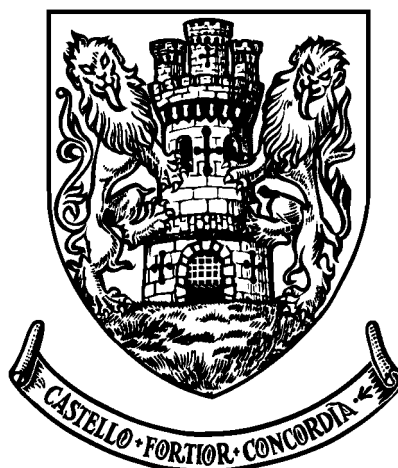


NORTHAMPTON BOROUGH COUNCIL



COUNCIL

Monday, 22 January 2018

YOU ARE SUMMONED TO ATTEND A MEETING OF NORTHAMPTON BOROUGH COUNCIL, WHICH WILL BE HELD AT THE GUILDHALL NORTHAMPTON ON MONDAY, 22 JANUARY 2018 AT 6:30 PM WHEN THE FOLLOWING BUSINESS IS PROPOSED TO BE TRANSACTED

1. DECLARATIONS OF INTEREST

2. MINUTES.

To approve the minutes of the proceedings of the Meeting of the Council held on 11th December 2017.

3. APOLOGIES.

4. MAYOR'S ANNOUNCEMENTS.

5. PUBLIC COMMENTS AND PETITIONS

6. MEMBER AND PUBLIC QUESTION TIME

7. CABINET MEMBER PRESENTATIONS

(Copy herewith)

8. OPPOSITION GROUP BUSINESS

Councillor Stone to make a statement on: "What you have done right and what you need to do better in 2018".

9. COUNCIL TAX BASE

(Copy herewith)

10. INITIAL PROPOSALS FOR UPDATE OF THE CONSTITUTION

(Copy herewith)

11. APPOINTMENT OF INTERIM CHIEF FINANCE OFFICER

(Copy herewith)

12. UPDATE ON MOTIONS CARRIED AT COUNCIL MEETINGS

(Copy herewith)

13. NOTICES OF MOTION

- i) Councillor Ashraf to propose and Councillor Russell to second:

This council recognises the important role played by our Private Sector Housing Service which provides the following,

- Licences HIMOS
- Enforces legislation tackling rogue landlords
- Investigates suspected incidences of abuse whether from Landlords or tenants

This Council notes in order to tackle the increase in the use of private sector properties for sexual exploitation, human trafficking, modern slavery and illegal HMOs our Private Sector Housing Service needs more resources in the forthcoming budget.

The Council therefore commits to applying a zero based budget to this service in order to fully understand resourcing needs and further commits to funding the service to the level of that need.

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

Simon Bovey – Interim Chief Executive
The Guildhall
Northampton

Public Participation

1. Comments and Petitions

- 1.1 A member of the public (or an accredited representative of a business ratepayer of the Borough) may make a comment or present a petition on any matter in relation to which the

Council has powers. A comment or presentation of a petition shall be for no more than three minutes. No notice of the nature of the comment to be made or of the petition is required except for the need to register to speak by 12 noon on the day of the meeting.

(Public comments and petitions will not be taken at the Annual Council Meeting or other civic or ceremonial meetings.)

NOTES

- i. *Comments may be on one or more subjects but each person has no longer than three minutes to have their say.*
- ii. *The same person may make a comment and present a petition on different subjects. In such instances that person will have three minutes to make their comment and a separate three minutes to present a petition.*

2. Member and Public Questions

2.1 A member of the public (or business ratepayer of the Borough) may ask a maximum of two written questions at each meeting, each limited to a maximum of 50 words, on any matter in relation to which the Council has powers. Each question shall:

- be submitted in writing and delivered, faxed or e-mailed to Democratic Services no later than 10.00am seven calendar days before the day of the meeting; and
- include the name and address of the questioner and the name of the Cabinet member/Committee Chair to whom the question is put.

2.2 At the meeting, copies of all questions and the responses to them from the public and Members will be made available to the public and press. The Mayor may allow one supplementary question, without notice, that arises directly from the original question or response.

(Questions will not be taken at the Annual Council Meeting or at civic or ceremonial meetings or meetings called to deal with specific items of business.)

NOTES

In respect of paragraph 2.1 above, questions may be rejected on certain grounds that are set out on page 4-12 of the Council's Constitution and which may be viewed at www.northampton.gov.uk/site/scripts/download_info.php?fileID=1919 or by seeking advice using the contact details below.

3. Motions

3.1 A member of the public may register to speak to a motion under the 'Notices of Motion' item on the agenda. Registration to speak must be made to Democratic Services by 12 noon on the day to the meeting. Speaking to a motion is restricted to three minutes per person.

(The 'Notices of Motion' item will not be taken at the Annual Council meeting or meetings called for civic or ceremonial purposes.)

4. General

A member of the public may make a comment, present a petition, ask a question or speak to a motion at the same meeting subject to the restrictions set out above.

5. Contacts

Democratic Services: e-mail democraticservices@northampton.gov.uk

Tel 01604 837722

Mail Democratic Services
Northampton Borough Council
The Guildhall
St Giles Square
Northampton NN1 1DE

MINUTES

OF THE PROCEEDINGS OF A MEETING OF NORTHAMPTON BOROUGH COUNCIL HELD AT THE GUILDHALL, NORTHAMPTON, ON Monday, 11 December 2017 AT SIX THIRTY O'CLOCK IN THE EVENING

PRESENT: HIS WORSHIP THE MAYOR Councillor G Eales (in the Chair).

COUNCILLORS: Graystone, Joyce, Malpas, Ansell, Ashraf, Aziz, Beardsworth, Birch, Bottwood, Cali, Caswell, Choudary, Culbard, Duffy, T Eales, Eldred, Golby, Hallam, Haque, Hibbert, J Hill, Kilbride, Larratt, B Markham, M Markham, Marriott, McCutcheon, Meredith, Nunn, Parekh, Patel, Sargeant, Kilby-Shaw, Smith, Stone and Walker

1. DECLARATIONS OF INTEREST

There were none.

2. MINUTES.

The minutes of the Council meeting held on the 6th November 2017 were agreed with the following amendment;

Page 4, paragraph 10 of Item 7 of the above meeting to be corrected to Cabinet member presentations: Councillor Hibbert confirmed that the number of HIMO's on the Council's online register was currently 884.

3. APOLOGIES.

Apologies were received from Councillors Chunga, Russell, Hadland, King, Flavell, Lane, Davenport and Oldham.

4. MAYOR'S ANNOUNCEMENTS.

The Mayor announced that 'The 9 Lessons in Carols' would be held at the All Saints Church on Sunday 17th December 2017 at 6pm for any Councillors who wished to attend.

5. PUBLIC COMMENTS AND PETITIONS

There were none.

6. MEMBER AND PUBLIC QUESTION TIME

The Mayor advised that 20 questions had been received from Councillors and members of the public and that the answers that had been tabled in accordance with the Constitution.

Questions and answers were given as tabled (included in an updated agenda on the Council's website) unless where stated, supplementary questions were asked and

answers given as below:

In response to a supplementary question asked relating to question 8, Councillor Nunn, in the absence of Councillor Hadland explained that the designs of the town centre museum was ongoing.

In response to a supplementary question asked relating to question 16, Councillor Hallam explained that any financial targets set by government would have to be met by the Council or the contractors.

In response to a supplementary question asked relating to question 17, Councillor Hallam explained that 3 fixed penalty notices were issued to businesses for waste offences and that the new environmental enforcement service would see this hasten in the future.

7. CABINET MEMBER PRESENTATIONS

Councillor Nunn, as the Leader of the Council, submitted his report and elaborated thereon. In response to questions asked Councillor Nunn explained that with regards to Greyfriars, the arrangement with the developers had ceased and although disappointing, it would provide the council with the opportunity to drive a new project through which could include the provision of much needed housing. He further responded to questions asked by explaining that during the rough sleepers count, 13 rough sleepers had been identified and noted that homelessness was an extremely complex issue and noted that some of those people who were sleeping rough did not always engage with services offered by the Council.

Councillor Larratt submitted his Cabinet Members report and elaborated thereon and thanked the Councillors who had participated in the IT 'Casework' training. He further reported that the installation of the heritage lighting on St Giles Square, George Row, Mercers Row, Wood Hill and Fish Street had been installed and the project completed.

In response to questions asked, Councillor Larratt explained that analysis of attendance was being undertaken for the Councillor Development Briefings. He noted that he was working hard to improve relations with all market traders.

Councillor Hibbert submitted his Cabinet Member report and thanked those who had participated in the borough-wide count of rough sleepers. He commented that there would be an expansion to the Housing Enforcement Team and further noted that the Government had confirmed that from April 2018, the definition of Mandatory HMOs would be extended to include all properties that are occupied by at least 5 people who are unrelated. In response to questions asked, he confirmed that dogs were not allowed at the Hope centre. He further reported that the Social Lettings Agency would be going 'live' and suggested that questions asked about Right to Buy be directed to Northampton Partnership Homes. Councillor Hibbert acknowledged that during the Liberal Democrat leadership of the Council, 8 Council houses had been built.

Councillor Hallam submitted his Cabinet Member report and elaborated thereon and noted that due to the adverse weather conditions there may be a delay in bin collection services. IN response to questions asked, Councillor Hallam noted that an action plan for Air Quality Management would be produced and further noted that environmental enforcements would be Borough-wide.

Councillor Eldred submitted his Cabinet Member report and in response to questions asked he explained that under the current Government, Northampton had the lowest unemployment rate since the late 1970's and noted that as such, less people were claiming through the Council Tax Reduction Scheme. He further reported that the administration were considering ways to put extra money into the Discretionary Housing Payment fund in the future.

Councillor Hill, as the Assistant Cabinet Member of Regeneration, Enterprise and Planning, in the absence of Councillor Hadland, elaborated on the report and commented on the success of the 'Small Business Saturday' event that had recently been held. In response to questions asked, the Leader stated that comparable footfall figures would be produced in the future to ensure deeper meaning to the figures provided. The Leader also reported that since the University of Northampton had pulled out of the Vulcan Works project, an application had been made to the EU. The Leader further explained that the area around the proposed St James Mill Link Road was currently being cleared and that process would be evident in the next few months.

Councillor Nunn, as the Leader of the Council, in the absence of Councillor King, elaborated on the relevant report and commented there were measures in place to assist people who would be affected by Universal Credit. He confirmed that he would happy to involve refugees in organisation of Refugee Week.

8. OPPOSITION GROUP BUSINESS

Councillor Beardsworth compared being made homeless to being bereaved as it had often lead to the loss of a family home, high levels of physical and mental distress and the consequences had resulted in some people feeling isolated and vulnerable as they have had to move away from their families and friends in order for them to be housed by the Council in other districts. She stated that 'Shelter' had reported that when people were housed in temporary accommodation, it affected them both physically and mentally and noted that 128,000 children were going to spend Christmas in temporary accommodation and commented that there was no longer a housing crisis but a housing catastrophe. Councillor Beardsworth proposed that more innovative thought needed to be put into resolving the housing shortage and questioned whether the Council had become too risk averse and slow-moving in addressing the homelessness issue.

