at 30%
 - g. Chair of the Audit Committee is maintained at 20%

- h. Leader of the Main Opposition Group set at 35%
 - i. Leader of the Third Group should continue to have their SRA set 20%
 - j. If the two Opposition Groups are of equal size then each of the Group Leaders should be eligible to claim the higher Opposition Group Leader's SRA.
 - k. Councillors appointed to the Joint Strategic Planning Committee set at 10%
- D. That the following positions do not attract a Special Responsibility Allowance:
- a. Deputy Chairs to the Committees
 - b. Group Whips
 - c. Chair of the General Purposes Committee
- E. There is no change to the Co-optees Allowances (including the Chair of Standards Committee).
- F. The current travel and subsistence scheme that is in place for when Councillors attend approved duties within the Borough is abolished.
- G. The current travel and subsistence scheme be replaced by an annual lump sum of £650, annually indexed. This amount is not back-datable to the 1st of May 2008.
- H. The Panel confirms the current terms and conditions by which Councillors can claim travel and subsistence allowances for attending approved duties outside the Borough boundary.
- I. That Dependants' Carers Allowance provides reimbursement for care up to a maximum of 15% of the Basic Allowance per annum with the claim accepted upon receipt of a "self-declaration" made by the Councillor.
- J. That Councillors are offered the right to decide if they should join the Local Government Pension Scheme (LGPS) and that this applied to both the Basic Allowance and Special Responsibility Allowances.
- K. That the provision within the Northampton Allowances scheme to suspend allowances when a Councillor is suspended from Council (after been found guilty of a breach of the code of conduct that warrants suspension) is extended to Co-optees and inserted into the new scheme; and
- a. That this provision applies to travel and subsistence allowances for both Councillors and Co-optees, and
 - b. Where a suspension has already been served (but only confirmed after adjudication) the Council shall require the Councillor to repay any allowances received during that period.
- L. The full schedule and rates of allowances including terms and conditions is published in the Northampton Borough Council Members' Allowances Scheme, within the Constitution.
- M. That the recommendations contained within this report (with any amendments) are implemented from the Annual Meeting of the Council in May 2008, with the exception of the lump sum travel allowance.

- N. That the allowances as recommended by the Panel (and summarised as follows) are indexed at a rate of 2.5% for 2008/09
- O. That as per regulations the indices recommended by the Panel will be utilised for four years, or until the Council requires a further review.
- P. The Council publishes in its guidance notes to the Northampton Borough Council Members' Allowances scheme the details of how and what allowances may be disregarded against various benefits.
- Q. The Council publishes annually those allowances claimed by Councillors during the previous financial year and
 - a. attendance records for each Councillor be stated for each committee of which they are members, and
 - b. this information is published quarterly and annually in a report to Council that shows the amount of allowances claimed.
- R. That the Council investigates the potential for higher taxation dispensation for Councillors Allowances.

3. Report Background

- 3.1 Section 18 of the Local Government and Housing Act 1989, makes provisions for the Secretary of State, through Regulations to provide for Schemes for Allowances for Local Authority Members. Regulations have been issued by the Secretary of State in the form of the Local Authorities (Member Allowances) (England) Regulations 2003 ("the Regulations").
- 3.2 The Regulations make provision for the payment of certain allowances, which include a basic allowance, a special responsibility allowance, a dependant carer's allowance and travelling and subsistence allowance. The Regulations also allow the Remuneration Scheme to set out which Members of the authority are entitled to pensions in accordance with a scheme made under Section 7 of the Superannuation Act 1972 and whether the basic allowance or the special responsibility allowance or both may be treated as amounts in respect of which such pensions are payable.
- 3.3 Ultimately the decision as to whether this scheme should be amended as suggested in the appended report is a matter for Council. However, regulation 19 of the Local Authorities (Member Allowance) (England) Regulations 2003, specifically state that before Council makes or amends a scheme it has to have regard to the recommendations made in relation to it by an Independent Remuneration Panel.
- 3.4 Council approved the setting up of a new Independent Remuneration Panel on 8 September 2008. The Panel having been duly constituted, has considered the Scheme of Allowances that the Council should apply and its reasoning and conclusions are contained in its report, attached at Appendix 1. Council is asked to consider the Independent Remuneration Panel's recommendations and the recommendation of this report is that they should be accepted.

4. Implications (including financial implications)

4.1 Resources and Risk

2008/09 Price Base

	Current Forecast Period 6	Full Year Effect In LGPS	Full Year Effect Not in LGPS
2008/09 Budget	416550	416550	416550
Basic Allowance		303808	303808
Special Responsibility Allowance		116067	116067
Co-optee Allowance		4000	4000
Travel and Subsistence Allowance		30550	30550
National Insurance		14146	21559
Superannuation		99449	0
Out of boundary Travel and Subsistence		10000	10000
Forecast Total Costs	<u>410870</u>	<u>578020</u>	<u>485984</u>
Budget Overspend / (Underspend)	<u>-5680</u>	<u>161470</u>	<u>69434</u>

Notes

1. In the "IN LGPS" option the superannuation cost reflects the cost to the Council if all members eligible to opt onto the scheme do so.
2. The Out of boundary Travel and Subsistence figure is estimated.

4.2 Legal

The legal implications are contained within the body of this report.

4.3 Other Implications

None specifically.

5. Background Papers

None specifically.

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**A Review
Of
Members' Allowances
For
Northampton Borough Council**

**The Fifth Report by the
Independent Remuneration Panel**

**Augustine Madu
Dr Declan Hall
Paul Joy, JP
Terry Wright**

October 2008

Foreword

This is the fifth report produced by the Independent Remuneration Panel (IRP) for Northampton Borough Council. The original panel was established as required by the Local Government Act 2000 to make recommendations to the Council on the range and levels of remuneration for elected Councillors. It was carried out as part of the wider modernisation agenda introduced by the Local Government Act 2000. The first report was produced in 2001 and made recommendations, which the Council largely accepted, to modernise the allowances scheme and set the current framework in place.

The second review, carried out in 2003, was conducted in accordance with the *Local Authorities (Members' Allowance) (England) Regulations 2003*¹ and subsequent amendments. These regulations required the Council to reconvene its Panel (which by 2003 was a statutory advisory standing panel) to make recommendations in relation to pensions, travel and subsistence allowances, Co-optees' Allowances, and on certain associated issues before 31 December 2003. The Panel was also tasked with a further review of Basic and Special Responsibility Allowances, which led to some minor revisions to the Northampton Borough Council Members' Allowances Scheme in light of experience of the new political structures although the structures were not substantially altered.

The third review, in March 2006, was carried out by a new joint County/Borough IRP and arose primarily out of the Improvement Board that the Council was required to put into place. Again the Council accepted the recommendations of the Joint IRP, including replacing the in-Borough travel and subsistence scheme with a lump sum for all Councillors. The fourth review, in May 2006, arose out of the increasing demands being placed upon senior Councillors, but the Council chose not to accept the recommendations regarding the increase in allowances for senior Councillors; although it reverted back to a claims-based travel and subsistence scheme as well as an increase in the Basic Allowance.

This, the fifth, review arises out of the statutory requirement for the Council to seek fresh approval from the Independent Remuneration Panel on the applicability of an index and if so which index should be applicable to the various allowances paid to Councillors and Co-optees. In addition, the review has been carried out by a newly established Independent Remuneration Panel (IRP) with the disbandment of the joint IRP arrangements, as the Council felt that recent changes in political structures required attention from an IRP that focused entirely on Northampton Borough Council. Consequently, the Council has also asked the Panel to look at all the allowances as they have not been fully reviewed in over four years, with a view to consider whether the current scheme is still fit for purpose. The conclusion of the Panel is that the current scheme is in need of substantial restructuring to reflect the increasing demands placed on Councillors, particularly at the senior level.

Dr Declan Hall
Chair of the Independent Remuneration Panel
October 2008

¹ See Statutory Instruments 2003 Nos. 1021, 1022 and 1692 for further details.

