MINUTES

OF THE PROCEEDINGS OF A MEETING OF NORTHAMPTON BOROUGH COUNCIL HELD AT THE GUILDHALL, NORTHAMPTON, ON MONDAY 13 SEPTEMBER 2010 AT SIX THIRTY O’CLOCK IN THE EVENING

PRESENT: The Deputy Mayor, Councillor Lane (in the Chair)


1. DECLARATIONS OF INTEREST

Councillor Hadland declared a Personal and Prejudicial interest in item 12, Appointments to Municipal Church Charity as a paid Trustee of the charity.

Councillor Duncan declared a Personal interest in item 12, Appointments to Municipal Church Charity, as a Trustee of the charity.

Councillors Church and Woods declared a Personal interest in respect of item 6, Member and Public Question Time, (Councillor Mildren’s question in respect of the transfer of powers from WNDC), as Board members of WNDC.

Councillors Capstick and Flavell declared a Personal interest in respect of item 6, Member and Public Question Time, (Councillor Mildren’s question in respect of the transfer of powers from WNDC), as members of WNDC’s Northampton Planning Committee.

2. MINUTES.

The minutes of the meeting held on 12 July 2010 were signed by the Deputy Mayor as a true record.

3. APOLOGIES.

Apologies were received from the Mayor and Councillors B. Markham, I. Markham, Mason and Reeve.

4. MAYOR’S ANNOUNCEMENTS.

The Deputy Mayor noted the recent death of Joan James, the wife of former Mayor
The Deputy Mayor reported on the success of the Heritage Open Days, the previous weekend, and in particular the assistance given by Dan James, a member of the Youth Forum, to a member of the public who had been taken ill on one of the guided bus tours.

5. PUBLIC COMMENTS AND PETITIONS

Sheron Watson, a member of Eastfield Residents Association, a concerned resident and speaking on behalf of residents of both Eastfields and Thorplands, stated that she was complaining about the lack of information to residents about the PFI project. Residents had not been asked about what they wanted. Residents wanted improvements but not the demolition of their homes. If the Council wanted residents buy-in, then the Council needed to convince residents. Residents had been told in June that plans would be available in August but this had not been so. The residents seemed to be faced with continual brick walls; they did not want to come to meetings such this to complain. Sheron stated that she would not attend any more Steering Group meetings until there was something to show residents. The Council should concentrate on the work that needed doing and not stressing out residents about demolition of their homes; there needed to be a proper two way dialogue with residents.

Shaley Watson, a Council Tenant on the Eastfield Estate expressed concerns in respect of the Council's Tenants Survey conducted in 2009 that had played a large part in putting together the initial PFI bid. This survey had concentrated on the flats and maisonettes. People had chosen as priorities, internal improvements, heating, cleaning and communal areas. No-one had asked for their home to be demolished. She had surveyed all 407 homes, as opposed to the Council’s survey of 122 (from which there had been 77 returns), the results of which would be given to the Director of Housing once completed.

Colin Bricher stated that the Council was in an invidious position of having to use the process whilst there were doubts about it’s future. He believed what needed to be established was whether the project represented value for people; most of the flats and maisonettes in Eastfield were in a dire state. Somehow PFI would need to make a profit. The project could benefit the whole area; a few compulsory purchase orders might be necessary but this might not be value for those involved. Mr Bricher was dismayed at the township that had sprung up on the former St Gregory’s school site in Grange Road: this was not regeneration. He had been told that the PFI project would not be like this but there were no guarantees. He did not doubt the integrity of Councillors or most Officers but details of the proposals were hard to come by. Residents were concerned that they were being asked to buy into something without any details and that once a deal was signed they would lose any right of veto: or it would be forced through. If the project just concerned the flats and maisonettes everyone would be delighted however the only apparent reason for demolishing other properties was for commercial reasons to cram in so called affordable housing to make a large profit. Furthermore, any green space might be seen as opportunity sites for further development. These homes would be occupied by newcomers, not Eastfielders, and this would detract from the excellent work of
local groups to create one Eastfield area rather than the Council Estate and the rest.