Councillor Hibbert commented that progress was being made and that a report would be submitted to Cabinet in January 2018 which would explain Northampton Partnerships Homes' approach to dealing with some of the issue posed by those living in temporary accommodation. He reported that they had been pushing ahead with house building and noted that 90 social houses had been built since they had

been in administration. With regards to homelessness, Councillor Hibbert explained that processes were being put into place to ensure that applications and appeals would be sped up.

In response, Councillor Beardsworth commented that when the Liberal Democrats were in administration they had taken on one of the worst run Councils in the Country and had managed to build a small number of grade 5 Council houses. She suggested that the administration consider using Albion House as a means of alleviating housing shortages and further noted that they had proposed the use of modular buildings and pop-up villages; she further commented that the Lib Dems had advocated the first garage scheme in Northampton and asked that the administration had vision and drive in going some way to resolve the housing problems.

9. COUNCIL TAX REDUCTION SCHEME

Councillor Eldred proposed a report which sought Council's approval that the Council Tax Reduction Scheme (CTRS) remain at a 35% reduction in 2018/19. He explained that efforts were being made to examine the possibility of reducing it further in the future.

Councillor Graystone seconded the report.

Councillor Stone commented that the only good thing was that there was a freezer in the reduction but suggested that more could be done to help those who most needed it.

Councillor Beardsworth questioned how many people had fallen into 'rates arrears' and Councillor B Markham commented that although it was good news that it was being reported that more people were in getting into work but questioned whether the application criteria had changed and thus skewing the figures.

RESOLVED:

That the recommendation contained in the Cabinet report be endorsed no later than the 31st January 2018.

10. TERMS OF REFERENCE, COMMUNITY GOVERNANCE REVIEW, HUNSBURY MEADOWS

Councillor Larratt proposed a report which sought Council's approval of the Terms of Reference following the submission of a petition presented by Hunsbury Meadows Parish Council to undertake a Community Governance Review.

Councillor Nunn seconded the report.

RESOLVED:

That Council approved the Terms of Reference as set out in the report and receive a

further report on the result of the consultation and other relevant matters for final recommendation and approval at a future meeting of Council

11. NOTICES OF MOTION

Councillor Haque, as the proposer of the motion accepted an alteration to the motion submitted by the Conservative Group.

Upon a vote, Council accepted the alteration of the motion.

i) Councillor Haque proposed and Councillors Smith seconded:

This Council notes the new contractor for Environmental Services will be announced in January 2018. A new contractor will take over the running of Environmental Services from June 2018.

This Council believes that Residents, Resident Associations and Parish Councils understand best the environmental challenges in their area such as fly tipping hot spots and overgrown grass verges. They should be able to fully share their views with both the Contractor and Borough Council so that information can be acted on promptly and effectively.

This Council therefore commits to positive and productive collaboration with Residents, Resident Associations and Parish Councils. Further to the new Contractor being chosen, the Cabinet will ask Overview and Scrutiny to determine the most effective process for the sharing of the views of members of the public and community groups with the Contractor and report back before June 2018.”

Council debated the motion.

Upon a vote, the motion was carried.

Councillor McCutcheon, as the proposer of the motion accepted an alteration to the motion submitted by the Conservative Group.

The Liberal Democrat Group withdrew their amendment.

Upon a vote, Council accepted the alteration of the motion.

ii) Councillor McCutcheon proposed and Councillor Stone seconded:

This Council notes that the Greyfriars site remains undeveloped and notes that Cabinet agreed on 6th December 2017 to end the arrangement with the development partner in light of legal advice due to issues relating to the delivery of the housing elements of the scheme.

Council welcomes the opportunity that the ending of the agreement provides, allowing further consideration to be given to the infrastructure requirements and leisure element of the development.

Council also welcomes the work that has been going on to enable it to deliver large scale housing development through Northampton Partnership Homes and the Council's own specialist delivery vehicle, about which a report will be presented to Cabinet in January 2018. In light of this, Council also recognises and welcomes the work that is now underway to deliver a mix of housing, including family and social housing, at an early stage on the Greyfriars site, along with a mix of other uses, such as retail, hotel, leisure, and coach facilities.

This Council recognises that to develop the site, there is a need to work with the County Council to reconfigure the Highway infrastructure within the area to bring the site into the town centre and improve north south permeability through the site.

This Council resolves to progress the delivery of a mix of housing alongside retail, hotel, leisure, and coach facilities on the Greyfriars site, working with the County Council to improve highway infrastructure around and through the site."

Council debated the motion.

Upon a vote, the motion was carried.

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

There were none.

The meeting concluded at 7.38pm

Question for Full Council Monday 22nd January 2018

Question 1

Question to Cllr King from Cllr Beardsworth

Central Museum and Art Gallery

In your answer to a written question at the last council meeting you replied that the Business Plan together with project estimates for the building and conversion of this scheme would be ready by the end of January 2018 with a report going to Cabinet in March.

I understand that the lead officer carrying out this work has since left the council. Will this affect progress?

Response

The lead officer for the Museum project is Nick Gordon (Cultural Services Manager). He has not left the council, nor has any other key member of the project team or board. Since I responded to your question to the last council meeting, time lines for the business plan and cabinet report are unchanged.

Councillor King

Cabinet member for Community Safety & Community Engagement

Question for Full Council Monday 22nd January 2018

Question 2

Question to Cllr Nunn from Cllr B Markham

In September 2016, following call-in of the Cabinet's July decision, Cabinet agreed to make an Extra £500,000 available to pursue legal action to recover money loaned to improve facilities at Sixfields Stadium.

How much of that money has been drawn down?

How much has the council spent in legal costs so far in attempt to recover taxpayers' money? Can he update Council as to how much of the original £10.25 million loan has so far been recovered?

Can he confirm that the annual interest payable to the Public Works Loans Board on this debt is?

Response

This is an ongoing litigation, and as such publishing costs and other aspects of tactics does not help the chances of success, but Cllr Markham and other Cllrs are welcome to take updates from the Borough Solicitor. Cabinet will be updated on the legal costs in due course. For historic, previous information, including interest costs please refer to the Cabinet reports on Sixfields.

Councillor Nunn
Leader of the Council

Question for Full Council Monday 22nd January 2018

Question 3

Question to Cllr Eldred from Mr Adams

Following the somewhat shambolic Statement of Accounts for 2016/17 can you provide assurance on their robustness for 2017/18, in particular those around asset valuations?

Response

In preparation for the Statement of Accounts 2017/18, the Council has been working with KPMG, our external auditors, to ensure a robust process and timetable is in place.

With regards to asset valuations, the Council has updated its process, which is planned to be reviewed by the Council's internal auditors (PwC) and has appointed new external valuers who will be providing valuations for inclusion in the 2017/18 Accounts.

Councillor Eldred

Cabinet member for Finance

Question for Full Council Monday 22nd January 2018

Question 4

Question to Cllr Eldred from Mr Adams

I think we are all aware of the concept that defect prevention is more advantageous and cost effective than defect detection and associated rework.

Question: Could you confirmed that financial costs have been incurred due to additional work on the Statement of Accounts for 2016/17 and the cost?

Response

As outlined by KPMG in their report to Audit Committee on 29th September, the Council is anticipating additional fees in relation to its Accounts for 2016/17. The agreement of any additional fee will; be made in conjunction with the Council and the Public Sector Authority (PSAA).

A further meeting of the Audit Committee is planned for 8th February at which KPMG will provide a further update on the additional cost position.

Councillor Eldred

Cabinet member for Finance

Question for Full Council Monday 22nd January 2018

Question 5

Question to Cllr Hibbert from Mr Clarke

In your report it states Officers' recommendations – supported by Capita, which has been assisting the Council with its due diligence work and evaluation of the options – are due to be considered at a Special Cabinet Meeting

Question:

Capita is not a charity, what is cost of this due diligence work and evaluation, and which account has paid, Housing Revenue Account (HRA) or the General Fund?

Response

This piece of work has been funded through the HRA and has cost £36,018.

Councillor Hibbert

Cabinet member for Housing & Wellbeing

Question for Full Council Monday 22nd January 2018

Question 6

Question to Cllr Hibbert from Mr Clarke

With the introduction of flexible tenancies a number of years ago, they are now starting to come due for review, if it is decided at that review not to grant a further tenancy, due to financial circumstances having changed for the better.

Question: Do you agree that if push comes to shove, then the tenant may be more likely to exercise their 'Right to Buy'?

Response

Not necessarily. Despite the improvement in their financial circumstances, the tenant may not want to buy the property and, even if they do, they may not be able to afford to buy it.

Councillor Hibbert

Cabinet member for Housing & Wellbeing



Report of the Leader of the Council

Northampton Borough Council

Monday 22nd January 2018

Since my last report to Council, I have continued to work with the Cabinet, Members, Directors, and Officers across all areas of the council. Many of these activities and issues are referred to in Cabinet colleagues' reports.

Unitary Status

A further reminder to all Members to please make sure that the Deloitte Members' briefing is in your diary, which is taking place on 23rd January at 6.00pm.

Governance

Since my last update, the Interim Chief Executive has completed the review of internal management boards, following consultation with officer colleagues, and the rationalised arrangements are set to begin in February. The new Corporate Management Board has already been operating since December. Progress continues to be made on a revised project management framework and on the review of the Constitution.

Staffing and Council Officers

From the initial applicants for the permanent Chief Executive position, ten have now been listed for the assessment stage of the process. Following that stage, a short-list of final candidates will be at the Guildhall for a number of events that enable Members, staff, and Stakeholders from business and other partners to meet with them on 5th and 6th February. Final interviews will take place on 6th February.

Cambridge Milton Keynes Oxford Corridor

Following the Government's initial, positive response to the NIC report, as announced in the Chancellor's budget, Leaders and Chief Executives across the area have been analysing the implications. I have been involved in those deliberations and can report that I and others continue to make the case for better infrastructure to accommodate any extra growth, which is expected to be reflected in a Leaders' letter to Government. We are also working on governance options including the possibility of a joint committee(s) for the Corridor, for which a report is likely to come to Council in due course.

Other Activity

On 7th December I was delighted to open an event which the council partnered with Nat West and the University of Bedford to deliver, which was a small to medium sized businesses support event at the Park Inn hotel. The subjects covered by the speakers included key areas such as accessing funding, and industry experts also spoke on their specific areas of expertise, such as Google Digital Garage.

The launch of West Midlands Rail franchise on 11th December was a good opportunity to learn about the new operator's plans for delivering rail services, and we intend to maintain good contact regarding both the rail service provided, and the future improvement in the facilities for passengers at the station.

With 3,400 employees, and therefore being one of the borough's largest employers, I was delighted to meet with Directors from St Andrew's Hospital on 3rd January. A number of key areas in which we can work more closely with St Andrews emerged from the discussion, and we will be progressing these over the coming months.

With a number of work streams ongoing to boost the visitor economy of the town, and better promote the town's history and heritage, myself and officers met with the Northamptonshire Best Surprise campaign group on 9th January. This campaign is headed by HM Lord Lieutenant for Northamptonshire, and has harnessed the support and involvement of local authorities and private organisations, to successfully increase the number of visitors to the county. From an initial focus on stately homes, the focus of activity is now widening to a broader promotion of what the county has to offer visitors, and so I am keen that we engage actively, and benefit from the support that Best Surprise can bring us in promoting visits to the town.