Executive Summary

The Independent Remuneration Panel makes the following recommendations. A summary of which follows:

- A. The Basic Allowance is set at £6,464 per year.
- B. The recommended Special Responsibility Allowance for the Leader of the Council is set at £16,463
- C. That the following senior positions attract a % of the Leader of the Council's Allowance as follows:
 - a. Deputy Leader set at 60%
 - b. Cabinet members set at 55%
 - c. Chair of the Overview and Scrutiny Management Committee set at 35%
 - d. Chairs of Overview and Scrutiny Committees set at 30%
 - e. Chair of the Planning Committee set at 30%
 - f. Chair of the Licensing Committee set at 30%
 - g. Chair of the Audit Committee is maintained at 20%
 - h. Leader of the Main Opposition Group set at 35%
 - i. Leader of the Third Group should continue to have their SRA set 20%
 - j. If the two Opposition Groups are of equal size then each of the Group Leaders should be eligible to claim the higher Opposition Group Leader's SRA.
 - k. Councillors appointed to the Joint Strategic Planning Committee set at 10%
- D. That the following positions do not attract a Special Responsibility Allowance:
 - a. Deputy Chairs to the Committees
 - b. Group Whips
 - c. Chair of the General Purposes Committee
- E. There is no change to the Co-optees Allowances (including the Chair of Standards Committee).
- F. The current travel and subsistence scheme that is in place for when Councillors attend approved duties within the Borough is abolished.
- G. The current travel and subsistence scheme be replaced by an annual lump sum of £650, annually indexed. This amount is not backdatable to the 1st of May 2008.
- H. The Panel confirms the current terms and conditions by which Councillors can claim travel and subsistence allowances for attending approved duties outside the Borough boundary.
- I. That Dependants' Carers Allowance provides reimbursement for care up to a maximum of 15% of the Basic Allowance per annum with the claim accepted upon receipt of a "self-declaration" made by the Councillor.

- J. That Councillors are offered the right to decide if they should join the Local Government Pension Scheme (LGPS) and that this applied to both the Basic Allowance and Special Responsibility Allowances.
- K. That the provision within the Northampton Allowances scheme to suspend allowances when a Councillor is suspended from Council (after been found guilty of a breach of the code of conduct that warrants suspension) is extended to Co-optees and inserted into the new scheme; and
 - a. That this provision applies to travel and subsistence allowances for both Councillors and Co-optees, and
 - b. Where a suspension has already been served (but only confirmed after adjudication) the Council shall require the Councillor to repay any allowances received during that period.
- L. The full schedule and rates of allowances including terms and conditions is published in the Northampton Borough Council Members' Allowances Scheme, within the Constitution.
- M. That the recommendations contained within this report (with any amendments) are implemented from the Annual Meeting of the Council in May 2008, with the exception of the lump sum travel allowance.
- N. That the allowances as recommended by the Panel (and summarised as follows) are indexed at a rate of 2.5% for 2008/09
- O. That as per regulations the indices recommended by the Panel will be utilised for four years, or until the Council requires a further review.
- P. The Council publishes in its guidance notes to the Northampton Borough Council Members' Allowances scheme the details of how and what allowances may be disregarded against various benefits.
- Q. The Council publishes annually those allowances claimed by Councillors during the previous financial year and
 - a. attendance records for each Councillor be stated for each committee of which they are members, and
 - b. this information is published quarterly and annually in a report to Council that shows the amount of allowances claimed.
- R. That the Council investigates the potential for higher taxation dispensation for Councillors Allowances.

Summary of Recommendations: Basic and Special Responsibility Allowances based upon the current political structure

Post	No.	Basic Allowance (BA)	Special Responsibility Allowance (SRA)	Total per Councillor	2.5% Indexation
Basic Allowance	47	£6,464	–	£6,464	£6,625
Leader of the Council	1	£6,464	£16,463	£22,927	£23,500
Deputy Leader	1	£6,464	£9,878	£16,342	£16,750
Cabinet Members	5	£6,464	£9,055	£15,519	£15,907
Chair of Overview & Scrutiny Management Committee	1	£6,464	£5,762	£12,226	£12,532
Chair of Overview & Scrutiny	3	£6,464	£4,939	£11,403	£11,688
Chair of Planning Committee	1	£6,464	£4,939	£11,403	£11,688
Chair of Licensing Committee	1	£6,464	£4,939	£11,403	£11,688
Chair of Audit Committee	1	£6,464	£3,293	£9,757	£10,000
Opposition Groups Leader of the Opposition:	1	£6,464	£5,762	£12,226	£12,532
Leader of the Third Party	1	£6,464	£3,293	£9,757	£10,000
Joint Strategic Planning Committee	1	£6,464	£1,646	£8,110	£8,313
Chair Standards Committee	1	–	–	£2,000	£2,050
Standards Committee Co-optee	2	–	–	£1,000	£1,025
Travel & Subsistence	47	£650	–	£650	£666

TOTALS:				Total + 2.5% Indexation	
Basic Allowance	47	£6,464	£303,808		
Special Responsibility Allowances	17		£116,067		
Travel & subsistence	47	£650	£30,550		
Subtotal: (minus indexation)			£450,425		
				£461,685	
Co-optee Allowance	3			£4,100 (includes indexation)	
Grand Total:				£465,785	

Independent Remuneration Panel:

Review of Allowances For Northampton Borough Council

The Regulatory Context and Terms of Reference

1. This report is a synopsis of the proceedings and recommendations made by the newly established Independent Remuneration Panel (IRP) convened by Northampton Borough Council to advise the Council on its current Members' Allowances Scheme.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)*. These regulations, which arise out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to set up and maintain an advisory Independent [Members'] Remuneration Panel to review and provide advice on Councillors' allowances. All Councils are required to convene their Remuneration Panel and seek its advice before they make any changes or amendments to their allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.
3. Specifically, the Panel was convened on this occasion to make recommendations to the Council on the applicability of the indexation of allowances for the next four years. Regulation 10(5) states:

Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme.

4. The Council is fulfilling its statutory responsibility by undertaking this review under Regulation 10(5) of the 2003 Members' Allowances Regulations to seek fresh authority for the indexation of allowances.

Terms of Reference

5. With the statutory requirement to reconvene the Panel the Council took the opportunity to present the Panel with a general terms of reference to consider whether the current scheme is still fit for purpose; namely to make recommendations to Northampton Borough Council on the following:

- a) *The amount of Basic Allowance that should be payable to its elected Councillors, including clarification of what duties Councillors are expected to undertake in return for their Basic Allowance*
- b) *The categories of Councillors who should receive a Special Responsibility Allowance (SRA) and the levels of SRAs payable*
- c) *The travel and subsistence allowances, including clarification on the terms and conditions in claiming such allowances*
- d) *Those independent (appointed) members of committees who should be eligible for a Co-optees' Allowance and the levels payable*
- e) *The levels payable under the Dependants' Carers Allowance (DCA) and the terms and conditions under which such an allowance is payable*
- f) *Back-dating the of payment of an allowance to the beginning of the municipal year in the event of the scheme being amended*
- g) *Whether there should be an index in place for annual adjustments of allowance levels, and if so, what that index should be based upon*
- h) *Whether authority should be provided for the Local Government Pension Scheme*

The Panel

6. Northampton Borough Council established a new Independent Remuneration Panel and the following Panel Members carried out its independent review; namely:
 - Augustine Madu, Local Businessman
 - Dr. Declan Hall, Chair of the Panel, Institute of Local Government, The University of Birmingham, an academic specialising in the field of Members' Allowances
 - Paul Joy JP, Justice of the Peace & Local Businessman
 - Terry Wright, Local Businessman .
7. The Panel had the support of Simone Wade, Policy and Governance Manager, who acted as the 'Panellist's Friend', and whose role was to take the organisational lead in facilitating the work of the Panel.
8. The Panel would like to record its gratitude to the Councillors and Officers of Northampton Borough Council for making themselves available to talk to the Panel and supporting the work of the Panel.

Process and Methodology

9. The Panel met at the Guildhall, Northampton on the following dates
 - 15th September 2008
 - 16th September 2008
 - 17th September 2008
 - 18th September 2008
 - 2nd October 2008

10. The Panel meetings were in closed session to enable the Panel to meet with Councillors and Officers in confidence and hold its deliberations in private.
11. All Councillors were given the opportunity to meet with the Panel, submit written views to the Panel or make their views known to their respective Group Leaders. The Leaders of the three groups on Council met with the Panel to put forth the views of their respective groups. Other elected Councillors also met with the Panel to discuss issues pertinent to the Panel's specific terms of reference. The Panel also met with Officers to obtain an overview on the changes and challenges facing the Council.
12. The elected Councillors of the Council, including any written and/or oral submissions, and Officers who met with the Panel are listed in Appendix one.
13. The Panel's activity fell into four areas:
 - **One:** Review of the background and contextual information on Northampton Borough Council relating to the issues of concern, i.e., recent changes in political structures, allowances schemes from comparator authorities and previous allowances reports for the Council.
 - **Two:** Interviews with Councillors and Officers of the Council (see Appendix One)
 - **Three:** Review of oral and written submissions and analysis of allowances schemes from the 'Big Nine' group of District Councils and the results of the LGAR 2006 Survey of Allowances in England for District Councils (see Appendices Two and Three for full list of information and evidence received and reviewed by the Panel).
 - **Four:** Arriving at recommendations; and the drafting and redrafting of report to the agreement of the Panel.
14. The Panel took a tiered approach in considering the evidence. It is required to operate within the broad statutory framework laid down by the statutory guidance and regulations. The 2003 Members' Allowances (England) Regulations establishes the boundaries for the Independent Remuneration Panel (IRP), i.e., attendance allowances that cannot be paid, that all Councillors must receive a Basic Allowance that is equal in value and express authority is granted to vary the terms and conditions for claiming the travel and subsistence allowances, or indeed whether to retain them at all. Within the legislative context the IRP has an obligation to pay regard to the statutory guidance, which for instance mandates certain considerations for all IRPs in reaching the recommended Basic Allowance but in contrast provides suggestions in reaching an appropriate level for the Leader's Special Responsibilities Allowances (SRA).
15. The next level of evidence considered by the Panel were the representations made by the Group Leaders and other Councillors who met with the Panel. The interviews obtained the views of the groups on Council and also raised a number of specific concerns. The interviews were also utilised to challenge statements and to act as a 'sounding board' to suggestions and ideas from members of the IRP. Finally, all the evidence and representations have been reviewed and evaluated within the comparative context.