Beverley Mennell commented that she had submitted complaints to the Council about wastage: one example was postage. In the current economic situation the Council needed to make savings across all of its budgets. She particularly referred to the Tenant Participation section and the use of pre-paid envelopes for course evaluation forms that could be completed at the time. Beverley also referred to Sheltered Housing and the Call Care Service. Concerns had had been expressed to her as to what constituted an emergency for a tenant to legitimately use the pull cord. She asked if the Portfolio Holder would respond in writing to her.

Chris Swinn referred to the Leader of the Council’s Portfolio Holder report and the reference in it to preparation of the 2011/12 budget. He noted that although the Tenant Services Authority was to be subsumed by the HCA it would remain in being for the next year or so and therefore the Council would still need to meet requirements for tenant scrutiny. Tenants were not being consulted about housing funds: this needed to be scrutinised and it needed to be accountable to tenants. There should be a Tenants Scrutiny Group. Although the Audit Commission was to be scrapped the Key Lines of Enquiry should be retained.

Martin de Rosario referred to the services provided by the YMCA to young people in terms of providing security, food, shelter and activities. The removal of the bus was a great loss. In Goldings there was no community Centre or other facilities for young people. He hoped that help could be found to keep the bus running.

Mr Baker thanked the Portfolio Holder for Environment for the Britain in Bloom displays and the progress made on recycling. He hoped the Council would do well in the national Britain in Bloom competition.

6. MEMBER AND PUBLIC QUESTION TIME

The Deputy Mayor advised that fifteen questions had been received from members of the public and Councillors and that they and the answers had been tabled in accordance with the Constitution.

Norman Adams asked Councillor Beardsworth as the relevant Portfolio Holder what were the fixed intervals for monitoring asbestos in the 1104 registered for this purpose. Councillor Beardsworth commented that monitoring took place annually through a letter that provided an asbestos statement for tenants. The letter asked tenants to notify the Council of any damage or concerns they might have. Mr Adams asked Councillor Beardsworth if she agreed with him that tenants should not have to do their own monitoring and if this was to be the case what training would tenants be given to help them decide if they had problems? Councillor Beardsworth commented that tenants should not be treated differently from house owners: it was a question of common sense.

Norman Adams asked Councillor Beardsworth as the relevant Portfolio Holder for an update on the vacation of 2 St Luke’s House by CASPAR. Councillor Beardsworth commented that the CASPAR office would close to the public on 10 September 2010 and the office would be vacated shortly thereafter. The property
would then be inspected, any remedial works carried out and it would be relet at the earliest opportunity.

In the absence of Mr Clarke it was noted that his questions and the responses would be sent to him.

Councillor Larratt asked Councillor Crake as the relevant Portfolio Holder about Avon and the General Hospital’s use of car park spaces at Midsummer Meadow as tabled and noted the response. As a supplementary question he asked if there had been a reduction in disabled spaces available: if so had there been any consultation on this and did the car park conform to any appropriate standards? He had noted that on two occasions recently there had been either no public spaces available or only one or two. Councillor Crake commented that the car park was for short stays with a two hour rotation. She noted that the current agreements ran until the end of September when the situation would be reviewed. In principle she would be happy to make more public spaces available. She did not believe that the number of disabled spaces had been reduced but would confirm this to Councillor Larratt.

Councillor Palethorpe asked Councillor Crake as the relevant Portfolio Holder whether market stalls rents had been increased over the last twelve months as tabled and noted the response. As a supplementary question he asked the Portfolio Holder to check the situation as Market Traders had commented that charges had been increased. Councillor Crake commented that her response was accurate; there had been no increases since 2006 and that she would confirm this to Councillor Palethorpe.

Councillor Palethorpe asked Councillor Perkins as the relevant Portfolio Holder about the Council’s responsibility to support local businesses and noted the response as tabled.

Councillor Clarke asked Councillor Brian Hoare as the relevant Portfolio Holder what percentage of fly-tipping was removed by the Council within two working days and noted the response as tabled. As a supplementary question Councillor Clarke invited Councillor Hoare to revise his response given that the reported percentage did not include fly tips on all land under different Council ownership.