Councillor Jonathan Nunn
Leader of the Council



Report of the Deputy Leader of the Council

Northampton Borough Council

Monday 22nd January 2018

As Deputy Leader of the Council, I have been continuing to support the Leader and Cabinet colleagues across a variety of areas within the council, and can report on some of my specific responsibilities as below.

Market

Following the last meeting of the Market Advisory Group (MAG) on 22nd November 2017, and in light of poor attendance leading to my subsequent letter to Traders seeking their views on the format of the MAG going forward, I'm about to consider the several responses I have received, and respond to Traders accordingly.

I'm in the process of arranging a visit to Norwich Market to see the set up there with more permanent stalls and to learn how the market there was turned around so successfully.

Councillor Training

Following the last meeting the Councillor Development Group on 2nd November when it was agreed to trial the caseworker.gov system for Members to use to manage their case work, 17 Members have been identified to participate in the trial: Councillors Ansell, Beardsworth, Birch, Cali, Culbard Davenport, Eldred, Graystone, Hadland Haque, Hill, Kilbride, Lane, Larratt, Patel, Russell, and Stone. Procurement is progressing and those participating in the trial will soon be contacted regarding training and installation.

Councillor Development and Briefing Sessions already scheduled are as follows:

- **23/01/18 - Unitary Status Update - Councillor Briefing - Open** to all Councillors. One session 6.00 pm to 8.00 pm in the Jeffery Room. To be delivered by the Council's advisors.
- **12/02/18 – Data Protection Training** open to all Councillors. Two identical sessions, one at 2.00 pm and one at 6.00 pm in the Jeffery Room. To be delivered by the Senior Information Governance Officer.
- **01/03/18 – Personal Safety Training** – This training is to be delivered by an external trainer. It is limited to 15 Councillors and is already fully booked. Should there be further demand for this training, a further session will be considered.
- **07/03/18 - Universal Credit, Changes to Benefits and Zero Hours Contract Briefing** - Open to all Councillors. Two identical sessions one at 2.00 pm and one at 6.00 pm in the Jeffery Room. To be delivered by Community Law.

- **21/03/18 – Debt and Debt Management** – This training is open to all Councillors. Two identical sessions one at 3.00 pm and one at 6.00 pm in the Jeffery Room. To be delivered by Northamptonshire Credit Union.
- **27/03/18 – Advanced Safeguarding Training** – Open to all Councillors. Two identical sessions, one at 2.00 pm and one at 6.00 pm in the Jeffery Room. To be delivered by the Head of Housing and Wellbeing.

Further details regarding these sessions can be obtained from Tracy Tiff.

Members are asked to register to attend these events with Tracy Tiff as soon as possible.

Please advise Tracy Tiff if you would like to attend a briefing on the Social Lettings Agency. If there is enough interest a further session will be arranged.

It is still the intention to arrange an information / briefing session regarding FGM. Officers continue to be in contact with Safeguarding at Northamptonshire County Council about providing this but we are still awaiting their response

First Aid Training is continuing to be offered to Councillors as and when spaces become available on courses. Please can Members advise Tracy Tiff if they'd like this training.

Web Casting

It remains the intention to introduce the Web Casting of meetings at the earliest opportunity. Officers are continuing to work on this, especially the procurement of the equipment and services required to enable the Web Casting of Council and Committee Meetings. I was due to meet with officers to go through a summary of the quotes but this has yet to happen as illness prevented me from doing so. The meeting is currently being rearranged.

Street Lighting

The Officer / Member Working Group met on 11th December 2017.

The lights we agreed that this Council will take over responsibility for from Northamptonshire County Council (NCC) actually transferred to us on 13th November 2017.

The specification of the survey of our complete lighting stock, including the lights we have taken on from NCC, was discussed. Officers are now meeting with procurement to understand the best way forward to procure the survey as well as the management and maintenance service.

At the next meeting of the Working Group the design and content of the identification labels to go on all our lights will be discussed. These will enable easier reporting of faults by the public. There is still a need for some work to be done with Contact Centre staff who don't get fault reports to the right person.

The Working Group is continuing to pursue the issue of lights on South Bridge. Designs have been seen and the relevant Planning Officer is engaged. It is hoped that these can be obtained and installed in the near future subject to due process and the relevant approvals etc.

Councillor Phil Larratt

Deputy Leader of the Council



Cabinet Member Report for Community Engagement & Community Safety

Northampton Borough Council

22 January 2017

Councillor Community Fund

Since the beginning of April 2015, a total of £287,238.13 has been spent on delivering 657 community projects that have been supported through the Cllr Community Fund.

Partnership Support

Partnership Grant has opened for applications for 2018-19.

Partnership showcase event planned for next week, training will be delivered for next year's grant and the 32 organisations funded in 2017-18 will be given the opportunity to showcase what they have been doing over the last 12 months.

Forums

Hate crime training delivered to the community safety and engagement team. To enable third party reporting through the forums.

Nominations for Inspirational Woman award to support International Women's Day are open.

Plans are finalised for Holocaust Memorial Day, which will take place this week, 24 January. A small civic service will be held in the Courtyard at Midday, followed by an evening of performances and speakers in the Great Hall, starting at 6.30pm.

Events

This year's Remembrance Parade on Sunday 11th November was watched by thousands of visitors who gathered around All Saints Church and along the route to watch the armed forces parade by.

The annual Christmas Light switch-on service was held on Saturday 18th November and attracted thousands of families into the town centre. There was entertainment including the panto stars from the Royal & Derngate, Royal Theatre, Deco and other acts performing on stage all afternoon. The Christmas lights were switched-on by the Northamptonshire young sportswomen of the year, Emily Williams (Athlete) and the Northamptonshire Sportswomen of the Year, Susan Corless (GB National Squad Archer).

The Frost Fair including a Christmas Parade with Santa on Sunday 3rd December attracted thousands into the town centre and with the entertainment on the market square and the opening of the Igloo Cinema the day was enjoyed by many families. The Igloo Cinema attracted many families to the shows over the 21 days in December the cinema operated, with over 8000 people visiting the igloo dome.

The Saturday stage entertainment on the market square and Christmas food offer on Saturdays and Sundays in Abington Street completed the Christmas Season offer and made the town feel more festive throughout Christmas. The 40' Christmas trees, the

cross street Christmas Lights and the 200+ business Christmas trees made the town feel very festive over the Christmas period.

Culture & Heritage

Events at Abington Park Museum continue to be very well supported and the lead up to Christmas saw a wide choice of festive events. A Christmas Pudding workshop led by Italian cook and author Carmela Sereno Hayes sold out to 20 attendees. A weekend Christmas Fair at the end of the month attracted over 4,000 visitors over the two days. Stallholder feedback was very positive and the 2018 Christmas Fair will remain a two day event. A Christmas Wreath Making workshops attracted 30 adults and was very well received. To round off the festive season, local actor James Hornsby returned to Abington Park Museum to perform 'A Christmas Carol', a one-man play with a host of Charles Dickens' wonderful characters all brought to life in the style of Dickens' own legendary public readings. The events were very popular and sold out.

A Victorian Christmas Celebration was very popular with families and included a visit to Father Christmas, carol singing and Christmas crafts along with festive treats including mince pies, mulled wine a hog roast and gingerbread men.

The first Dementia Café took place in November and was attended by 10 people. The aim of this session was to provide a social opportunity and look to positively engage people with dementia and their carers in creative activities to stimulate and inspire. Following this pilot, NMAG is looking at how activities for people with dementia can be further developed and integrated into our public programme going forward, with a focus on developing the new museum as a dementia friendly museum.

Two wedding preview events took place in November and Abington Park Museum was hired out for private receptions by Character Wines and Northampton Voluntary Impact.

Events in January include an event in partnership with Northamptonshire Film Archive Trust who will be presenting a new selection of archive film which is expected to sell out. Abington Park Museum will be celebrating Burns Night with bagpipe music, poetry and dancing along with Scottish inspired canapes.

The museum service provided support to the Hunsbury Hillfort HLF project with a volunteer and evaluation framework to help the organisation manage and develop their project.

At the end of November a large donation of approximately 120 pairs of shoes was made to the shoe collection from the estate of Shelagh Lovett Turner. They include a good range of late 19th century and 20th century shoes including Victorian boy's boots, World War Two Utility footwear and a silver pair of Gucci court shoes.

Museum Expansion Project

The architect, exhibition designer, Mechanical & Electrical Contractor and Structural Engineers continue on the detailed work to provide the technical definition of the project for the production of tender documents for the museum expansion. Following the first stage report from the Audience Agency developing the audience segmentation model, more in depth focus group work is being conducted with identified target audience segments to help inform and shape the exhibitions and events programme and how the museum can best engage with audiences. We are hoping to have artists' impressions available for councillors and the public to view at the end of January.

Community Safety

Community clear up and engagement event held at Blackthorn Community Centre on Saturday 9 December.

Worked with the police to deliver a day of action on Friday 15 December at the Racecourse.

Multi-agency approach adopted to tackle the anti-social behaviour and community safety issues taking place at McDonalds, Balestra and the Grosvenor Centre roof.

Nights Out campaign continues, with a focus over the festive period, Bridge Street closures to be in place on 23, 24 and 31 December.

Councillor Anna King

Cabinet Member for Community Engagement & Community Safety



Cabinet Member Report for Environment

Northampton Borough Council

22 January 2017

Environmental Services Re-Provision

The project is progressing according to the timetable.

Following the submission of the Final Tenders on 17 November 2017, the evaluation panel carried out the assessment of the submissions. Programme Board considered the outcome of the evaluation and the recommendations formulated by the evaluation panel at the meeting on 18 December 2017. The recommendation to award the contract to the Preferred Bidder was subsequently discussed at the Cabinet meeting on 17 January 2018.

The Director of Customers and Communities, in consultation with the Cabinet Member for Environment, received delegated authority to implement the Cabinet's decision and undertake the necessary activities leading to contract execution.

Environmental Health

A Neighbourhood Warden has successfully brought a prosecution against a person for a littering offence. The person throw a cigarette butt from a car window whilst at St Peter Way Roundabout. The person failed to appear at Northampton's Magistrates Court on 12 December 2017. However, the judge proceeded with the prosecution in their absence. The Magistrates, after hearing the evidence, ordered a £100 fine, £30 Victim Surcharge and £420 in costs.

The Environmental enforcement service commences on 22 January. Staff will be in training for the first few days and the initial phase of the service will be focused on educating members of the public on the law on littering.

Following the approval of the Low Emission Strategy, works are progressing to implement steps to reduce vehicle emissions.

The Annual Status Report on Air quality in Northampton in 2016 has been submitted to DEFRA.

The Food team are due in Court later this week with a prosecution of a butchers shop. Details of the outcome of the case will be provided at the next meeting.

Councillor Mike Hallam
Cabinet Member for Environment



Cabinet Member Report for Housing and Wellbeing

Northampton Borough Council

22nd January 2018

Tackling criminal, rogue and irresponsible landlords

On 17th January 2018, the Cabinet will consider a Business Case for using the income that the Council receives from civil penalties to fund the expansion of the Housing Enforcement Team.

If the Business Case is approved, the Council will recruit an additional 8 Officers (including a Housing Enforcement Manager, a Tenancy Relations Officer, 4 Environmental Health Officers and 2 Intelligence Officers) to tackle criminal, rogue and irresponsible landlords and managing agents who knowingly rent out accommodation that is unlicensed, substandard and/or unsafe.