Principles underlying the Panel's Recommendations

16. The principal approach adopted by the Panel in its review and assessment of the evidence has been to make recommendations that attempt to minimise barriers to public service. The nature of a representative democracy means that as many people as possible should be able to consider standing for and remaining on Council without suffering financially.
17. On the other hand, the Panel (and the interviewees) recognise that being an elected Councillor entails a degree of public service. In turn, this has led the Panel to make recommendations that do not create an allowances scheme that lead to people standing for and remaining on council primarily for financial reasons.
18. In trying to achieve this balance between reducing barriers and not creating financial inducements to stand for and remain on Council has led to the third driving principle behind the Panel's recommendations; namely the levels of allowances should be at a level that recognises being an elected Councillor involves a time commitment and undertaking of a level of responsibility that should come with a degree of recompense. The demands placed on elected Councillors in 21st Century local government mean that much of the work cannot be conducted within normal working hours, such as in evenings and weekends, even for back bench Councillors. As such, Councillors deserve recompense for the time given and responsibility held if they are to fulfil the roles that are required of them.
19. Finally, the Panel has sought to ensure that the recommendations lead to a more transparent allowances scheme that is easy to understand and relatively simple to administer. Ease of administration provides savings to the Council in Officer time while enhanced understanding of how and why the Panel's recommendations were arrived at should help clarify what is expected from Councillors in return for their remuneration (by both the Council and the public) as well as being justifiable and defensible to an often sceptic public.

Observations: the atypical nature of Northampton Borough Council

20. An important context for the Panel's deliberations is the fact that Northampton Borough Council (NBC) is not a 'typical' district council in a couple of important ways. Firstly, it is by far and away the largest district council in terms of population and net revenue spend. It has a greater population than many metropolitan, London borough and unitary councils that are the obvious comparative councils. While NBC does not have the same level of revenue spend as all-purpose councils it does have a higher one than any other district/borough council.
21. Furthermore, the 'growth' agenda for NBC is momentous, with the population projected to increase significantly over the next 20 years. The economic and development pressures on NBC have created a complex set of partnership relationships and multilayered working arrangements on the part of the Council to deliver its objectives.
22. Consequently, this means that Councillors in general and senior Councillors in particular have a workload and responsibility beyond that which can be reasonably expected in more typical district councils. NBC stands out from other district

councils by virtue of its size, growth agenda and complexity of inter-governance relationships. The Panel feels that this context needs to be recognised in its recommendations.

23. The evidence reviewed by the Panel indicates that the current scheme of allowances is in need of substantial reform. There was a great deal of positive acceptance among the interviewees that the current scheme is no longer fit for purpose, particularly at the senior levels.
24. While the scope of allowances, including the differentials, paid in Northampton are perceived to be comparatively fair and relatively equitable by all the party groups, with some exceptions (see below) it is generally agreed that the current levels, particularly the SRAs, do not meet the principles enunciated by this Panel above. The main message picked up by the Panel during the review process is that there is a demand for wholesale changes to the current scheme. The main function of this review therefore is to fundamentally review the current allowances scheme so that it reflects the challenging agenda faced by the Council and the responsibilities and complexities within which Councillors are working.

The Evidence Reviewed and Recommendations

The Basic Allowance ‘Re-calibrated’

25. There was a wide range of evidence to indicate that the current Basic Allowance (BA) (£6,000) is still broadly appropriate. The ‘job’ of being a backbench Councillor has not dramatically altered since 2005. It has however altered somewhat with an enhanced emphasis on Councillor development and training which was not present in 2005 and an emerging emphasis on the Councillors’ community leadership role.
26. The Panel decided to ‘re-calibrate’ the Basic Allowance by applying the most commonly used index in a retrospective fashion. The Panel notes that the current Basic Allowance (£6,000) has not altered since 2005. If the Basic Allowance had have been indexed on the same scale of the local government staff annual pay increase since 2005 it would now be just under £6,500:
 - 2004/05 – 2.7%
 - 2005/06 – 2.9%
 - 2006/07 – 2.7%

Following the Statutory Guidance

27. The Panel also applied the method of arriving at a tentative Basic Allowance by following the 2006 Statutory Guidance for Local Authority Allowances (paras. 67-69). It lays out three variables IRPs are expected to consider in arriving at their recommended BA; namely

- Time required to fulfil roles of an 'ordinary' Councillor
- The voluntary principle, the notion that part of the time put in by a Councillor in their back bench roles should be unremunerated, often known as the Public Service Discount (PSD)
- The worth of a backbench Councillors' time, or the rate for remuneration²

Expected Inputs:

28. There was general agreement amongst the interviewees that the role of the backbench Councillor including all duties that it could be reasonably expected they fulfil (see below) was in the 10-20 hours per week range. The Panel notes that the IDeA 2007 survey of Members Allowances reports that backbench Councillors without any significant responsibility in all categories of authorities put in on average 18.1 hours per week. There is a reasonable expectation that the time demands in all-purpose councils would be slightly higher in multi-purpose councils. The Panel has opted for 15 hours per week as the minimum average expected inputs for backbench Councillors, which it has translated into 104 days per year. The Panel also recognises that many Councillors have the capacity and are willing to put in many more hours than the Panel's minimum expectation but it feels it is more a reflection of supply rather than the demands of the job.
29. Having established what local Councillors do, and the hours that are devoted to these tasks the Panel took a view on the rate at which, and the number of hours for which, Councillors ought to be remunerated. (2006 Guidance Para. 67). This includes:
- Full Council
 - Overview & Scrutiny + associated working groups
 - A Regulatory Committee
 - Neighbourhood Partnerships
 - Forum Groups
 - Outside Bodies as council representatives
 - "Occasional" Group Meetings
 - Ward/Constituency issues
 - Community Leadership
 - Training & Development

Voluntary or public service discount:

30. The statutory guidance states that the Basic Allowance (BA) should continue to recognise the concept of public service by not remunerating all the expected time commitments associated with the back bench, only a certain amount of that time should be remunerated with a proportion given as public service, often known as the voluntary or public service discount.

² See Statutory Guidance on Regulation for Local Authority Allowances, Department for Communities and Local Government, paragraphs 67-69)

31. The Panel notes that in those councils where the BA is explicitly worked out by following the statutory guidance the common public service discount is between 25-40 per cent of the expected time inputs, with 30-35% being the most common within that range. The IDeA survey of Councillors reports that on average Councillors spend approximately 37% of their time on ward/constituent issues – which many IRPs have taken as a guide in arriving at the public service discount. On this basis the Panel has decided to utilise 30 per cent as the public service discount on the expected time inputs, which is 31.2 days per year.

The Rate for Remuneration:

32. The statutory guidance finally states that IRPs need to consider what a Councillors' time is worth, often known as a rate for remuneration. The Panel notes the Local Government Association (LGA) produce a 'daily session' rate which the LGA publishes each year as a means to assist remuneration panels in arriving at a rate for the job when setting the Basic Allowance. The current LGA daily session rate is £144.72 per day (2008/09) and for 2007/08 it was £138.75. The rate is weighted towards the median male non-manual wage for Great Britain.
33. The LGA continues to utilise the LGA 'daily session' rate as the most appropriate benchmark to assess a Councillor's worth. In other words, to establish a rate for the job, it was recommended that a Councillor's time is worth the daily session rate as put forward each year by the LGA.
34. The Panel did not feel comfortable with this rate for remuneration, as it is high compared to what the majority of people earn on a daily basis. Instead the Panel has utilised the median salary for Northampton as reported by the Annual Survey of Hours and Earnings (ASHE) for 2007 as a more justifiable and locally related rate for remuneration. The median weekly salary is £444 for all full time employees within the Northampton Borough Council area, which the Panel simply divided by 5 working days to arrive at £88.80 per day.