Councillor Clarke asked Councillor Perkins as the relevant Portfolio Holder what involvement he or the Council had had in the personnel procedures and practices of the Friends of Delapre Abbey and noted the response as tabled. As a supplementary question Councillor Clarke commented that following a meeting of “dissidents” of the Friends attended by Councillor Perkins where personnel issues had been discussed an employee has been suspended. It appeared that the allegations were false. He asked why he had interfered? Councillor Perkins stated that he had attended meetings of the Friends to try to bring the opposing sides together; he had not been involved in any personnel issues.

Councillor Clarke asked Councillor Church as the relevant Portfolio Holder whether the filtration system in the Market Square fountain was sufficient to deal with cryptosporidium parvum parasite infection from animals and birds and noted the
answer as tabled. As a supplementary question he noted that swimming pools and fountains were not the same thing and that the treatments were not suitable for fountains. Did the treatments guard against infections from airbourne water droplets? Councillor Church noted that Councillor Clarke kept denigrating a successful feature and that many similar fountains had been installed up and down the Country. The procedures in place satisfied Environmental Health and the Institute of Sports and Recreation Management amongst others. He suggested that Councillor Clarke should stop scaremongering. Absolute removal of risks was impossible but the Council had taken all reasonable steps to reduce the risk.

Councillor Hawkins asked Councillor Beardsworth as the relevant Portfolio Holder the effects on vulnerable customers and in particular the sheltered housing service if the County Council were to reduce their funding of Supporting People and noted the response as tabled. As a supplementary question she commented that she had hoped for a more detailed response and asked whether the meetings the Portfolio Holder had referred to were minuted? Councillor Beardsworth commented that the County Council’s Cabinet were due to make a decision on Supporting People funding during October and that the meetings she had were with her counterpart at the County Council and their officers. The County Council’s decision would determine what funding would be available and therefore what services could be provided.

Councillor Hawkins asked Councillor Beardsworth as the relevant Portfolio Holder why a site at Northwood Road could not be used for single persons accommodation and which policy governed this and noted the response as tabled. In referring to the Speakers earlier in the meeting she commented that the development of Northwood Road in conjunction with the PFI project and reduce the concerns of people in existing single persons accommodation. She asked, as a supplementary question, how local concerns and needs were overridden by a strategic whole. Councillor Beardsworth commented that that the Business Case would be shared with tenants so that they would know what was going to happen. The strategic element was important to know what overall needs were; in this case more family accommodation was needed for the future.

Councillor Mildren asked Councillor Brian Hoare as the relevant Portfolio Holder whether he agreed that the Council did not have the expertise to take back work from the WNDC and that the dismantling of WNDC should commence as soon as possible and noted the response as tabled. As a supplementary question he asked why a three year transition was needed and hoped that a quicker arrangement was being campaigned for. Councillor Hoare commented that he did not recall people objecting to the creation of WNDC. It was a statutory body which had just undertaken a five year review. The return of some planning powers was welcomed but the demise of WNDC would be determined by the Government.

Councillor Mildren asked Councillor Brian Hoare as the relevant Portfolio Holder if he could confirm that contingency plans were in hand to protect the vulnerable pending the results of the Government’s Comprehensive Spending Review and noted the response as tabled. As a supplementary question he asked what organisations the Council was working with. Councillor Hoare indicated that he
would write to Councillor Mildren with a list of those organisations the Council was working with.

Councillor Mildren asked Councillor Beardsworth as the relevant Portfolio Holder that inspections of sheltered housing properties would be made before people moved in and noted the response as tabled. Councillor Mildren as a supplementary question commented that people could be moving into unfit properties as had been highlighted in the letter published by the Chronicle and Echo. Councillor Beardsworth reported that most works were done prior to a tenant moving in however some small jobs were left until afterwards. This enabled people to move in more quickly.

7. CABINET MEMBER PRESENTATIONS

At this point each of the Portfolio Holders made a presentation of their respective portfolios that had been circulated with the agenda.