Subject to due diligence – and it being demonstrated that the additional cost will be met from the extra income generated in civil penalties – it is hoped that, later this year, we will be able to increase the size of the Housing Enforcement Team even further by recruiting another 4 Environmental Health Officers and another Intelligence Officer.

Extending the definition of Mandatory HMO

On 6th April 2018, the definition of Mandatory HMO will be extended.

At present, a Mandatory HMO is defined as a dwelling that has at least 3 storeys and is occupied by at least 5 people who share facilities and do not form a single household. From 6th April 2018, all of these larger HMOs will become Mandatory HMOs, irrespective of the number of storeys.

As hundreds of 2 storey HMOs will be included in the new definition, the change is expected to result in a significant increase in the number of licensable HMOs in the borough.

Although the Housing Enforcement Team is planning to go to considerable efforts to make landlords and managing agents aware of their new obligations, enforcement action will be taken against anyone who is operating a licensable HMO without a licence after 6th October 2018.

Northampton's Emergency Nightshelter

The Nightshelter has now been open for more than 11 months and, during that time, it has provided more than 150 homeless men with somewhere safe, warm and dry to stay while they work with local services to rebuild their lives and address their housing and support needs.

Since it opened on 6th February 2017, the Nightshelter has helped 88 of its guests to move on successfully into settled accommodation. During this period, 94 volunteers

have provided a total of more than 7,000 hours of their time to support the vital work of the Nightshelter.

I would urge all Members to make the time to visit the Nightshelter. Following a recent visit, one Member wrote: “The whole organisation, from conception to delivery, is exemplary and has been made possible due to the expertise, professionalism, dedication and humanity of all the staff and volunteers. I am so proud that NBC has the capacity and will to do this”.

Finally, I would like to thank all of the individuals, groups and organisations that have donated and/or raised money for the Nightshelter during the year. Everyone has been very generous and we will ensure that all of the money that has been raised is used to improve the wellbeing and life chances of the homeless men who stay at, and move on from, the Nightshelter.

SWEP (Severe Weather Emergency Protocol)

As I explained in my last report, arrangements are in place to provide homeless people with emergency shelter, in the Hope Centre, during severe weather.

Although the Council has continued to co-ordinate SWEP and provide funding and volunteers, the Hope Centre has agreed that, during the winter of 2017/18, it will host SWEP and take the lead in ensuring that everything runs smoothly on the nights that emergency shelter is required.

This winter, SWEP has operated on 2 occasions – for a 5 day period from 8-12 December and for a 2 day period from 27 - 28 December – and has been used by a total of 43 people, 24 (56%) of whom have accessed it for more than one night.

About half of the people who have accessed SWEP this winter are known to the Street Outreach Team and are either refusing to engage with local services or have recently lost their accommodation due to their own actions. Most of the people who accessed SWEP were not asked to provide details of where they were sleeping rough and only a small number of people sought advice and assistance with their housing after their stay in SWEP.

Improving hospital discharge and wellbeing

The ‘Hospital 2 Home’ (H2H) scheme – designed to provide patients with a holistic, wrap-around support service that is tailored to their specific needs – was set up by the Council’s Housing & Wellbeing Service in May 2015 and, since then, has helped more than 300 vulnerable patients to be discharged from Northampton General Hospital and Berrywood Hospital in a way that is planned, safe and reduces the likelihood of readmission.

Officers from the Housing & Wellbeing Service attend weekly discharge meetings at both hospitals, assess each patient’s needs and then work proactively and collaboratively with local housing and support providers to facilitate patients’ safe discharge from hospital.

The scheme frees up hospital beds that can then be prioritised for those with a medical need rather than for patients with housing and/or social issues that prevent a safe discharge into the community. It provides comprehensive support for people with

complex needs, averts homelessness and prevents people from being readmitted to hospital in an emergency.

Homelessness and temporary accommodation

During the last couple of years, there has been a sharp rise in the number of households applying to the Council for assistance under the homelessness legislation and this has increased the Council's use of temporary accommodation, including Bed & Breakfast.

Even though the number of homelessness applications remains very high, the situation has been helped by a series of measures we have introduced to relieve the pressure on the Homelessness Service and improve the living conditions of households in temporary accommodation.

Between 30th August 2017 – 31st December 2017, the number of outstanding homelessness decisions was reduced by two thirds (from 205 to 66), the average caseload of each Homelessness Officer was reduced by 64% (from 50 to 18), and the waiting time for an appointment with a Homelessness Officer was reduced from 4 weeks to less than 3 days. During the same period, the number of households in Bed & Breakfast was reduced by 31% and the number of households in temporary accommodation outside the borough was reduced by 57%.

Northampton Partnership Homes

Building new affordable rented homes

Officers from the Council and Northampton Partnership Homes have been working very closely to develop a delivery model that will enable the Council and NPH to maximise the number of new affordable rented homes that are built over the next 10 years.

I am delighted to report that the Officers' recommendations – supported by Capita, which has been assisting the Council with its due diligence work and evaluation of the options – are due to be considered at a Special Cabinet Meeting that is taking place on 25th January 2018.

In the meantime, NPH is continuing to build new council homes. The homes being built at Lower Bath Street, Althorpe Street, Little Cross Street and Lakeview House are progressing well, and the first of these (at Lower Bath Street and Althorpe Street) are due to be completed next month.

NPH is continuing to develop a pipeline of development opportunities, and a series of schemes are being considered, as part of the pre-application process, with the Council's Planning Service.

Improving grounds maintenance and estate services

I am pleased to report that NPH has awarded a contract to Continental Landscapes to undertake all grounds maintenance works on all of the HRA land that is being managed by NPH. Tenants' views and involvement were very helpful in determining

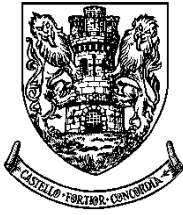
the specification and the choice of contractor. The new contract will commence on 1st June 2018.

I am pleased to report, also, that NPH has awarded a contract to Just Ask to deliver estate services throughout Northampton. Deep cleaning of all communal areas has commenced and an enhanced cleaning specification is being implemented to improve communal areas and the quality of the service that tenants and leaseholders receive. Tenants' views and involvement were very helpful in determining the specification and the choice of contractor. The new estate services contract commenced on 1st December 2017.

Providing new office accommodation

Significant progress is now being made on the development of NPH's new office accommodation following the Council's acquisition of Horizon House, the former gas works site adjacent to the St Peter's Street roundabout. Officers from the Council and NPH are working very closely to determine how best to develop the site.

Councillor Stephen Hibbert
Cabinet Member for Housing and Wellbeing



Cabinet Member Report for Finance

Northampton Borough Council

Monday 22nd January 2018

Finance

On the 20th December the Cabinet published its draft Budget 2018/19 and medium term financial plans for consultation. Full details of our draft Budget and the consultation can be found on our website using the following link:

<https://www.northampton.gov.uk/info/200110/council-budgets-and-spending/2340/budget-2018---2019>

The Provisional Local Government Finance Settlement was published in the week before Christmas. This broadly confirmed the funding estimates made in our draft Budget. There were a few announcements in the Settlement that are likely to affect our medium term financial position, including:

- Council tax referendum limits being increased to the greater of £5 or 3% for lower tier councils.
- An expectation that a 75% business rates retention scheme will be operating from 2020/21.
- Confirmation that a fair funding review will be undertaken with an expectation that proposals will be implemented from 2020/21.

An assessment is being undertaken on the impact of the provisional settlement on our draft Budget and any amendments will be reflected in the Council's final budget which is planned to be considered by Cabinet on 21st February and at Council on 26th February.

Revenues & Benefits

The Revenues and Benefits Service continues to deliver to service standards for all service areas. A focus continues to be applied to ensure that processing times for Benefit assessments are to target and within an acceptable date range and continue to review 100% DHP applications within 14 days. The Service has delivered a robust recovery timetable of which is balanced against the increased support our customers require as result of the amended 17-18 Council Tax Reduction Scheme. The service has sustained improvements made to date with the Call Centre answer rate, with Decembers answer rate being the highest this year at 93.82%.

Councillor Brandon Eldred
Cabinet Member for Finance

Cabinet Member Report for Regeneration, Enterprise & Planning



Northampton Borough Council

Monday 22 January 2018

Town Centre Operations

For the period April to November 2017 in the council's multi-storey car parks the Saturday free parking figures show 287,784 customers taking advantage of the offer and for the two hour free parking offer the figures show 690,986 customers taking advantage with the Mayorhold and Grosvenor being the most popular car parks.

Overall parking figures for the period 1 April – 30 November 2017 show 1,812,681 visitors using the council's multi-storey and surface car parks.

The footfall figures for November show 1,106,825 visitors, workers and shoppers in Abington Street and Market Square which is a fall of 3.7% in comparison with the same month in 2016. Overall footfall figures for April – November 2017 were 13,139,547 for Abington Street and Market Square

Planning

Northampton Local Plan Part 2

The Planning Policy team is making good progress in assessing representations to the Sites Consultation carried out in October and November 2017. Comments have been received from 60 different respondents including developers, landowners, public bodies and members of the public. A summary of the representations and suggested responses will be reported to a future meeting of Cabinet.

Conservation Area Reviews

Great Billing & Great Houghton Conservation Area reviews have been subject to public consultation (now closed) and a report regarding the responses and their adoption is due to be considered by Cabinet on 7 February.

Tree Preservation Orders

Three new Tree Preservation Orders have been made in the following locations:

- Land to front of 27 Knights Court, Little Billing (23 Nov)
- 29 Abington Park Crescent (30 Nov)
- Land to west of Collingtree Village. (4 Dec)

Development Control

The Planning application N/2017/1362 for the extension of the museum and creation of new shoe gallery, café and multi-functional space was approved by the Planning Committee on 21st November 2017.

The Outline planning application N/2017/0836 for the development of up to 50 dwellings at land to the rear of Hunsbury Park Primary School, Dayrell Road was approved in principle by the Planning Committee on 21st November 2017, subject to S106 agreement.

The Planning application N/2017/1029 for the development of 21 dwellings at Toms Close was approved by the Planning Committee on 21st November 2017.

The Planning application N/2017/1091 for the conversion and extension of the former council offices at 14 Fish Street for student accommodation, retail, restaurant and hot food takeaway was approved by the Planning Committee on 21st November 2017.

Planning permission N/2012/0909 for the development of 139 dwellings on land off Lancaster Way was issued, following the finalisation of a S106 agreement on 14th December 2017.

Performance

Both Development Control and Building Control performance continue to achieve 100% in all the major measures.

Enterprise

Business Incentive Scheme

- 17 Businesses Supported to date 2017-18 financial year
- Creating 58 jobs
- Leveraged over £900,000 private sector investment

St James Mill Link Road

A report goes to Cabinet on 17th January that:

Recommends the appointment of KierWSP (the County Council's approved highways contractor) to prepare and finalise the scheme design, inclusive of site clearance, intrusive site investigations, production of estimated costs, and to submit a planning application when appropriate.

Notes the informal consultation that has taken place with those business that may be directly affected by the proposed new link road and notes that further consultation will be undertaken as a part of the proposed planning application process.

Notes and welcomes the award of Local Growth Fund II and Growing Places Funding from SEMLEP, and the agreement to further support the scheme through the use of Enterprise Zone Business Rates Uplift..