The Basic Allowance produced by following the Statutory Guidance

35. Thus, by closely following the statutory guidance it produces the following Basic Allowance (BA):

- Time for the job: 104 days per year 15 hours per week,
- Public Service Discount: 30%
- Rate for remuneration: £88.80 per day

36. These variables can be expressed in the following formula:

- $\{104 \text{ days per year} - 30\% \} \times \text{£}88.80 \text{ per day}$
- $= 72.8 \text{ remunerated days per year} \times \text{£}88.80 \text{ per day}$
- $= \text{£}6,464$

37. The Panel was content that the 're-calibration' and the statutory guidance approach both indicate that the appropriate BA for 2008/09 is £6,625 based on the anticipated NBC staff settlement indexation of 2.5%.

Benchmarking the Basic Allowance (BA)

38. To complete the triangulation process the Panel benchmarked the tentative BA as suggested above against peer authorities. The 2006 LGAR Members Allowances Survey published by the LGA and IDeA in March 2007 but conducted in the 2nd half of 2006, shows that the average BA for English District Councils was £3,991. However, this comparison is not strictly apt for two reasons, first the figures are now 2 years old and the national comparator group also contains the 4th Option, and secondly the smaller district councils might be expected to have a relatively low BA. Northampton Borough Council by far the largest district council in England
39. A more focused benchmarking exercise was conducted by the Panel, namely focusing on the nine largest districts in England, including Northampton as the most readily comparable Councils (see appendix 3). This comparator group shows that Northampton Borough Council pays the highest BA within the group and the median Basic Allowance currently payable is £5,380. However, the Panel also notes that a number of Councils will be applying a retrospective indexation to their allowances for 2007/08, including Colchester, Chelmsford, and Huntingdon, which will decrease the difference somewhat.
40. However, the Panel is content with the tentative BA as suggested by following the statutory guidance for a number of reasons. First, Northampton BC is by far and away the largest district council in England which brings more responsibility not simply for the population as a whole but also vis-à-vis budgets and ward size. Secondly, £6,464 is not the largest BA currently payable amongst the English district councils by a wide margin. Thirdly, the population of the Borough is projected to grow by 20% over the next twenty years which will further impact on the workloads and responsibilities of the back bench Councillors through their work on facilitating and managing that growth and the soon to be statutory duty to promote community leadership. Finally, the number of Special Responsibility Allowances payable in Northampton is comparatively few, (known as a short SRA 'tail') and will remain so albeit to a lesser extent than is now the case (see below). A BA at the higher end of the comparative spectrum the Panel feels is appropriate as Councillors are expected to undertake a number of minor responsibilities for their BA rather than have a complicated allowances scheme that undermines the principle of transparency the Panel is keen to maintain within the current scheme.
41. **Thus, Panel recommends that the Basic Allowance is increased to £6,464 per year, with the recommended index of 2.5% for 2008/09 applied, which creates a recommended Basic Allowance of £6,625.**

The Recommended Special Responsibilities Allowances**The Leader**

42. There was a general consensus among the interviewees that the Leader's post is currently under-remunerated. The Panel notes that by any measure the Leader is notably underpaid. The Council did not accept the recommendations of 2005 which in effect has meant that the Leader's SRA which is currently £10,000 has remained static

since 2003. The Leader receives the lowest SRA (£10,000) and total remuneration package (£16,000) within the Big Nine comparator group, and less than the national average SRA for district council leaders as reported by the 2007 IDeA Members' Allowances survey, which was just over £11,000 for 2006/07.

43. In contrast, the Panel received evidence that the Leader's role has evolved considerably since then. The executive system has settled down and is now a recognised and identifiable feature of local government. Northampton Borough Council now has a 'Strong Leader' model in place, with the Leader now appointing the Cabinet Members and assigning their portfolio remits, rather than the Council.
44. In particular, it is clear that the Leader is the Councillor most affected by the government drive to promote the community leadership and engagement roles of local government and is the Council's leading player in the enhanced regional and sub-regional structures. Moreover, the outside partners that are increasingly required to work with local government mean that the Leader has to take the lead in working with partners. Then there is the Northampton factor, which means the Leader, has to work in a complex multi-layered (both vertically and horizontally) set of local governance and sub-regional bodies that largely relate to the population and economic growth agenda such as the West Northamptonshire Development Corporation and the MKSM partnership.
45. There is also a consensus that the Panel supports, that the post of Leader is close to being a full time equivalent, regardless of the individual in situ. The median annual salary for all full time employees within the Northampton Borough Council area was £23,088 in 2007, which the Panel feels is a justifiable, defensible and transparent figure upon which to base the Leader's total remuneration package. By deducting the recommended BA of £6,625 from £23,088 it produces a tentative recommended SRA of £16,463.
46. The median SRA for Leaders in the comparator group is £16,452 while the median remuneration package for Leaders in the same group is £21,936 – see table 1 below. Thus, the proposed SRA and remuneration package based on the median NBC annual salary would not make the Leader the highest paid within the comparator rather it simply places the Leader on par with peers.

Table 1: Allowances paid the NBC comparator group – the 'Big Nine' (2007/08)

Council	BA	Leader's SRA	Total Leader (BA+SRA)	Deputy Leader	Cabinet	O&S MC	O&S Others
Aylesbury Vale	£5,148	£15,444	£20,592	£11,580	£10,296		£3,864
Basingstoke & Deane	£5,406	£18,030	£23,436	£12,008	£9,015		£6,004
Basildon	£5,484	£16,452	£21,936	£12,339	£10,968	£8,226	£4,113
Chelmsford	£5,380	£21,100	£26,480	£13,926	£10,550	£5,275	£4,220
Colchester	£6,000	£18,000	£24,000	£11,340	£10,800	£6,300	£6,300
Charnwood	£4,772	£11,931	£16,703	£8,352	£4,772	£3,341	£3,341
Huntingdon	£4,100	£13,562	£17,662	£10,200	£8,126		£6,109
New Forest	£5,316	£18,608	£23,924	£9,304	£9,304		£4,652
Northampton	£6,000	£10,000	£16,000	£4,000	£4,000	£3,000	£3,000
Min	£4,100	£10,000	£16,000	£4,000	£4,000	£3,000	£3,000
Max	£6,000	£21,100	£26,480	£13,926	£10,968	£8,226	£6,300
Mean	£5,290	£15,903	£21,193	£10,339	£8,648	£5,228	£4,623
Median	£5,380	£16,452	£21,936	£11,340	£9,304	£5,275	£4,220

47. Thus, the recommended SRA for the Leader is £16,463 for 2008/09.

The Deputy Leader and Cabinet Members

48. The Panel notes that the current SRA (£4,000) received by the Cabinet members (including the Deputy Leader) is the lowest in the comparator group, where the median is £9,304. Where authorities have a separate SRA for the Deputy Leader the median is £11,340. Even the IDeA survey from 2006 shows the average paid in all district councils to Cabinet members was just under £6,000. If anything, since the current SRA for Cabinet members was set in 2005 the roles have become more onerous with some of the responsibility for partnership and multi-governance working also falling on Cabinet members when appropriate.
49. It is clear that the posts require a substantial time commitment and require a significant responsibility that is not recognised in the current level of SRA. Currently, they are remunerated at 40% of the Leader's SRA whereas the normal differential is not usually that great. In the comparator group they are paid at 55% plus in relation to their Leader's SRA (bar the exception of Charnwood) and at the same time the ratio in the IDeA survey is approximately 55%.
50. Consequently, the Panel recommends that the SRA for the Cabinet members is set at 55% of the Leader's recommended SRA, which equates to £9,055.

The Deputy Leader

51. Currently, the Deputy Leader, who also holds a portfolio, has a SRA that is paid equal to that of other Cabinet members. It is common practice to remunerate a Deputy Leader marginally above that of other Cabinet members as they have a defined set of

extra duties to undertake, even if it is sometimes no more than stand in for the Leader in the latter's absence. The Panel feels that the Deputy Leader post merited a marginal differential to that of other Cabinet members and that the post should be remunerated at 60% of the Leader's recommended SRA, which would still leave it below the median SRA paid in the comparator group.

52. **Consequently, the Panel recommends that the SRA for the Deputy Leader is set at 60% of the Leader's recommended SRA, which equates to £9,878.**

The Chairs of the Overview and Scrutiny Committees

53. The Panel notes that the current SRA (£3,000) received by the Chairs of the Overview and Scrutiny Committees are the lowest in the comparator group, where the median is £4,220. Even the IDeA survey from 2006 shows average paid in all district councils to Chairs of Overview and Scrutiny Committees was just £3,721. The roles remain vital to functioning of effective local government, a fact underpinned by their statutory requirement.

54. Their importance is not recognised at the current level of remuneration. Currently, they are remunerated at 30% of the Leader's SRA which is not too dissimilar to the normal differential, which tends to be in the 25-30% range. The Panel was content that the current ratio was still broadly appropriate and their SRA set at 30% of the Leader's recommended SRA.