Councillor B. Hoare submitted his Portfolio Holder report and noted in response to Mr de Rosario that the decision about the future of the YMCA bus was not for the Council to make. Councillor Hill enquired whether the proposed reception for the Saints Rugby Football Club to mark their success in the Premiership during his Mayoralty had in fact taken place: if not could it be arranged. Councillor Hoare commented that he thought that it had taken place but would check. Councillor Clarke noted that Northampton Town Football Club had been told by the Council to get on with its plans. Good Councils worked with their professional sporting clubs to make improvements. Combative comments from the Leader and Deputy Leader did not help. Most organisations sought to come to an understanding about planning issues before submitting planning applications. Councillor Hoare commented that the Council had worked with both clubs. The Saints could have had discussions with the Council’s Planners and WNDC. Councillor Glynane invited Councillor Hoare to comment on the condition of the athletics facilities which the Football Club had not yet brought up to standard. Councillor Hoare noted that these comments had been made previously to Council by the public. They were contractual matters between the Football Club and the Athletics Club. Councillor Mildren asked if Councillor Hoare would agree that in terms of the 2011/12 Budget the anticipated cuts of 25% was actually 6.25% over each of the next four years; it was unlikely to be 25% in a single year. Councillor Hoare agreed with this. Councillor Clarke in referring to the Athletics Club noted that the Football Club had spent £7,000 on floodlighting, £6,000 on washing the running track and that 60% of the rent was put into a reserve to make further improvements. He commented that the allegations were unfounded. Councillor Hoare noted that Councillor Clarke was likely to know more about what was going on. Councillor Davies stated that he was a supporter of protecting the Town Centre but was becoming concerned that the lack of activity by Legal and General would lead to missed opportunities elsewhere. Councillor Matthews asked if Councillor Hoare would agree that the Football Club had responsibilities towards the Athletics Club but these facilities were not up to standard: bearing in mind the Olympics in 2012 should not the Council invest in it. Councillor Hoare commented that Sixfields was leased to the Football Club and the Athletics Club had a licence from the Football Club to use the athletics facilities. Councillor Palethorpe noted that £60,000 was needed to bring the athletics track up to international standard.
Relocating the Athletics Club was what the Football Club wanted so that they could carry out the redevelopment that they wanted. The Council seemed to be saying submit a planning application and by the way you have no chance in terms of the elements that might make the whole scheme work. He asked why the Clubs should not make planning applications and let the planning process be the arbiter. HCA supported the Asda proposal made by the Saints. Councillor Hoare commented that it was for the Saints to decide what expansion it wanted and how it was to be funded. He noted that the redevelopment of Franklins Gardens had been financed through a share issue. Applications in respect of other sites were not connected.

Councillor B. Hoare submitted Councillor B. Markham’s Portfolio Holder report in his absence. Councillor Meredith noted the improvements to the Council’s website and to the First Stop Shop. He suggested that all Councillors should visit the One Stop Shop.

Councillor Perkins submitted his Portfolio Holder report. Councillor Clarke noted that an area of amenity land at Exeter Place was included in a second tranche of proposed asset disposals. He also noted that although the land was described as “low value amenity space”, it was held in high regard by residents who were angry about the proposed disposal. He commented that each site should be considered individually rather than sites being grouped together. Councillor Perkins commented that a report would be submitted to Cabinet on 15 September 2010; Councillor Clarke was presuming that some or all of the disposals would be agreed to. The future use of the land at Exeter Place would be subject to Planning. The discussion at Cabinet should not be predetermined. Councillor Malpas commented that in respect of the proposed disposal of the shop in Valley Road, residents and Planning were in favour of the premises being used for housing: was there a possibility that a Housing Association could take it over? Councillor Perkins stated that each of the proposals had been considered before being brought to Cabinet as set out in the Asset Management Strategy. Disposing of a site was not the same as planning although in this case the end use was likely to be as suggested. Councillor Mildren noted that land could be sold with a restrictive covenant. Councillor Perkins repeated that any decision Cabinet might make should not be prejudged. Councillor Hadland noted that the purchaser of a site would influence the future use of a site. Councillor Perkins agreed adding “subject to planning”.