Authorises the expenditure of up to £600,000 for site clearance, site investigations, design work and the purchase of a small parcel of land from Network Rail that the route of the proposed link road would traverse.

Approves appropriate provision for this scheme in the capital programme over the period 2017/18 – 2019/20 inclusive, and the allocation of £600,000 into the Capital Programme from the Development Pool.

Other recommendations to bring this into effect.

- Ground Investigation Surveys complete- Lab results due back end of January
- Monthly Project Board meetings have been arranged throughout 2018

Delapre Abbey

- Roofing and external repairs to the Lodge are complete
The construction of the new North Car Park was completed to programme.
- Remedial works internally to the abbey, including defective electrics, are underway as per programme

Queen Eleanor Cross

Ongoing consultation with Heritage England concerning maintenance works / strategy.

Other repairs to Council Assets

Grosvenor MSCP:	Continuation of concrete maintenance works. About to commence chloride testing of the concrete to the entrance and exit ramps to inform the maintenance strategy in the immediate future.
St Johns MSCP:	Partial lighting replacement scheme with LED.
Mayorhold MSCP:	Emergency propping works to repair structural concrete and expansion joint failures.
North Gate Bus Stn:	Extensive roof repairs relating to the pillows and to the air handling unit for failed inflation pump.
Delapre:	Pipework insulation in conjunction with Regen.
Vulcan Works:	Additions to the perimeter security.
Guildhall:	Report commissioned relating to the failed back-up generator exhaust system.

Councillor Tim Hadland

Cabinet Member for Regeneration, Enterprise & Planning

Appendices
1



COUNCIL

22 JANUARY 2018

Agenda Status: Public
Directorate: LGSS Finance

Report Title	COUNCIL TAX BASE 2018 -2019
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1. Purpose

- 1.1 The report sets out the calculation of Northampton Borough Council's Tax Base for the year 2017/18 under the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) regulations 2003 (SI 2003/3012) and amendments made in the Local Government Act 2012.

2. Recommendations

- 2.1 That Council approve the tax base for 2018/19 at 66,873.95 Band D equivalent properties and associated parish tax bases within this report.

	2017/18	2018/19	Change
Billing	2,678.57	2,761.23	82.66
Collingtree	513.75	522.77	9.02
Duston	5,471.83	5,521.83	50.00
Great Houghton	288.21	290.30	2.10
Hardingstone	795.44	804.99	9.55
Upton	2,993.14	3,015.72	22.59
Wootton, Wootton Fields & Simpson Manor	2,940.72	2,958.24	17.51
East Hunsbury	3,408.98	3,462.75	53.77
West Hunsbury	1,645.76	1,650.38	4.61
Hunsbury Meadow	501.41	505.45	4.05
Northampton (Unparished)	44,471.48	45,380.28	908.81
Total tax base	65,709.29	66,873.95	1,164.66

3. Issues and Choices

3.1 Report Background

3.1.1 The tax base changes each year due to the movement in property type and how they are used. The key areas to review when making the estimate for next year are:

- The actual growth in the tax base as compared to the planning assumptions from the previous year.
- The planning assumptions for the rest of the current year and the next financial year
- The estimated movement in exemptions and discounts
- The estimated movement in the Council Tax Reduction Scheme
- The estimated non-collection in the tax base as a whole.

3.1.2 A summary of movement in the tax base is summarised below.

2017/18		2018/19
73,671.15	Tax Base (Band "D" equivalent)	74,486.26
156.62	Growth in tax base (note 1)	-204.83
740.05	Planning Assumptions (note 2)	535.33
-81.56	Exemptions & Discounts (note 3)	-165.40
-6,744.73	Council Tax Reduction Scheme (note 4)	-6,273.09
-2,032.25	Non-Collection (note 5)	-1,504.32
65,709.29	Tax base for Council Tax	66,873.95

3.1.3 Note 1 - Fewer properties have been completed by the builders than they estimated in October 2016. However any properties which have not been completed to date, but will be by the end of the financial year are included in the 18/19 Planning Assumptions. There has been an increase of 612 properties from the 2017/18 tax base to the 2018/19 tax base.

3.1.4 Note 2 - This is an estimate of the properties that the builders expect to complete in the next financial year, plus any that are due to be completed between the 1st December 2017 and the 31st March 2018. There is currently a reduction of 50% of the potential banding applied to the estimated new build figures to allow for part year liability.

3.1.5 Note 3 - The main changes to exemptions, discounts and disregards are increases in awards for Severe Mental Impairment and Carer cases. This is primarily due to a greater awareness, more customers remaining in their homes for longer and the reduction in awards for CTRS. There has also been an increase in Single Person Discount awards, in the past NCC has funded a countywide review, which has resulted in a significant reduction in claims.

3.1.6 Note 4 - The current Council tax Reduction Scheme is due to stay at the same level, but there is expected to be a reduction in caseload, therefore the expenditure will reduce.

3.1.7 Note 5 - The collection rate of council tax has been increased from 97.1% to 97.8% for the 2018/19 tax base setting. Collection rates have improved in recent years, especially against arrears, to a level where a surplus has been declared in the Collection Fund. The collection rate is reviewed each year as part of the tax base setting process.

3.1.8 There is an estimated surplus to be apportioned on the Collection Fund, as detailed in the draft budget report to the December Cabinet, of £351,944 for NBC (which would equate to £1,790,688 for NCC and £320,871 for NPCC).

3.2 Issues

3.2.1 The report represents the application of a prescribed process.

3.3 Choices (Options)

3.3.1 To not set a tax base would render the authority unable to set a council tax.

3.3.2 The methodology used to calculate the tax base, has taken into account the previous decision by Council in 2013/14 in relation to the level of reductions awarded for Exemptions and Discounts.

3.3.3 The methodology used to calculate the tax base, has taken into account the recommendation to Council with respect to the Local Council Tax Reduction Scheme.

3.3.4 Each of these previous decisions, either individually or as a whole, could be reconsidered by Full Council and the discounts reinstated. Any decision to change the current position would have a negative financial impact on the budget report and tax base. The value of the removal of discounts is shown as a band D equivalent in appendix 1.

3.3.5 To approve the recommendations in the report

4. Implications (including financial implications)

4.1 Policy

4.1.1 None

4.2 Resources and Risk

4.2.1 No resource required. The base has to be determined by the 31st January 2018 by Full Council

4.2.2 That the above policy position in respect of the Local Council Tax Reduction Scheme be kept under review in respect of future years

4.2.3 That the above policy position in respect of discretionary discounts and exemptions be kept under review in respect of future years

4.3 Legal

4.3.1 These are covered within the body of the report.

4.4 Equality

4.4.1 No direct impact on equality context, however any resulting impact on options/ consultations for budgets will have to be considered individually.

4.5 Other Implications

4.5.1 None

5. Background Papers

5.1 All background papers to support all assumptions and calculations used in estimating of the Council Tax base are retained within the Revenues & Benefits service as evidence for the audit process.

Ian Tyrer, Revenues & Benefits Technical Manager Financial
Extension 7451, ityrer@northampton.gov.uk

Appendix 1

Northampton		17/18	18/19
BAND	Total	Total	
Number on list	95,963.00	96,575.00	
less exemption	1,862.00	1,932.00	
plus disabled from higher band	418.00	424.00	
less disabled going into lower band	418.00	424.00	
less number of one adult resident household x25%	7,935.63	8,078.25	
less number of properties with no residents but not exempt x50%	-20.88	- 32.25	
less number of second home properties with no residents but not exempt x10%	174.00	162.00	
3 long-term empties x no discount	1,231.00	1,398.00	
less CTRS	-9,061.84	- 8,429.63	
plus f y e for new properties	809.00	589.00	
Total	77,933.41	78,756.37	
conversion to band d equivalent			
band d equivalent	67,741.53	68,378.27	
Assume 97.1% collection	65,709.29	Assume 97.8% collection	66,873.95

Duston	17/18	18/19
	Total	Total
BAND		
Number on list	7289.00	7,292.00
less exemption	69.00	73.00
plus disabled from higher band	41.00	39.00
less disabled going into lower band	41.00	39.00
less number of one adult resident household x25%	551.75	562.25
less number of properties with no residents but not exempt x50%	1.50	- 0.50
less number of second home properties with no residents but not exempt x10%	4.00	4.00
34 long-term empties x no discount	76.00	70.00
less CTRS	-413.87	- 393.70
plus f y e for new properties	3.50	-
Total	6256.38	6,263.55
conversion to band d equivalent		
band d equivalent	5641.06	5,646.05
Assume 97.1% collection	5,471.83	Assume 97.8% collection 5,521.83

Collingtree			
BAND		17/18	18/19
		Total	Total
Number on list		431.00	434.00
less exemption		3.00	3.00
plus disabled from higher band		5.00	7.00
less disabled going into lower band		5.00	7.00
less number of one adult resident household			
x25%		20.88	21.00
less number of properties with no residents but			
not exempt x50%		-2.50	- 4.00
less number of second home properties with no			
residents but not exempt x10%		1.00	1.00
35	long-term empties x no discount	10.00	4.00
	less CTRS	-11.02	- 10.69
	plus f y e for new properties	0.00	-
Total		398.60	403.31
conversion to band d equivalent			
band d equivalent		529.64	534.53
Assume 97.1% collection		513.75	Assume 97.8% collection 522.77

Billing	17/18	18/19
	Total	Total
BAND		
Number on list	3,823.00	3,866.00
less exemption	27.00	29.00
plus disabled from higher band	29.00	29.00
less disabled going into lower band	29.00	29.00
less number of one adult resident household x25%	296.75	303.75
less number of properties with no residents but not exempt x50%	2.50	3.00
less number of second home properties with no residents but not exempt x10%	2.00	2.00
3 long-term empties x no discount	34.00	31.00
less CTRS	-455.49	- 431.29
plus f y e for new properties	25.00	41.50
Total	3,066.26	3,140.46
conversion to band d equivalent		
band d equivalent	2,761.42	2,823.35
Assume 97.1% collection	2,678.57	Assume 97.8% collection 2,761.23

Great Houghton		17/18	18/19
BAND	Total	Total	
Number on list	285.00	284.00	
less exemption	2.00	-	
plus disabled from higher band	1.00	1.00	
less disabled going into lower band	1.00	1.00	
less number of one adult resident household x25%	16.00	17.25	
less number of properties with no residents but not exempt x50%	-0.50	- 0.50	
less number of second home properties with no residents but not exempt x10%	1.00	-	
37 long-term empties x no discount	3.00	3.00	
less CTRS	-9.99	- 10.69	
plus f y e for new properties	0.00	-	
Total	257.51	256.56	
conversion to band d equivalent			
band d equivalent	297.12	296.83	
Assume 97.1% collection	288.21	Assume 97.8% collection	290.30

Hardingstone		17/18	18/19
BAND	Total	Total	
Number on list	1,000.00	1,001.00	
less exemption	7.00	6.00	
plus disabled from higher band	11.00	11.00	
less disabled going into lower band	11.00	11.00	
less number of one adult resident household x25%	74.75	77.00	
less number of properties with no residents but not exempt x50%	0.00	-	
less number of second home properties with no residents but not exempt x10%	5.00	3.00	
3 long-term empties x no discount	10.00	7.00	
less CTRS	-67.22	- 61.34	
plus f y e for new properties	1.00	-	
Total	852.03	856.66	
conversion to band d equivalent			
band d equivalent	820.04	823.10	
Assume 97.1% collection	795.44	Assume 97.8% collection	804.99