55. **Consequently, the Panel recommends that the SRA for the Chairs of the Overview and Scrutiny Committees are set at 30% of the Leader's recommended SRA, which equates to £4,939.**

Chair of the Overview and Scrutiny Management Committee

56. Since the last full review in 2005 the Council has created an Overview and Scrutiny Management Committee (O&SMC), which is made up of all the O&S Chairs and Vice Chairs, with the Chair of the O&SMC always being drawn from one of the O&S Committee Chairs. This model is becoming increasingly common and the Panel accepts that the Chair of O&SMC has a co-ordinating and management role somewhat above that of other O&S Chairs. The Panel has simply applied a 5% uplift to the ratio applied to other O&S Chairs, setting the O&SMC Chair's SRA at 35% of the Leader's recommended SRA of £16,463.

57. **Consequently, the Panel recommends that the SRA for the Chair of the Overview and Scrutiny Management Committee is set at 35% of the Leader's recommended SRA, which equates to £5,762.**

The Planning Committee

58. Currently the Chair of the Planning Committee receives a SRA of £2,000, which is 20% of the Leaders current SRA and on a par with the Chair of the Audit Committee. Although the development control function for major developments lies with the West Northamptonshire Development Corporation (WNDC) the Chair is an ex officio

member of the WNDC and still has a major role vis-à-vis strategic developments both within and outside of the Borough.

59. The Panel notes that the SRA is below that of regular O&S Chairs and the Chair of Licensing, which it considers is an anomaly. Moreover, comparatively it is an underpaid post, even more so considering the planning pressures within the Borough. In the comparator group the median SRA paid to chairs of planning is £6,004. The Panel feels that as a statutory regulatory function the Chair of Planning should be placed on a par with the chairs of O&S and Licensing (see below) and have the SRA set at 30% of the Leader's recommended SRA.
60. **Consequently, the Panel recommends that the SRA for the Chair of the Planning Committee is set at 30% of the Leader's recommended SRA, which equates to £4,939.**

The Chair of the Licensing Committee

61. The Panel takes the view that the Chairs of the major committees are broadly equivalent and should be remunerated as such. Currently the Chair of Licensing receives a £3,000 SRA, which is 30% of the Leaders current SRA. The Panel received no evidence to suggest that this ratio should be altered although this should be in relation to the recommended SRA for Leader.
62. **Consequently, the Panel recommends that the SRA for the Chair of the Licensing Committee is set at 30% of the Leader's recommended SRA, which equates to £4,939.**

Members of the Licensing Sub-Committees and Other Regulatory Committees

63. The Panel received evidence that suggested those who serve on the regulatory (or quasi-judicial) committees, and in particular the Licensing sub-committees merited a SRA to recognise the peculiar nature of their work. However, the Panel has explicitly set the BA at a level that recognises that most Councillors will have a quasi-judicial role to fulfil. In particular, the Panel considered the workload of the members of the Licensing Committee who dealt with licensing appeals and reviews through the special sitting of sub panels consisting of three Councillors drawn from the Licensing Committee, whom it was suggested have a workload and responsibility above and beyond that of the ordinary member. However, based on the information presented to the Panel most Councillors who served on the licensing sub-panels were not putting in more time and effort than those Councillors who sit on Planning, particularly when it is recognised that Planning Councillors are also expected to undertake site visits prior to each meeting. Consequently, the Panel does not accept this argument.

The Chair of the Audit Committee

64. The Panel notes that the Chair of the Audit Committee receives a SRA paid at 20% of the Leader's current SRA. The Panel received no evidence that this ratio is no longer appropriate. It is a relatively new committee and the role of the Chair and the committee is still evolving. To maintain as a second tier committee is further warranted by virtue of the fact that unlike the Planning and Licensing Committees it is not a decision-making committee and unlike O&S it is not a statutory committee.

65. **Consequently, the Panel recommends that the SRA for the Chair of the Audit Committee is maintained at 20% of the Leader's recommended SRA, which equates to £3,293.**

Leaders of the Opposition Groups

66. At present the Leaders of the two Opposition Groups receive an SRA of £2,000. Yet, the size of the two Opposition Groups has not remained consistently similar since the original Panel conducted its reviews. The Panel takes the view that the larger Opposition Group has a greater obligation to fulfil the broad role of Opposition and that there is a greater group management role to undertake by virtue of having a larger group and therefore it is appropriate that the Leaders of each group receive an SRA that reflects the difference in size.
67. The Panel notes that the Leader of the Main Opposition Group's SRA is paid at 20% of the Leader's current SRA. This is a comparatively low ratio and is the lowest Opposition SRA within the comparator group for Main Opposition Group Leaders, where the median SRA is £6,464.
68. The Panel believes that a well resourced Opposition is vital to the functioning of local representative democracy, indeed, it is recognised through statute by the requirement in English local government for at least one Opposition Councillors to be in receipt of an SRA – where an Opposition exists. **The Panel believes that the Leader of the Main Opposition Group is at least on a par with the Chair of the Overview & Scrutiny Management Committee and recommends their SRA is set at 35% of the Leader's recommended SRA, which equates to £5,762.**
69. **The Panel recommends that the Leader of the other Opposition Group or Third Group should continue to have their SRA set at 20% of the Leader's recommended SRA, which is £3,293.**
70. **If the two Opposition Groups are of equal size then each of the Group Leaders should be eligible to claim the higher Opposition Group Leader's SRA.**

Other Special Responsibility Allowances (SRA) – the Joint Strategic Planning Committee

71. Evidence was received that suggested the Council appointees to the Joint Strategic Planning Committee merit a SRA due to the large tranche of work it is facing over the next two years. This is a sub-regional body that has been created to co-ordinate spatial planning strategy across the relevant local government agencies. In particular, it is charged with developing the local plan and it is a statutory body. The Panel recognises that these posts (the Council appoints five Councillors to it) do have a role

to undertake that may be above and beyond that expected from the normal backbench roles.

72. **Consequently, the Panel recommends that the Councillors appointed to the Joint Strategic Planning Committee be eligible for a SRA (subject to the one SRA only rule) with the SRA set at 10% of the Leader's recommended SRA, which equates to £1,646. The Panel will keep this SRA under review to monitor the workload associated with sitting on this Committee in the long term.**

Other Special Responsibility Allowances (SRA) – the Deputy Chairs of the Committees

73. Evidence was received that suggested the Deputy Chairs to the Committees merited an SRA. Yet, the Panel was not convinced of the argument – their roles were not clearly defined beyond standing in for their Chair when required and the Panel is keen to make sure that a majority of the Councillors are not in receipt of a SRA as a result of its recommendations. **Therefore, the Panel does not recommend that the Deputy Chairs to the Committees are to receive a SRA.**

Other Special Responsibility Allowances (SRA) – the Group Whips

74. The Panel agrees that the “Whip” is a Group position and therefore a party post which should be funded by the Groups and consequently **does not recommend that they receive a SRA. The Panel are keen to ensure that the majority of Councillors are not in receipt of a SRA.**

Other Special Responsibility Allowances (SRA) – the Chair of General Purposes Committee

75. Again, evidence was received that suggested the Chair of the General Purposes Committee merited an SRA. The Panel is not minded to accept this argument as it meets as and when, and there are other ad hoc committees and panels where the Chairs are not in receipt of an SRA. It is a reasonable expectation that most back benchers will chair an ad hoc panel or committee during their term of office and therefore the Panel believes the Basic Allowance is sufficient to cover this area of work.
76. **Therefore, the Panel does not recommend that the Chair of the General Purposes Committee is to receive a SRA.**

The Statutory Co-optees – Chair and Other Co-opted Members of the Standards Committee

77. The role of the Standards Committee in England has changed. From April 2008 all English Standards Committees have obtained new powers and responsibilities for the Standards Committee from April 2008. Now all complaints against local Councillors, including Parish Councillors are dealt with in the first instance by local authority Standards Committees for local determination. The local committee decides whether to deal with the complaint locally or if serious enough, to forward the matter to the National Standards Board of England as opposed to it previously being dealt with by

the National Standards Board in the first instance. Thus, at the very least, the Northampton Standards Committee will have a filter role vis-à-vis any complaints against Councillors; even if they are unfounded there is still a process role for the Standards Committee.