Councillor Beardsworth submitted her Portfolio Holder report. Councillor Hadland referred to the concerns expressed earlier in the meeting by members of the public in respect of the PFI project in Eastfield. Councillor Beardsworth stated that Steering Groups for Eastfield and Thorplands had been set up comprising tenants, leaseholders and property owners. She had stepped back from these Groups to allow them make their own decisions. She also acknowledged that there had been a delay in getting information to them. Councillor Hadland commented although the Portfolio Holder was saying that the Council was working closely with all groups, the residents should be able to get what they wanted from the project but this did not appear to be the case. Councillor Beardsworth stated that she had asked that there should not be any political involvement but this had not been what had happened. She acknowledged the frustrations expressed by the residents. Progress could not be made until the business case had been finalised. Councillor Palethorpe stated
that the County Council managed the Government funding of Supporting People: what input was the Portfolio Holder having to argue the case for the Council to continue receiving Supporting People funding? Councillor Beardsworth noted that the ring fencing of the Supporting People Fund had been removed. Everyone shared the same concerns and were working with each other. The most vulnerable must be supported. Councillor Palethorpe concurred but queried why the Supporting People Board had not met recently. Councillor Beardsworth stated that the last meeting had been cancelled but that she had had a separate meeting with County Council Officers. Councillor J. Lill stated that residents of sheltered housing in Blackthorn had been told that their homes were to be demolished. Councillor Beardsworth stated that she was not aware of any such proposal. In answer to a comment from Councillor Clarke, Councillor Beardsworth commented that the national situation had to be accepted but that services to the most vulnerable should not be cut.

Councillor Church submitted his Portfolio Holder report and drew attention to progress being made in respect of the redevelopment of Grosvenor/ Greyfriars. In answer to a question from Councillor Larratt, Councillor Church noted that the redevelopment of Grosvenor/ Greyfriars represented the single biggest investment (£300m) that had ever been made in the Town Centre. The “away day” was an opportunity for all the public bodies involved to meet and consider the issues that arose from the redevelopment. Councillor Mildren commented that a letter had been sent to all Councillors by Legal and General in June about the signing of the legal agreement and including a statement about the sporting clubs proposals and the impact on the Town Centre. He had written a response but not had a reply. Councillor Church commented that Councillor Mildren had at that time been a member of the Cabinet that had agreed the Legal Agreement: as a Councillor he could ask for information at any time. Councillor Hill noted that the Bus Station was operating at near capacity and that Stagecoach were due to take over some of First Bus’s services. He enquired as to whether it currently and the future proposals for it would have sufficient capacity to meet demand. Councillor Church stated that he always been unconvinced that the Bus Station had been adequate and that the new facility must be able to meet both current demands and those in the foreseeable future. Councillor Hill in noting the response queried what could be done until a new facility was provided. Councillor Palethorpe remarked on a recent meeting in Spring Boroughs in respect of future development. This was welcome: everyone agreed the need for regeneration. He felt that progress needed to be made in a considered way. The meeting had received a good presentation and all the local Councillors were part of the working group. Councillor Church thanked Councillor Palethorpe for his comments and stated that it was important that the local community were fully engaged.

Councillor Clarke moved and Councillor C. Lill seconded that Council Procedural Rules be suspended so as to allow completion of Portfolio Holder Reports. Upon a vote the motion was carried.

Councillor Clarke commented that the residents of Eastfield did not feel involved. He queried why there were seven members on the Members Panel including four Portfolio Holders. Residents wanted to be involved from the start. It appeared that
the Administration were stacking the odds. Councillor Church explained that Housing, Community Engagement, Environment and Planning & Regeneration were all significant elements of the project: this was mirrored by Officer representation from a wide number of departments. It was hoped that issues could be agreed by consensus rather than through formal votes. He hoped that Councillor Clarke would be involved.

Councillor Paul Varnsverry submitted his Portfolio Holder report and thanked all the volunteers involved with the Heritage Open Days. He also congratulated the Youth Forum for their production of the Guildhall Guide and Northampton and Rugby Athletics Club on their recent success. He noted that Leisure Service Direct Debits had risen by 13%. Councillor Clarke stated that he believed that the County and Borough Councils were wasting time and effort on a Countywide Alcohol Reduction Strategy and invited the Portfolio Holder to comment on a recent report that suggested that alcohol related incidents were at their lowest level since 1948 and that there had been a reduction of 6% last year alone. Councillor Varnsverry commented that the County had been red flagged for not having an Alcohol Reduction Strategy and that he would examine the report referred to. Councillor J. Lill asked if the Portfolio Holder was going to refer to the quiz nights run by the Museum staff in their own time. He thanked Councillor Lill for her comment.