Upton	17/18	18/19
	Total	Total
BAND		
Number on list	3,154.00	3,355.00
less exemption	41.00	54.00
plus disabled from higher band	17.00	17.00
less disabled going into lower band	17.00	17.00
less number of one adult resident household		
x25%	267.00	283.00
less number of properties with no residents but		
not exempt x50%	1.50	-
less number of second home properties with no		
residents but not exempt x10%	10.00	12.00
39 long-term empties x no discount	39.00	54.00
less CTRS	-258.73	- 254.80
plus f y e for new properties	484.50	307.50
Total	3,070.27	3,070.70
conversion to band d equivalent		
band d equivalent	3,085.71	3,083.56
Assume 97.1% collection	2,993.14	Assume 97.8% collection 3,015.72

Hunsbury Meadow		17/18	18/19
BAND	Total		Total
Number on list	498.00		498.00
less exemption	5.00		3.00
plus disabled from higher band	2.00		2.00
less disabled going into lower band	2.00		2.00
less number of one adult resident household			
x25%	30.25		30.75
less number of properties with no residents but			
not exempt x50%	0.00		-
less number of second home properties with no			
residents but not exempt x10%	0.00		-
40 long-term empties x no discount	1.00		2.00
less CTRS	-15.65	-	16.92
plus f y e for new properties	0.00		-
Total	447.10		447.33
conversion to band d equivalent			
band d equivalent	516.91		516.82
Assume 97.1% collection	501.41	Assume 97.8% collection	505.45

West Hunsbury	17/18	18/19
BAND	Total	Total
Number on list	1,868.00	1,868.00
less exemption	11.00	14.00
plus disabled from higher band	16.00	14.00
less disabled going into lower band	16.00	14.00
less number of one adult resident household x25%	117.13	121.50
less number of properties with no residents but not exempt x50%	-0.50	- 1.50
less number of second home properties with no residents but not exempt x10%	2.00	3.00
4 long-term empties x no discount	9.00	9.00
less CTRS	-88.66	- 97.92
plus f y e for new properties	0.00	-
Total	1,651.72	1,636.08
conversion to band d equivalent		
band d equivalent	1,696.66	1,687.50
Assume 97.1% collection	1,645.76	Assume 97.8% collection 1,650.38

Wootton, Wootton Fields & Simpson Manor		17/18	18/19
BAND	Total	Total	
Number on list	3,012.00	3,013.00	
less exemption	8.00	20.00	
plus disabled from higher band	16.00	15.00	
less disabled going into lower band	16.00	15.00	
less number of one adult resident household x25%	170.75	170.00	
less number of properties with no residents but not exempt x50%	1.00	1.00	
less number of second home properties with no residents but not exempt x10%	4.00	4.00	
long-term empties x no discount	21.00	29.00	
less CTRS	-97.48	- 88.13	
plus f y e for new properties	5.50	-	
Total	2,740.27	2,733.87	
conversion to band d equivalent			
band d equivalent	3,031.67	3,024.78	
Assume 97.1% collection	2,940.72	Assume 97.8% collection	2,958.24

East Husbury		17/18	18/19
BAND	Total	Total	
Number on list	4,134.00	4,135.00	
less exemption	31.00	29.00	
plus disabled from higher band	16.00	18.00	
less disabled going into lower band	16.00	18.00	
less number of one adult resident household x25%	295.75	293.00	
less number of properties with no residents but not exempt x50%	0.75	0.38	
less number of second home properties with no residents but not exempt x10%	3.00	4.00	
43 long-term empties x no discount	48.00	72.00	
less CTRS	-163.06	- 138.08	
plus f y e for new properties	0.00	-	
Total	3,643.44	3,674.55	
conversion to band d equivalent			
band d equivalent	3,514.41	3,540.64	
Assume 97.1% collection	3,408.98	Assume 97.8% collection	3,462.75

Unparished	17/18	18/19
BAND	Total	Total
Number on list	70,469.00	70,829.00
less exemption	1,658.00	1,701.00
plus disabled from higher band	264.00	271.00
less disabled going into lower band	264.00	271.00
less number of one adult resident household x25%	6,094.63	6,198.75
less number of properties with no residents but not exempt x50%	-24.63	- 30.13
less number of second home properties with no residents but not exempt x10%	142.00	129.00
44 long-term empties x no discount	980.00	1,117.00
less CTRS	-7,480.68	- 6,926.08
plus f y e for new properties	289.50	240.00
Total	55,549.82	56,273.30
conversion to band d equivalent		
band d equivalent	45,846.88	46,401.11
Assume 97.1% collection	44,471.48	Assume 97.8% collection 45,380.28

Appendices:
1



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

22nd January 2018

Agenda Status: Public

Directorate: Borough Secretary

Report Title	Initial Proposals for update of the Constitution
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1. Purpose

1.1 To update all Members on proposed updates to the Constitution.

2. Recommendations

2.1 That the updated parts Constitution appended to this report (Appendix 1) be noted and agreed by Council.

2.2 That further substantial changes to the Constitution be considered by the Constitution Working Party prior to it be being approved by full Council.

3. Issues and Choices

3.1 Report Background

3.1 The cross party Constitution Review Working Party (CRWP) met on the 8th January 2018 to discuss changes and updates to the Constitution which would improve and update the Council's internal governance arrangements, give effect to relevant statutory provisions and reflect changes that the Council have agreed to through a Local Government Shared Service and the creation of an Arm's lengths Management Organisation (Northampton Partnership Homes).

3.2 Full Council nominated the following Councillors to the CRWP at Annual Council on the 18th May 2017:

- Councillor Beardsworth
- Councillor Culbard
- Councillor Larratt

- Councillor Oldham
- Councillor Russell

The CRWP was supported by Officers and led by the Monitoring Officer.

- 3.3 The CRWP met on the 8th January 2018 to review initial proposals for an update to the Constitution which were considered to be minor and reflected changes to the Council's Management Structure, Cabinet Member responsibilities, Cabinet procedure rules (The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) and the Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members' Code of Conduct and of Codes of Conduct adopted by Parish Councils.
- 3.4 The Constitution is a fundamental governance document for the Council and orders key aspects of Council procedure and power. However, Constitutions by their very nature reflect as snap shot of time and can become rapidly outdated due to the fluidity of the document, especially during dynamic and changing external influences.
- 3.5 In the first instance, Council are being asked to approve these initial changes to the Constitution, which are essentially an update to the said document. Furthermore, the CRWP will meet to review more significant proposed changes to the Constitution. The proposed updates will include:
- contract procedure rules,
 - financial regulation and the
 - scheme of delegations
 - Planning Protocol
 - Any other changes which merit consideration
- 3.6 Once the CRWP have considered the proposed changes to the Constitution and made appropriate amendments and recommendations, Council will be asked to consider and agree the changes which will facilitate clarity in the decision-making process and clarify roles and responsibilities and provide greater accountability. This will assist in better management and reduction of legal risks.
- 3.7 It is anticipated that further proposed changes to the Constitution will be submitted to Full Council for approval in March 2018 after having been considered by the CRWP.
- 3.8 Due to the size of the Constitution, only the extracts of the proposed changes are appended to the report.

4. Implications (including financial implications)

4.1 Policy

4.1.1 N/A

4.2 Resources and Risk

4.2.1 There are no resources or risks as an outcome of the report.

4.3 Legal

4.3.1 There are no legal implications as an outcome of the report.

4.4 Equality

4.4.1 None

4.5 Other Implications

4.5.1 N/A

5. Background Papers

5.1 None

Francis Fernandes
Borough Secretary & Monitoring Officer
01604 837734

- The Audit Committee (Article 9)
- The Standards Committee (Article 10).
- The General Purposes Committee (Article 11).
- ~~Neighbourhood Partnerships~~, Forums and ~~Consultative Committees~~ (Article 12).
- ~~Joint Arrangements (Article 13).~~
- Officers (Article 14).
- Decision Making (Article 15).
- Finance, Contracts and Legal Matters (Article 16).
- Review and Revision of the Constitution (Article 17).
- Interpretation, Publication and Suspension of the Constitution (Article 18).

HOW THE COUNCIL OPERATES

The Council is composed of 45 Councillors (otherwise called Members) elected every four years. Councillors are democratically accountable to residents of their ward. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Councillors have to agree to follow a Code of Conduct to ensure high standards in the way they undertake their duties. The Standards Committee trains and advises them on the Code of Conduct.

All Councillors meet together as the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall policies and set the Budget each year.

The Council is responsible for appointing the Leader, and the committees of the Council, and for setting its Budget and its Policy Framework on the recommendation of the Cabinet. It provides opportunities for public participation within its Guidelines for Open Government and for debate on such issues as are from time to time relevant to the best interests of the Council Tax and Business Rate payers. Article 4 of the Constitution expands upon and clarifies the detailed functions of the Council.

HOW DECISIONS ARE MADE

The Cabinet is the part of the Council, which is responsible for most day-to-day decisions. The Cabinet comprises the Leader, who is elected by the Council, and up to 9 other Councillors whom the Leader appoints. When major decisions (Key Decisions) are to be discussed or made, these are published in the Cabinet's ~~Forward Plan~~ Executive Business List in so far as they can be anticipated. If these major decisions are to be discussed with Council Officers at a meeting of the Cabinet, this will generally be open for the public to attend except where personal or confidential matters are to be discussed. The Cabinet has to make decisions, which are in line with the Council's overall policies and Budget. If it wishes to make a decision, which is outside the Budget and/or Policy Framework, this must be referred to the Council as a whole to decide.

Individual members of the Cabinet (Cabinet Members) have the power to make a range of decisions. The type of decisions they can make are outlined in Part 3 of this Constitution.

OVERVIEW AND SCRUTINY

There is one Overview and Scrutiny Committee supported by three standing Scrutiny Panels. The Panels are appointed by, and report to, the Overview and Scrutiny Committee.

The Overview and Scrutiny Committee supports the work of the Cabinet and the Council as a whole. It allows citizens to have a greater say in Council matters by holding inquiries into matters of local concern. These lead to reports and recommendations which advise the Cabinet and the Council as a whole on its policies, Budget and service delivery. The Overview and Scrutiny Committee also monitors the decisions of the Cabinet. It can "call-in" certain decisions which have been made by the Cabinet, but not yet implemented. This enables the Overview and Scrutiny Committee to consider whether the decision is appropriate. It may recommend that the Cabinet reconsider the decision. The Overview and Scrutiny Committee may also be consulted by the Cabinet or the Council on forthcoming decisions and the development of policy.

~~AREA PARTNERSHIPS &~~ FORUMS

In order to give local citizens a greater say in Council affairs, a number of ~~Neighbourhood Partnerships and~~ Forums exist. These are listed in Article 12, which also indicates their objectives.

They involve representative Councillors, are held in public, and the Constitutions of the Forums vary with the intent of providing a broad spectrum of democratic opinion within the ambit of their terms of reference.

Article 9 – The Audit Committee

9.1 The Audit Committee

The Council will establish an Audit Committee:

- 9.2 **Membership:** The Audit Committee will be composed of seven Councillors, excluding members of the Cabinet. This will be chaired by an Independent person who has no voting rights.

The Committee shall have delegated powers to appoint co-opted members, without voting rights but with expertise in relevant areas.