78. The Panel notes that the current Co-optees Allowance paid to the Chair of the Standards Committee (£2,000) and other statutory Co-optees (£1,000) is broadly in line with the Co-optees Allowances payable in the comparator group. **Therefore the Panel recommends that there is no change to the Co-optees Allowances currently payable bar the application of the 2008/09 index of 2.5%, which produces a Co-optees Allowance for the Chair of the Standards Committee of £2,050 and other statutory Co-optees (including the parish council representative) of £1,025.**

Travel and Subsistence

Within the Borough

79. The Panel notes that after travel and subsistence allowances became discretionary rather than statutory allowances under the 2003 Allowances Regulations the Panel recommended and Council accepted that they were replaced with an annual sum of £600 rather than be a claim-based allowance. If this approach had been maintained and indexed it would now be just over £650. However, in 2005 the Panel changed its mind on the grounds that because many Councillors would not claim travel and subsistence for attending approved duties within the Borough it was a more expensive option and therefore it was subsequently scrapped and replaced with the current scheme which pays mileage at HMRC approved rates and subsistence at the same rates that can be claimed by Officers.
80. The Panel is not convinced by the economy argument, as it does not take into account the administrative and other costs incurred in monitoring and processing the travel and subsistence claims. **The Panel recommends that the current travel and subsistence scheme that is in place for when Councillors attend approved duties within the Borough is abolished. Furthermore, it should be replaced by an annual lump sum of £650. This amount is not backdatable to the 1st of May 2008. The Panel recommends that the lump sum is indexed annually.**

Outwith the Borough

81. The Panel confirms the current terms and conditions by which Councillors can claim travel and subsistence allowances for attending approved duties outside of the Borough boundary. These rates are as follows:

Upon evidence of expenditure:

Mileage: Motorcycles: 24p/mile

Cars: 40p/mile for the first 10,000 miles and 25p/mile thereafter

Bicycle: 20p/mile

Subsistence: Breakfast - more than 4 hrs away from home & before 11am: £5

Lunch - more than 4 hours away from home - 12noon to 2pm: £7

Tea - more than 4 hours away from home - 3-6pm: £3

Evening Meal - more than 4 hours away from home - after 7pm: £10

In the case of absence over night (excluding meals) £60

In the case of absence over night in London (excluding meals) £95

Eligibility to join the Local Government Pension Scheme

82. The legislation provides for the Council to pay pension contributions on allowances to all Councillors, specifically through membership of the Local Government Pension Scheme (LGPS). It is the only pension scheme that Councillors are permitted to join that attracts the 'employers' contribution. The Panel can make recommendations on whether all or some Councillors should be permitted to join the LGPS. It can also recommend whether pensionability should apply to the Basic Allowance, SRAs or both. This is the one binding recommendation that the Panel can make in a negative sense. In other words, if the Panel does not recommend that any Councillors should be able to join the LGPS then the Council cannot alter that recommendation to allow all or some Councillors to join. However, if the Panel recommends that all Councillors be permitted to join the LGPS and it should apply to both the Basic Allowance and SRAs then the Council can revise the scope of this recommendation downwards by, for instance by limiting it to SRA holders only, or just the Leader. Furthermore, individual Councillors can decline to join the LGPS if they feel it does not suit them. Presently, the Council does not have the option to decide on whether it should permit Councillors to join the LGPS as a previous Panel decision prevented the Council from doing so.
83. However, it is the view of this Panel that the Council should be offered the right to decide if Councillors should be able to join the LGPS, on the following grounds:
- It is not for the Panel to consider the personal circumstances of individual Councillors and their suitability regarding the LGPS
 - Exercising its only binding power removes the element of choice from both the Council and individual Councillor on deciding if the LGPS is appropriate on first a collective and then individual level
 - To do otherwise means that Councillors are being financially penalised by not having their remuneration benefiting from pension provision.
84. The Panel recognises that for most Councillors, membership of the LGPS will not provide a living pension for their retirement but it is designed to compensate for 'damage' that might have been done to their occupational pension by being a Councillor due to one or more of the following situations:
- Having to take unpaid leave from work

- Restricted overtime over working career
- Lack of normal career progression

85. Moreover, the Panel feels that pensionability could reduce a potential barrier to public service; which is one of its guiding principles. To 'close the door' by exercising its one binding power by taking a restrictive view vis-à-vis the LGPS would be inequitable. As such, the Panel also **recommends that all Councillors should be eligible to join the LGPS, applied to both their Basic Allowance and SRAs**. This recommendation then leaves the Council and individual Councillors to decide on issues of affordability, public perception and, if relevant, suitability for individual circumstances.

The Dependants' Carers Allowance

86. Presently, the **Dependants' Carers Allowance (DCA) provides reimbursement for care up a maximum of 15% of the BA. The Panel continues to support this arrangement**. However, there are it appears some issues of access to the DCA scheme as it is only paid out upon the production of receipts. The Panel believes this maintains an unnecessary barrier and **recommends that the DCA is amended to permit a Councillor to make a self declaration that states:**

- **The care has actually been provided**
- **The claim relates to attending approved duties only**
- **The actual amount claimed**

Provision for withholding Allowances

87. The Panel notes that the Allowances Regulations (2003, [Part 3 paragraphs 10. (7) (a-c)] permit Councils to cease payment to Councillors and Co-optees who have been suspended or partially suspended from their duties and to make provision for the repayment of allowances. It has to be specified in the scheme for the provision to be effective. The Panel feels that it would be remiss of the Council not to take advantage of this provision lest such a situation occur

88. **The Panel recommends that a clause is inserted into the Members' Allowances scheme and states:**

When an elected Councillor or Co-optee is suspended from acting as a member of the Council or a Committee they are appointed to after being found to be in breach of the Code of Conduct, then the Standards Committee should be empowered to suspend in whole or part the allowances payable to that Councillor and/or Co-optee.

89. **This provision should also apply to travel and subsistence allowances (for both Councillors and Co-optees, the Regulations do not permit the suspension of the DCA). In addition, where a suspension has already been served (but only confirmed after adjudication) the Council shall require the**

Councillor to repay any allowances received during that period. These provisions should be inserted into the new scheme.

Publication of Allowances, Rates and Terms and Conditions

90. The full schedule and rates of allowances including terms and conditions will be published in the Northampton Borough Council Members' Allowances Scheme, within the Constitution.

Confirmation of Implementation and Indexing

91. **The Panel recommends that the recommendations contained within this report (with any amendments) are implemented from the Annual Meeting of the Council in May 2008, with the exception of the lump sum travel allowance.**
92. **Furthermore, the Panel recommends and confirms the use of the following index for allowances:**
- **Basic Allowance, SRAs, Co-optees' and in-Borough travel and Subsistence Allowances: indexed to the annual local government percentage salary increase, (known as the 'spinal column point 49 of the National Joint Councils agreement) to be implemented from the date of the Council Annual Meeting commencing in 2009.**
 - **Travel and Subsistence (outwith): maintain current indexes, namely Officer casual user rate or AMAP rates where relevant, unless related to actual cost re-imburement.**
93. **The Panel further recommends that as per regulations the indices recommended by the Panel be utilised for four years, or until the Council requires a further review.**

Issues Arising

Councillors on Benefits

94. The issue arose during interviews that Councillors on benefits are generally financially worse off by becoming an elected Councillor through losing benefit entitlement both while they are a Councillor and in the longer term. Indeed it was an issue recognised by the Councillor Commission, which recommended that Councillor remuneration and expenses be disregarded for benefits purposes (recommendation 59). It is not an issue the Panel can directly address but it notes the government as not taken on board the recommendation of the Councillor Commission in relation to this issue. In the government's response to the Councillor Commission it has stated:

Income Support and Incapacity Benefit, already offer a more generous 'disregard' for councillors than for other occupations and earnings.³ There is also a generous treatment of expenses incurred through a councillor's duties. We do not intend to alter the existing arrangements (paragraph 78).

95. However, the Panel does recognise that many people who are on benefits who are deterred from standing for Council, as are Councillors who receive benefits are unaware of the "generous treatment of expenses incurred through a councillor's duties". The Council should publish in its guidance notes to the Northampton Borough Council Members' Allowances scheme the details of how and what allowances may be disregarded against various benefits.
96. The Council publishes annually those allowances claimed by Councillors during the previous financial year. **The panel recommends that attendance records for each Councillor be stated for each committee that they are members, and that this information is published quarterly and annually in the report to Council, that shows the amount of allowances claimed.**

Taxation Dispensation

97. Some Councils have negotiated a collectively higher taxation dispensation against their Councillors' allowances. **The Panel recommends that Council investigates this potential further.**

³ This is also true of the arrangements agreed for their replacement, the Employment and Support Allowance, which will come into force from October 2008 for new claims only.