Councillor Crake submitted her Portfolio Holder report. Councillor Hadlend enquired as to when the Market Liaison Group had last met and commented that despite her response to a question earlier in the meeting stall holders were telling him that market rents had increased. Councillor Crake stated that informal meetings with the market traders had been taking place but that the Market Liaison Group would be reinstated. Some Saturday rents had increased by £2.50 but otherwise rents had not been increased since 2006: She would confirm the position to Councillor Hadland. Councillor Golby commented that the success of the market was important and asked how it was promoted and what success had there been in attracting new stall holders. Councillor Crake commented that a booklet had been produced and that vacancies were to be advertised the following week. The traders benefited from subsidised car parking, electricity was included in the rent and if a trader was sick for longer than two weeks they could claim the rent back.

8. OPPOSITION GROUP BUSINESS

Councillor Larratt stated that the Town had looked good this year and acknowledged the investments made in Gold Street, Marefair, the Market Square, and All Saints and the flower displays for Britain in Bloom and the pride of lions. These represent significant investment by the tax-payer generally. He asked what the return on this investment was: was there better quality retailing, improved shop fronts or new retailers? The answer appeared to be, generally, no. The Council did not appear to be securing a great deal of development. How were the returns on the public realm investment being measured. With the changes to retailing patterns nationally the Council needed to respond accordingly.

Councillor Church thanked Councillor Larratt for his comments and stated that the Town had had its best summer with the events on the Market Square, the fountain, the lions and the Britain in Bloom displays all coming together. He stated that Councillor Larratt was right to query the returns on these investments. A £2.3m
investment had been made in the Grand Hotel, House of Frazer had invested £1m in their premises and footfall on the Market Square was consistently up. In terms of the recession and the number of vacant premises in the Town Centre, Northampton compared very favourably with other towns and cities. If more people came to the Town then investment would follow. There were two current planning applications for restaurants in the Town Centre and he referred to the recently opened Nandos and stated that family orientated restaurants were welcome.

Councillor Larratt commented that he was pleased that Councillor Church had highlighted these successes but queried whether this was the right level of return that the investment made deserved. He asked whether the Town had decided upon its niche market so that it stood out from other places. He had attended a conference in Edinburgh where it had been noted that online retailing, as a total of all retailing was set to expand from 20% of the market to 50% by 2020. What would this mean for town centres or for Grosvenor/ Greyfriars.

9. TREASURY MANAGEMENT OUTTURN 2009-10

Councillor Perkins submitted a report set out the Council’s performance in relation to its borrowing and investment strategy for 2009/10, informed Council of a technical breach of the treasury indicator for fixed rate interest rate exposure for 2010/11 which he gave an explanation of and requested a change to the change to the treasury indicator for fixed rate interest rate exposure for 2010/11. Councillor B. Hoare seconded the report.

RESOLVED: 1. That the Treasury Management Performance in 2009/10 be noted.

2. That the technical breach of the treasury indicator for fixed rate exposure for 2010/11 be noted.

3. That a change to the treasury indicator for fixed rate interest rate exposure for 2010/11 from zero to £10m be approved.

10. MEMBERS’ ALLOWANCES 2009-10


Councillor Davies commented that the report contained an error perpetuated from last year’s report in respect of himself and that money in question had been repaid. He requested that all Councillors have an opportunity to comment on their own payments before this information was published.

RESOLVED: That the report be noted.

11. APPOINTMENT TO THE BOARD OF NORTHAMPTONSHIRE ENTERPRISE LIMITED

Councillor B. Hoare submitted a report that sought agreement to an appointment to the Board of Northamptonshire Enterprise Limited (NEL). Councillor Palethorpe
seconded adoption of the report.

RESOLVED: That the Leader of the Council be appointed ex officio to the Board of Northamptonshire Enterprise Limited.