9.3 Role and Terms of Reference

- 9.3.1 To generally consider all relevant processes for risk, control and governance.
- 9.3.2 To approve and influence (but not direct) internal audit's strategy, plan and performance.
- 9.3.3 To review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary.
- 9.3.4 To consider the reports of external audit and inspection agencies.
- 9.3.5 To consider the effectiveness of the Council's risk management arrangements, the control environment and associated anti fraud and anti corruption arrangements and seek assurances that action is being taken on risk related issues identified by auditors and inspectors.
- 9.3.6 To be satisfied that the Council's assurance statements, including the Statement on Internal Control, properly reflect the risk environment and any actions required to improve it.
- 9.3.7 To ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.

~~* Article 12 has not been reviewed as part of the May 2011 revision of the Constitution. Article 12 will be subject to separate review and revision.~~

~~* Article 12 - Neighbourhood Partnerships, Forums and Consultative Committees~~

~~12.1 Neighbourhood Partnerships and Forums~~

~~The Council may appoint Neighbourhood Partnerships as it sees fit, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.~~

~~It may also~~ The Council may appoint from time to time Forums ~~and Consultative committees to~~ promote and sustain effective communication between the Council and the groups and individuals represented thereby.

~~The Council will consult with relevant Parish Councils when considering whether and how to establish Neighbourhood Partnerships.~~

~~12.2 Form, Composition and Function of Neighbourhood Partnerships.~~

~~12.2.1 Table of Neighbourhood Partnerships - The Council will appoint the Area Partnerships as set out in the first column of the Table below, composed as set out in the second column of that Table and with the terms of reference set out in the third column.~~

Scope of Committee	Composition	Terms of Reference
1. Abington, Castle & St Crispin	Ex officio the elected ward Councillors for the respective wards plus such other interested parties as they may consider appropriate from time to time to co-opt, such as the electoral division County Councillor or Parish Council representatives.	To reflect their consultative role the partnerships have a deliberative and advisory capacity on such functions of the Council (whether the responsibility of the Cabinet or Council committees) as affect and are directly relevant to their area. They may from time to time submit reports on matters within their area of operation to the Cabinet, the
2. Billing, Ecton Brook, Lumbertubs and Thorplands		
3. Boughton Green, Kingsthorpe & St Davids		
4. Delapre, St James & Spencer	Non-local Authority co-optees shall be non-voting members.	

5. Eastfield, Headlands and — Weston 6. East Hunsbury, — Nene Valley & — West Hunsbury 7. Kingsley & Parklands 8. New Duston and — Old Duston		Overview and Scrutiny Committee or the Council and may incur such expenditure within their area as may be from time to time allocated within the Council's Budget for these purposes, subject to the prior ratification of any such decision by the Cabinet or the committee to which the relevant function relates.
--	--	---

~~12.2.2 Delegations~~ – Neighbourhood Partnerships will have an advisory role in respect of the functions both of the Cabinet and Council committees, and expenditure on their individual Budgets referred to in 12.2.1 will be by way of recommendation to the Cabinet or committee to which any relevant function relates. Consequently, direct delegation is not involved.

~~12.3 Conflicts of Interest – Membership of Neighbourhood Partnerships and the Overview and Scrutiny Committee~~

~~12.3.1 Conflict of Interest~~ – If the Overview and Scrutiny Committee is scrutinising specific recommendations or proposals in relation to the business of the Neighbourhood Partnership of which the Councillor concerned is a member, then the Councillor may not speak or vote at the Overview and Scrutiny Committee meeting unless a dispensation to do so is given by the Standards Committee.

~~12.3.2 General Policy Reviews~~ – Where the Overview and Scrutiny Committee is reviewing policy generally the Councillor must declare his/her interest before the relevant agenda item is reached, but need not withdraw.

~~12.4 Neighbourhood Partnerships – Access to Information~~

~~Area Partnerships will comply with the Access to Information Rules in Part 4 of this Constitution.~~

~~Agendas and notes for Neighbourhood Partnership meetings which deal with both functions which fall under the responsibility of the Cabinet and functions which are not the responsibility of the Cabinet will state clearly which items are which.~~

~~12.5 Cabinet Members on Neighbourhood Partnerships~~

~~A member of the Cabinet may serve on a Neighbourhood Partnership if otherwise eligible to do so as a Councillor.~~

12.6 Forums

The Council has appointed the Forums hereinafter listed, having the general objectives itemised against such Forum.

Disabled People's Forum

Objectives

1. To promote and sustain effective communication between the Council and disabled people living or working in the Borough.
2. To monitor the effectiveness of the Council's policy and practice in discharging its duties under the ~~Disability Discrimination Act 1995~~ Equality Act 2010 and its own Equal Opportunities standard.
3. To facilitate equality of access by disabled people to the services, benefits, and employment related opportunities provided by the Council by:
 - 3.1 providing information in appropriately accessible formats about those services and how to access them;
 - 3.2 identifying and removing barriers, which make services and facilities difficult for disabled people to find out about or to use;
 - 3.3 promoting dialogue between disabled people, individually or collectively, the Council, its Members and senior Officers of the Council about issues of concern to both parties; and
 - 3.4 identifying the specific requirements of disabled people.
4. To provide a Forum in which:
 - 4.1 disabled people can express their needs for, and their views on, services provided by the Council;
 - 4.2 the Council can consult disabled people on policy and service delivery issues affecting disabled people in the Borough; and
 - 4.3 the specific requirements of disabled people can be identified.
5. To promote dialogue between Officers of the Council and disabled people in the Borough.

Lesbian, Gay ~~and~~, Bisexual, Transgender & Questioning People's Forum

Objectives

1. To promote and sustain effective communication between the Council, lesbian, gay, ~~and~~ bisexual, transgender & questioning people, and supportive organisations.
2. To monitor the effectiveness of the Council's policy and practice in discharging its duties to lesbian, gay and bisexual people under its own Equal Opportunities standard.
3. To equalise access by lesbian, gay, ~~and~~ bisexual, transgender & questioning people to the services and benefits provided by the Council by:
 - 3.1 providing information about those services and how to access them;
 - 3.2 identifying and removing barriers to ensure access to services which directly affect lesbian, gay, ~~and~~ bisexual, transgender & questioning people;
 - 3.3 promoting dialogue about issues of concern between the Council, its Members and senior Officers and representatives of lesbian, ~~gay and bisexual~~ gay, bisexual, transgender & questioning people; and
 - 3.4 identifying the specific requirements of lesbian, ~~gay and bisexual~~ gay, bisexual, transgender & questioning people.
4. To provide a Forum in which:
 - 4.1 lesbian, gay and bisexual people can express their needs for, and their views on, services provided by the Council;
 - 4.2 the Council can consult lesbian, gay, ~~and~~ bisexual, transgender & questioning people and supportive organisations on policy and service delivery issues affecting lesbian, gay, ~~and~~ bisexual, transgender & questioning people in the Borough; and
 - 4.3 the specific requirements of lesbian, gay, ~~and~~ bisexual, transgender & questioning people can be identified.

5. To provide a Forum in which to discuss issues relevant to lesbian, gay, ~~and~~ bisexual, transgender & questioning-people within the Borough, but outside of the direct remit of the Council, and enable the Forum to comment on such issues.

Women's Forum

To empower the women of the Borough by giving them a voice and by taking an active part on their behalf in the running of their own community.

1. To identify issues of importance to the women of the Borough, and to research and discuss those issues and decide where appropriate on outcomes, which they wish to achieve and/or courses of action to achieve those outcomes.
2. Such action shall routinely include discussions with decision-makers including Officers of both the Borough and County Councils and representatives of other public and private organisations whose operations affect their lives; and by this means:
 - 2.1 affecting operational decisions of the above organisations; and
 - 2.2 affecting their policy-making.
3. The Forum may also take any other legal action in order to promote Forum policies.
4. The Forum may also organise events such as training events, conferences, festivals etc.
5. The Forum shall regularly report back to the electorate on its work, and may collect, share and disseminate information on youth and other affairs both locally and further afield.
6. The Forum will take account of Equal Opportunities issues and combat inequalities of opportunity as these affect young people.
7. The Forum may receive, raise and spend any money granted to them, raised by them in accordance with the above aims and objectives and/or the terms upon which such monies are granted.

~~No formal terms of reference or constitution—but the general objectives are to provide a Forum for the exchange and dissemination of views on women's issues relevant to the Borough.~~

Article 14 - Officers

14.1 Management Structure

14.1.1 **General** - The Council may engage such staff (referred to as Officers) as it considers necessary to carry out its functions.

14.1.2 **Directors/Chief Officers** - The Council will engage persons for the following posts who, with the exception of the Chief Executive, will be designated Directors:

Post	Functions and areas of responsibility
Chief Executive (and Head of Paid Service)	Overall corporate management and operational responsibility (including overall management responsibility for all Officers). Provision of professional advice to all parties in the decision making process. Representing the Council on partnership and external bodies (as required by statute or the Council).
Director of Finance & Support	Finance; Human Resources; Revenue & Benefits; Procurement Services; Customer Services and ICT.
Director of Housing	Landlord Services; Strategic Housing.
Director of <u>Regeneration, Enterprise & Planning</u> & Regeneration.	Planning; Regeneration and Development and Asset Management.
Director of Environment <u>Customers & Communities</u> & Culture	Public Protection; Neighbourhood Environmental Services; Cultural Services; Town Centre Operations.

14.1.3 **Management Team** - The foregoing together with the Monitoring Officer, the ~~Assistant Chief Executive and the Head of Human Resources~~ Chief Executive, the Director of Regeneration, Enterprise & Planning, the Chief Finance Officer, and the Director of Customer & Communities shall constitute the Council's Management Team, who are charged with collective responsibility for oversight, supervision and forward planning of the management of the Council and advice to its Councillors.

14.1.4 **Head of Paid Service, Monitoring Officer and Chief Finance Officer** - The Council will designate the following posts as shown.

Post	Designation
Chief Executive	Head of Paid Service
Director of Finance & Support <u>Chief Finance Officer</u>	Chief Finance Officer (Section 151 Officer)
Borough Secretary	Monitoring Officer

Such posts will have the functions described in Articles 14.2 - 14.4 below.

14.1.5 **Structure** - The Head of Paid Service will determine and publicise a description of the departmental structure of the Council indicating the framework of the management structure and deployment of Officers. This is set out at Part 7 of this Constitution, and may be changed from time to time, whether as to structures or names and deployment, without the requirement for any formal amendment of this Constitution.

14.2 Functions of the Head of Paid Service

14.2.1 **Discharge of Functions by the Council** - The Head of Paid Service will report to Full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of Officers required for the discharge of functions and the organisation of Officers.

14.2.2 **Restrictions on Functions** - The Head of Paid Service may not be the Monitoring Officer.