Appendix One

Councillors and Officers who met with the Panel

Councillors:

Councillor Woods, Leader of the Council
Councillor Hadland, Leader of the Opposition
Councillor Davies, Leader of the Third Party
Councillor B. Hoare, Cabinet
Councillor Church, Cabinet
Councillor Christopher Malpas, Chair of Overview & Scrutiny Committee
Councillor Taylor, Chair of Licensing Committee
Councillor Caswell, Licensing Committee
Councillor Choudary, Licensing Committee
Councillor Perkins, Chair of Audit Committee
Councillor Clarke, Independent Councillor
Councillor Larrett, Back bench Councillor
Councillor Scott, Back bench Councillor
Councillor Paul Varnsvery, Back bench Councillor

Councillors Interviewed via Teleconferencing Call

Councillor Glynane, Deputy Leader of the Council
Councillor Simpson, Chair of Overview & Scrutiny Management Committee
Councillor Hollis, Chair of Planning Committee

Written Submissions

Councillor Woods, Leader of the Council
Councillor B Hoare,
Councillor Hawkins

Officers:

David Kennedy, Chief Executive
Francis Fernandez, Borough Solicitor
Frazer McGown, Meeting services Team leader

Appendix Two

Information and Evidence Received and Reviewed by the Panel

1. Panel Terms of Reference
2. Northampton Borough Council Members' Allowances Scheme 2007/08, including information on Members support/facilities
3. Summary of Councillors' Allowances and expenses claimed 2007/08
4. List of Northampton Borough Council Co-optees and expenses claimed/allowance received
5. Schedule of Meetings for Council, Executive and Main Committees
6. Briefing Paper on Northampton Borough Council, including information on decision making structures and calendar of council meetings
7. Members' Role Descriptions
8. Other IRP Allowances Reports – dates
9. Fact sheet on Northampton Borough Council
10. Statutory Guidance on Consolidated Regulations for Local Authority Allowances 2003
11. Statutory Instruments:
 - 2003 No. 1021 – The Local Authorities (Members' Allowances) (England) Regulations 2003
 - 2003 No. 1022 – The Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003
 - 2003 No. 1692 – The Local Authorities (England) Amendment) Regulations 2003
12. Summary of Local Government Analysis and Research (LGAR) 2006 Survey of Members Allowances (England) March 2007
13. Allowances schemes from Northampton Near Neighbours and other comparator authorities including nine largest districts in England
14. CIPFA Comparators
15. Top 10 comparator councils by population
16. Summary of Report of the Councillor Commission December 2007 and the Government's Response
17. Councillor attendance records 2006/07
18. Annual Survey of Hours and Earnings (ASH) 2007

Appendix Three – Chart of Allowances Paid in Comparator Councils

Council	BA	Leader's SRA	Total Leader (BA+SRA)	Deputy Leader	Cabinet	O&S MC	O&S Others
Aylesbury Vale	£5,148	£15,444	£20,592	£11,580	£10,296		£3,864
Basingstoke & Deane	£5,406	£18,030	£23,436	£12,008	£9,015		£6,004
Basildon	£5,484	£16,452	£21,936	£12,339	£10,968	£8,226	£4,113
Chelmsford	£5,380	£21,100	£26,480	£13,926	£10,550	£5,275	£4,220
Colchester	£6,000	£18,000	£24,000	£11,340	£10,800	£6,300	£6,300
Charnwood	£4,772	£11,931	£16,703	£8,352	£4,772	£3,341	£3,341
Huntingdon	£4,100	£13,562	£17,662	£10,200	£8,126		£6,109
New Forest	£5,316	£18,608	£23,924	£9,304	£9,304		£4,652
Northampton	£6,000	£10,000	£16,000	£4,000	£4,000	£3,000	£3,000
Min	£4,100	£10,000	£16,000	£4,000	£4,000	£3,000	£3,000
Max	£6,000	£21,100	£26,480	£13,926	£10,968	£8,226	£6,300
Mean	£5,290	£15,903	£21,193	£10,339	£8,648	£5,228	£4,623
Median	£5,380	£16,452	£21,936	£11,340	£9,304	£5,275	£4,220



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

27 OCTOBER 2008

Agenda Status: Public

Directorate: Chief Executives

Report Title	PARISH COUNCILS: COMMUNITY GOVERNANCE REVIEWS
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1. Summary

Cabinet at its meeting held on 26 September 2008 considered the report attached as Appendix 1 in respect of Community Governance Reviews of Wootton and East Hunsbury and Upton Parish Councils and have made a recommendation to Council.

2. Recommendations

That Community Governance Reviews of Wootton and East Hunsbury and Upton parishes be undertaken.

3. Report Background

Much of the background is contained in Appendix 1 of this report and has therefore not been rehearsed in this report.

3.1 Wootton and East Hunsbury

Following the results of a parish poll conducted on 19 June 2008 in the parish of Wootton and East Hunsbury on the proposition "That the existing Parish is split to create two new parishes each separately serving the areas of:-

- Wootton, Wootton Fields and Simpson Manor; and
- East Hunsbury"

3.2 Upton

At the meeting of Council on 8 September 2008 Upton Residents Association presented a petition to vary the Upton parish boundary.

Cabinet considered the attached report in terms of what further action should be taken and concluded that Council should be recommended to approve that Community Governance Reviews of Wootton and East Hunsbury and Upton Parishes be undertaken. Cabinet also decided, separately, that the costs of a Borough wide Community Governance Review (of the

remaining Borough area) should be assessed by officers and reported as part of the annual budget process.

4. Implications (including financial implications)

4.1 Resources and Risk

A further report will be submitted to Cabinet in respect of the resources issues of carrying out the Community Governance Reviews of Wootton and East Hunsbury and Upton Parish areas.

4.2 Legal

Under the Local Government Act 1972 and the Local Government, Public Involvement and Health Act 2007, the Council is required to respond to the parish poll and parish petition.

4.3 Other Implications

There are no other implications arising directly from this report.

5. Background Papers

Report to Cabinet 26 September 2008, Parish Councils: Community Governance Reviews.

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Appendices

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NORTHAMPTON
BOROUGH COUNCIL

Item No.
APPENDIX

CABINET REPORT

Report Title	PARISH COUNCILS: COMMUNITY GOVERNANCE REVIEWS
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	26 September 2008
Key Decision:	NO
Listed on Forward Plan:	NO
Within Policy:	YES
Policy Document:	NO
Directorate:	Chief Executive's
Accountable Cabinet Member:	Councillor B Hoare
Ward(s)	Nene Valley, East Hunsbury, West Hunsbury

1. Purpose

- 1.1 To report on the Wootton and East Hunsbury Parish poll and the Upton Parish petition and to propose a way forward for these matters.

2. Recommendations

- 2.1 That Cabinet recommends in principle to Council either;
- (a) the undertaking of a community governance review of the seven parishes within the Borough that will include the matters raised by Wootton and East Hunsbury and Upton Parishes; or
 - (b) the undertaking of a community governance review of either or both of Wootton and East Hunsbury and Upton Parishes without a concurrent review of the remaining five parishes, which may be held at a later date.
- 2.2 That in light of whichever option in 2.1 above is recommended, a further report on the terms of reference, governance arrangements and resource

implications be submitted to Cabinet before Council consider this matter in order that Council may make a final decision based on all the facts.

3. Issues and Choices

3.1 Report Background

Wootton and East Hunsbury Parish Poll

3.2 Following a meeting of the Parish Council on 21st May 2008 the Borough Council was requested to undertake a parish poll on the question:-

“That the existing Parish is split to create two new parishes each separately serving the areas of:

- Wootton, Wootton Fields & Simpson Manor
- East Hunsbury”

3.3 Consequently the parish poll was held on 19th June 2008 organised by the Borough Council in accordance with the Local Government Act 1972. There voted in favour of the proposition 381 and 85 against. This was a turnout of 3.8%.

3.4 The Council must now respond to the result of the poll and consider whether a review which would follow the provisions of the Local Government & Public Involvement and Health Act 2007, should be carried out bearing in mind the low turnout. The steps involved in a review are set out in paragraph 3.11 below.

Upton Parish Petition

3.5 On 8th September 2008 Upton Residents Association presented a petition to Council under the provisions of the Local Government & Public Involvement & Health Act 2007. The petition requested that Upton Parish boundary be reviewed in the light of recent and proposed development in the area. Under the 2007 Act the following steps have to be undertaken to confirm competency of the petition:-

- that signatures are on the current electoral register for the Parish of Upton;
- that the competent signatories represent 10% or more of the electorate of the existing Upton Parish (in this case 250); and
- that the petition defines the detail of the requested review showing the revised boundaries requested.

3.6 The petition has been verified and unfortunately it is not complete in that 30 of the signatories were not on the electoral register for the parish area as required in the legislation. This took the total of valid signatures to below the required 250.

3.7 The Council is obliged by the 2007 Act to respond to the petition. Notwithstanding the fact that the petition is not competent the Council could still exercise its discretion under the 2007 Act to carry out a review. The issues identified by the Upton petition are logical and their proposals are likely to address the current anomalous situation and therefore it appears sensible that a review be undertaken. The Council can undertake a review of its own volition in these circumstances.

Parish Reviews

3.8 Under the Local Government and Public Involvement and Health Act 2007 community governance reviews provide an opportunity for principal councils to review and make changes to the arrangements in place in their areas. The reasons for carrying out a review may be due to changes in population, new development or in reaction to specific local issues. The guidance issued by the Department of Communities and Local Government and The Electoral Commission recommends that such reviews should be considered every 10-15 years if circumstances do not require an earlier review.

3.9 There are two triggers for a review. Firstly, the Council itself can decide to carry out a review as part of its community governance arrangements and secondly, it can be requested to do so via a petition as applies in the Upton case. Notwithstanding the 10-15 year review cycle described above reviews can be considered and undertaken on any frequency.