12. APPOINTMENTS TO NORTHAMPTON MUNICIPAL CHURCH CHARITY

Councillor B. Hoare submitted a report that sought the appointment of Trustees of Northampton Municipal Church Charity. Councillor Palethorpe seconded adoption of the report.

RESOLVED: That Mr T O'Connor and Mr B. May be appointed as trustees to the Northampton Municipal Church Charity.

13. UPDATE OF BYE LAW FOR GOOD RULE AND GOVERNANCE

Councillor P.D Varnsveryry submitted a report that details the results of the public consultation exercise of byelaws for Good Rule and Governance and sought approval for their adoption. He noted that it was not the intention to blanket ban skateboarding but to control it where it was dangerous or a nuisance. Councillor Crake seconded adoption of the report.

RESOLVED: 1. That the Byelaws for Good Rule and Governance attached as Appendix 1 of the report be approved.

2. That application be made to the Secretary of State for Communities and Local Government for provisional approval of the Byelaws for Good Rule and Governance.

3. That the Borough Solicitor be authorised to seal and advertise the Byelaws in accordance with the relevant legislation.

4. That application be made to apply to the Secretary of State for confirmation of the Byelaws.

14. NOTICES OF MOTION

Chris Swinn stated that he had been a wheelchair user for four years and commented that cycling on footpaths as well as skateboarding was dangerous to disabled people generally. He supported the motion.

Mr Baker stated that he supported the motion and that cyclists should be removed from footpaths to protect the elderly and vulnerable.

Councillor Malpas proposed and Councillor Larratt seconded the motion set out on the agenda paper as follows:

Councillor Malpas to propose and Councillor Flavell to second:

“Previous motions passed by this council with the aim of clamping down on cyclists who ride their bikes on public footpaths have led to few visible improvements. The
Town centre and many other areas of the borough continue to be blighted by the menace of inconsiderate bike riders who regularly and irresponsibly flout the law. This dangerous, intimidating anti social behaviour is a daily nuisance to many residents as they go about their business, and is especially hazardous to the elderly, disabled and visually impaired, whose safety this council has a civic responsibility to protect.

This council:

Instructs officers to redouble their efforts to identify and put in place the sort of measures outlined in previous motions with the goal of clamping down on the menace of illegal pavement cycling.

Requests that the Chief Executive give regular updates to members on the progress of such measures through their respective group leaders.”

Councillor P. D. Varnsverry proposed and Councillor Collins seconded an amendment to the motion as follows:

“A Council motion of 8th December 2008 was passed with the aim of clamping down on cyclists who ride their bikes on public footpaths. The Town centre and many other areas of the borough continue to be blighted by the menace of inconsiderate bike riders who regularly and irresponsibly flout the law. This dangerous, intimidating anti social behaviour is a daily nuisance to many residents as they go about their business, and is especially hazardous to the elderly, disabled and visually impaired, whose safety this council has a civic responsibility to protect.

This council:

Notes that control of cycling on public footpaths is primarily a Police responsibility and is an offence which can be dealt with by Fixed Penalty Notice under current legislation.

Recognises the efforts of Northamptonshire Police to tackle the issue of inconsiderate cycling on footpaths through “Operation Push”.

Confirms its continuing support for “Operation Push” and instructs the Chief Executive to write to the Chief Constable requesting that Police Safer Community Teams are asked to provide updates to elected members and the public through the neighbourhood public meetings.”

Councillor Malpas raised a Point of Order requesting the Deputy Mayor disallow the amendment as it had not been notified to Group Whips in accordance with paragraph 3.5 of Part 4 of the Council’s Constitution.

The Deputy Mayor ruled that he was using his discretion, allowed by paragraph 3.5, to allow the amendment.
Council debated the amendment.

Upon a requisition for a recorded vote:

There voted for the amendment:


There voted against the amendment:

Councillors Capstick, Caswell, I. Choudary, Clarke, Davies, Duncan, Edwards, Flavell, Golby, Hadland, Hawkins, Hill, Lane, Larratt, C. Lill, J. Lill, Malpas, Mildren, Palethorpe and Scott.

There were no abstentions.

The amendment was carried.

Council debated the substantive motion.

The substantive motion was adopted.

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

None.

The meeting concluded at 21.55 hours.