3.10 The last parish review of Northampton was carried out in 1991 so it would seem opportune to consider the feasibility of a review of all seven parishes at this time. The Council may also consider a review of unparished areas to consider whether additional parishing may be appropriate. If so, the steps set out in para 3.11 below would need to be carried out for each parish. This is likely to be the more resource intensive option.

3.11 A parish review comprises the following steps;

- the Council must set the terms of reference of the review and publish them;
- in the case of a petition being received the review must be carried out within 12 months of its receipt by the Council;
- the Council must consult with any other public authorities, schools, residents associations, community forums or similar within the area;
- the Council must consult with businesses based in the area and people who may work within the area (but not live there); and
- the results of the consultation must be analysed and together with recommendations agreed by the Council submitted to the Electoral Commission (within 12 months of starting the review).

3.12 In respect of a parish poll it is at the discretion of the Council as to whether a review should be carried out. If so the 12 months runs from the date of exercising the discretion.

3.13 Options

3.13.1 A borough-wide parish review could be undertaken that would automatically include the Wootton and East Hunsbury and Upton parish issues raised in the poll and the petition.

3.13.2 A review of just one or both of the parishes of Wootton and East Hunsbury and Upton could be undertaken. This would represent the minimum response required of the Council by the 2007 Act.

3.13.3 If 3.13.2 above were adopted a community governance review of the remaining five parishes could be undertaken at a later date and guidance suggests that this should be in the next few years.

3.13.4 Whichever of these options is pursued will require a further report on the terms of reference, governance arrangements and resource implications of the proposed way forward.

4. Implications (including financial implications)

4.1 Policy

There is no standing policy on these matters.

4.2 Resources and Risk

Once Cabinet have indicated in principle what is to be recommended to Council, a further report dealing with, amongst other things, resource implications will be prepared to inform Cabinet further before Council are asked to make a decision.

Clearly the option to carry out a full community governance review would be more expensive and would require staff time to be invested.

4.3 Legal

Under the Local Government Act 1972 and the Local Government and Public Involvement and Health Act 2007 the Council is required to respond to the parish poll and the parish petition.

4.4 Equality

There are no implications arising from this report but there may be in terms of any subsequent report on the methodology of any review undertaken.

4.5 Consultees (Internal and External)

Wootton and East Hunsbury Parish Council and Upton Parish Council have approached the Council via the mechanisms allowed by the Local Government Act 1972 and the Local Government and Public Involvement and Health Act 2007.

This report sets out the Council's response to these approaches. There has not been wider consultation but clearly there will need to be as part of any review.

How the Proposals deliver Priority Outcomes

This report reflects a response to improve community engagement and governance triggered by provisions of the Local Government Act 1972 and the Local Government and Public Involvement and Health Act 2007 and by concerned citizens.

4.6 Other Implications

None applicable

5. Background Papers

Wootton and East Hunsbury Parish Poll – 19th June 2008
Upton Parish Petition – 8th September 2008

Guidance on Community Governance Reviews – April 2008 Department for Communities and Local Government/The Electoral Commission

Report Author, Title and Extension

David Kennedy, Chief Executive x7726

Ross Thompson Elections Team Leader x 7332

Frazer McGown Meetings Services Team Leader x7101

CABINET REPORT

SIGNATORIES

Report Title	NAME OF REPORT AS IT IS TO APPEAR ON THE AGENDA
Date Of Call-Over	DD / MM / YYYY

Following Call-Over and subsequent approval by Management Board, signatures are required for all Key Decisions before submitting final versions to Meetings Services.

Name	Signature	Date	Ext.
Monitoring Officer or Deputy			
Section 151 Officer or Deputy			



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

27 October 2008

Agenda Status: Public

Directorate: Chief Executive

Report Title	Changes to the Constitution
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1. Summary

Changes to the Council's senior Management Structure, operational from 1st October 2008, requires changes to the constitution to reflect the new titles of senior managers. This report seeks authority from Council for powers to be delegated to the Borough Solicitor and Monitoring Officer to make the changes and publish a revised constitution.

2. Recommendations

That Council delegates powers to update the Constitution, especially Part 8 ('Delegations to Officers by the Council, its Cabinet and Committees'), to the Borough Solicitor and Monitoring Officer so that he may make adjustments to the Constitution to reflect the new senior management structure in consultation with the Chief Executive and Leader of the Council.

3. Report Background

- 3.1 Section 37 of the Local Government Act 2000 requires Councils to prepare and keep up to date their constitutions. In addition, article 16 of the Council's constitution places a duty on the Chief Executive in conjunction with the Monitoring Officer to monitor and review the constitution.
- 3.2 The recent senior management restructure, included changes to Officer roles and titles. The new senior management structure no longer has Corporate Managers, who have been replaced by Heads of Service. The scheme of delegations in part 8 of the constitution will need to be adjusted so as to enable the new Heads of Service to exercise delegated powers that now fall within their remit. Whilst the new Heads of Service can still exercise these powers now, the recommended changes will greatly assist in making Officer decision-making clear and transparent.

3.3 If Council approves this report it is anticipated that an amended constitution will be published in the next 2 weeks. Officers and members will receive electronic versions of the amended constitution shortly thereafter.

3.4 For the avoidance of doubt, the Borough Solicitor is not seeking authority from Council to add to, omit or otherwise amend the functions which officers are empowered in the existing Constitution to discharge or to make any changes other than title changes and clarification of new management structures within the constitution.

4. Implications (including financial implications)

4.1 Resources and Risk

There are no specific resource implications apart from staff time to make the changes to the constitution and the cost of paper copies of the amended constitution in cases where requests are specifically made for such copies.

4.2 Legal

4.2.1 If Council passes the resolution, as recommended, the Borough Solicitor will arrange for the Constitution to be updated appropriately.

4.2.2 Officers now discharging or asked to discharge the functions in the existing Constitution will then be clearer about their responsibilities, and service-users and other third parties dealing with the Council will benefit from this clarity.

4.2.3 Until the Constitution is brought up to date, the Council is exposed to the risk of legal challenge that some of the important decisions taken by its officers are invalid by reason of improper delegation under the scheme of delegation in part 8 of the Constitution.

4.3 Other Implications

None specifically.

5. Background Papers

FJF Constitution file.

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NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

27 OCTOBER 2008

Agenda Status: Public

Directorate: Chief Executive's

Report Title	CONFIRMATION OF APPOINTMENTS OF MONITORING OFFICER AND SECTION 151 OFFICER
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1. Summary

Following the restructure of the Council, which took effect on 1 October 2008, there is a need to reaffirm the appointments of the Monitoring Officer and Section 151 Officer due to the re-titling of the post of Solicitor to the Council to Borough Solicitor and Director of Finance to Director of Finance and Support.

2. Recommendations

1. That Council affirms the appointment of Francis Fernandes, Borough Solicitor, as the Council's Monitoring Officer.
2. That Council affirms the appointment of Isabell Procter as the Council's Section 151 Officer.

3. Report Background

A The Monitoring Officer

- 3.1 Section 5 of the Local Government and Housing Act 1989 places a statutory duty upon the Council to appoint a Monitoring Officer to conduct the functions and duties contained within Section 5 of the Act and other relevant legislation. The role oversees legality and governance issues and places a duty on the office holder to report to the Council if they think any proposal, decision or omission would give rise to unlawfulness or maladministration.
- 3.2 The Monitoring Officer also has the role of promoting and maintaining high standards of conduct and probity and in this role supports the Council's Standards Committee and advises individual members on compliance with the Council's Code of Conduct.
- 3.3 Other duties include being the proper officer for ensuring executive decisions, reports and background papers are publicly available and ensuring registers of interest are properly maintained.

3.4 Francis Fernandes has occupied this role as Solicitor to the Council and is recommended to continue it as Borough Solicitor.

B The Section 151 Officer

3.5 Section 151 of the Local Government Act 1972 requires Councils to “make arrangements for the proper administration of their financial affairs and secure that one of their Officers has responsibility for the administration of those affairs”.

3.6 Isabell Procter has occupied this role as Director of Finance and, as currently, Director of Finance and Support, has the appropriate qualifications required by Section 113 of the Local Government Finance Act 1988, ie she is a member of the relevant accountancy body and can act with appropriate authority to fulfil the role of Section 151 Officer and is recommended accordingly.

4. Implications (including financial implications)

4.1 Resources and Risk

Financial Implications

There are no financial implications resulting from this report as both postholders have been carrying out these roles in the old Council structure and this has been taken into account in the job evaluation of the revised posts.

4.2 Legal

If the Monitoring Officer and the Section 151 Officer are not in place the Local Government Act 1972 and the Local Government and Housing Act 1989 would be breached, leaving the Council open to significant challenge if either of these posts is unfilled.

4.3 Other Implications

None.

5. Background Papers

None.

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