Committee	Membership	Functions	Delegation of functions
	voting)		
Audit Committee	7 Members of the Council (excluding members of the Cabinet) <u>and 1 Independent Chair</u>	Generally considering all relevant processes for risk, control and governance set out in Article 9.	Those functions referred to in Part 8 of this Constitution (Delegations to Officers) are delegated to Officers as provided therein.
General Purposes Committee	9 Members of the Council	To exercise all those functions set out in Article 11.	Those functions referred to in Part 8 of this Constitution (Delegations to Officers) are delegated to Officers as provided therein.
Appointments and Appeals Committee	6 Members of the Council to include at least 2 Members of Cabinet	<ul style="list-style-type: none"> (i) To recommend to the Council the appointment of the Chief Executive. (ii) To make appointments of other Chief Officers set out in Article 14 of this Constitution and to make appointments of Deputy Chief Officers (Heads of Service). (iii) To undertake all associated activities including agreeing job descriptions, person specifications, the interview processes generally. (iv) To establish, agree terms of reference and appoint to the 	Those functions referred to in Part 8 of this Constitution (Delegations to Officers) are delegated to Officers as provided therein.

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3.2.8 a decision that has been specifically reserved to the Council, other body or (except where 2.6 above applies) delegated to Officers.

4. Powers Delegated to Particular Cabinet Members

4.1 Cabinet Members who hold certain portfolios are given the specific powers given below. These powers are in addition to the powers delegated to all Cabinet Members described in section 2 above. For the avoidance of doubt, if any specific power described below contains a limitation, then a decision or action outside the limitation cannot be taken by the Cabinet Member concerned under their general delegated powers under section 2, but must be referred to full Cabinet. The limitations in section 3 above also apply to the specific powers below.

4.2 Powers Reserved to the Leader of the Council – ~~Partnerships & Improvement Portfolio~~

4.2.1 To vary this Scheme of Delegations of executive functions including the ability to bring Key Decisions within this Scheme of Delegations.

4.2.2 To direct that particular decisions or classes of decisions within the powers of Cabinet Members be referred to the Leader or Cabinet for decision.

4.2.3 To exercise any executive powers and duties not reserved to Cabinet or delegated to an Officer, a Cabinet Member, individual or other body.

4.2.4 To act on behalf of any other Cabinet Member who is absent or unable to act, or to authorise another Cabinet Member to do so.

4.2.5 To determine any conflicts of opinion or decision which may arise between two or more Cabinet Members exercising delegated decisions under this Scheme of Delegations.

4.2.6 To make Key Decisions.

4.2.7 To exercise the executive powers and duties of the Council for the areas within the following portfolio:

~~Partnerships & Improvement~~

- ~~Partnerships~~
- ~~Communications~~
- ~~Borough Solicitors~~
- ~~Overall Strategic Direction~~
- ~~Partnership~~

- Organisation
- Council Standing and Profile
- Human Resources
- Legal
- Emergency Planning
- Corporate Risk
- Communications
- SEMLEP

4.3 Powers of the Deputy Leader – ~~Community Engagement Portfolio~~

- 4.3.1 To deputise for the Leader in their absence, or at their instruction, in relation to all functions which are the Leader’s responsibility.
- 4.3.2 To exercise the executive powers and duties of the Council for the areas within the following portfolio unless a direction by the Leader under sections 1.1 and 4.2.2 has been issued and communicated in writing to the Cabinet Member:

~~Community Engagement~~

- ~~Community Participation~~
- ~~Community Safety~~
- ~~Community Wellbeing~~
- ~~Community Development~~
- ~~Cultural Development~~
- ~~Emergency Planning~~
- ~~Town Centre Operations~~
- ~~Car Parks~~
- ~~Events and Museums~~
- ~~Leisure~~
- ~~Community Grants~~
- ~~Chief Executive’s Office~~
- ~~Democratic Services~~
- ~~Electoral Services~~
- Support the Leader of the Council
- Scrutiny Liason & Follow up
- Democratic Services
- Major Contracts including LGSS
- Joined up working
- Sports Clubs
- Councillor Developmet
- Constitution
- Market Liaison
- Enforcement across the Council

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- Flood Issues
- Tourism

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4.4 Powers of the ~~Portfolio Holder~~ Cabinet Member – Community Engagement & Safety Performance & Support

To exercise the executive powers and duties of the Council for the areas within the following portfolio unless a direction by the Leader under sections 1.1 and 4.2.2 has been issued and communicated in writing to the Cabinet Member:

Performance & Support

- Performance Management
- IT Customer Support
- IT Systems & Infrastructure
- Business Process & Improvement
- Human Resources
- Customer Services
- Councillor & Managerial Support
- Customer Services
- Equalities
- Events, Culture including Museums
- Sport & Leisure, incl. Trust
- Forums
- Voluntary & Community Sector
- Community Safety

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4.5 Powers of the ~~Portfolio Holder~~ Cabinet Member – Finance

To exercise the executive powers and duties of the Council for the areas within the following portfolio unless a direction by the Leader under sections 1.1 and 4.2.2 has been issued and communicated in writing to the Cabinet Member:

- Finance Management
- Financial Strategy
- Audit
- Insurance & Risk Management
- Asset Management
- Finance/VFM
- Revenue Capital
- Treasury
- Revenue & benefits

- Procurement
- Facilities
- Change & Performance
- ICT

4.6 Powers of the ~~Portfolio Holder~~ Cabinet Member- Housing & Wellbeing

To exercise the executive powers and duties of the Council for the areas within the following portfolio unless a direction by the Leader under sections 1.1 and 4.2.2 has been issued and communicated in writing to the Cabinet Member:

Housing & Wellbeing

- ~~Housing Services and Management~~
- ~~Housing Estates~~
- ~~Housing Advice and Homelessness~~
- ~~Housing Allocations~~
- ~~Rents~~
- ~~Revenues and Benefits~~
- ~~Council Tax Collection~~
- Housing options/solutions
- Private Sector housing
- Housing Asset Strategy & management
- Estate Renewal
- Sheltered Housing
- Independent Living
- Northampton Partnership Homes
- Community Wellbeing
- Delivery of appropriate affordable & mobility housing through the Planning process
- Homelessness

Without prejudice to the generality of the powers above to have the following specific powers:

- 4.6.1 Agreeing to the disposal of dwellings (subject to the terms of any specific or general consent of the Secretary of State) in circumstances or in a manner not covered by the Right to Buy, and in particular under arrangements to enable tenants to finance the purchase of their homes by methods compliant with Islamic law (Sharia).
- 4.6.2 Agreeing to demand less than the maximum amount of discount recoverable on the further disposal of a sold Council dwelling.

4.6.3 Adopting policies, practices or protocols (including arrangements with one or more registered social landlord) to deal with offers of first refusal of sold Council dwellings.

4.7 Powers of the ~~Portfolio Holder~~ Cabinet Member- Environment ~~Portfolio~~

To exercise the executive powers and duties of the Council for the areas within the following portfolio unless a direction by the Leader under sections 1.1 and 4.2.2 has been issued and communicated in writing to the Cabinet Member:

Environment

- ~~Street Cleansing & Street Scene~~
- ~~Parks & Open Spaces~~
- ~~Waste Management~~
- ~~Recycling~~
- ~~Environmental Health~~
- ~~Direct Services Organisations~~
- ~~Travellers~~
- ~~Neighbourhood Wardens~~
- ~~Property Maintenance~~
- Environmental Services
- Environmental Health
- Carbon Management
- Cemeteries
- Neighbourhood Wardens
- Park Rangers
- Parks & Open Spaces
- Cleanliness of the Town
- Trees
- Licensing Policy

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Without prejudice to the generality of the powers above to have the following specific powers:

- 4.7.1 Accepting on behalf of the Council facilities provided under projects such as CASPAR and approving arrangements for the ongoing maintenance of such facilities.
- 4.7.2 Authorising amendments to the rules made by the Council under section 28 of the Smallholdings and Allotments Act 1908 as amended after the Allotment Steering Group have been consulted on and agree to any such amendments.

4.7.3 Agreeing to the disposal or appropriation of areas of public open space of not more than 5,000 square metres, subject to public advertisement and the consideration of any objection by full Cabinet.

4.7.4 Agreeing to accept donations of land for use as public open space or community purposes pursuant to agreements under section 106 of the Town and Country Planning Act 1990 or in similar circumstances.

4.8 Powers of the ~~Portfolio Holder~~ Cabinet Member – Regeneration, Enterprise & Planning & Regeneration

To exercise the executive powers and duties of the Council for the areas within the following portfolio unless a direction by the Leader under sections 1.1 and 4.2.2 has been issued and communicated in writing to the Cabinet Member:

Planning & Regeneration

- Planning Policy & Conservation
- Regeneration
- Economic Development & Intelligence
- Development and Building Control
- Markets
- Project Development and Co-ordination
- Housing Strategy

Regeneration Enterprise and Planning

- Major regeneration projects
- Economic partnership
- Business improvement districts
- Town centre inc. Management & operations
- Heritage assets & projects
- Assets
- Community Regeneration
- Planning Policy/Strategic Planning
- Development Control powers
- Building Control
- Conservation

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2.4.2 Motions and Recommendations not dealt with

In the case of any motions or recommendations on the agenda that have not been dealt with by 10.00 pm:

2.4.2.1 The Mayor shall put to the vote without further debate any motion or amendment currently under discussion; and

2.4.2.2 any items remaining to be considered will be put to the meeting without further discussion and a vote taken on whether the item should be accepted, rejected, referred, deferred or withdrawn.

3. MINUTES

3.1 The Mayor shall put the question that the minutes of the previous meeting of the Council be approved as a correct record. No discussion shall take place upon the minutes except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised, then as soon as it has been disposed of the Mayor shall sign the minutes.

3.2 Council minutes which would otherwise require to be signed at an Extraordinary or Special meeting may be signed at the next ordinary meeting.

4. MOTIONS

For the avoidance of doubt nothing in this Rule shall preclude a Member from proposing a motion or amendment to a motion without notice during the discussion of an ordinary report at a meeting of the Council in which case the provisions of Rule 9 below shall apply.

4.1 Notices of Motion

Notice of every motion (other than a motion which under Rules 4.7 or 9.10 may be moved without notice) shall be ~~given in writing, signed by the Member or Members of the Council giving the notice, and delivered, faxed or e-mailed~~ not later than 5pm eight working days before the day of the meeting to the office of the Chief Executive. Notices of motion shall be available for inspection at the Chief Executive's Department (Democratic Services Section).

6.3.3 Each question from the public must provide the name and address of the questioner and name the Cabinet Member/committee chair to whom the question should be put.

6.4 Deadlines

An application for a question to be considered must be in writing or submitted in writing and delivered, faxed or e-mailed to Democratic Services no later than 10.00 am seven calendar days before the day of the Council meeting.

6.5 Asking the Question at the Meeting

6.5.1 Copies of all the questions to be dealt with at the meeting, together with written answers, shall be circulated (in a suitable format) at the meeting and copies shall be available for members of the public and the press.

6.5.2 The Mayor will invite the questioner to put the question to the Member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

6.6 Supplemental Question

A questioner who has put a question in person may at the discretion of the Mayor also put one supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in Rule 6.2 above.

6.7 Form of Answer

6.7.1 An answer will usually be in written form but may be:

- a direct oral answer; or
- where the desired information is contained in a publication of the Council, a reference to that publication.

6.7.2 The Leader, Cabinet Member or appropriate Chair may decline to respond to a public or Member question.

inspect or to enter upon any lands or premises which the Council occupies or has the power or duty to inspect or enter.

19. COMMITTEES AND SUB-COMMITTEES

Subject to the overriding provisions of the Local Government Act 2000 and any regulations made thereunder the Council may at any time disband a committee, alter its membership, including the appointment of Chair or Deputy-Chair, appoint such additional standing or special committees for such purposes as comply with the said Act and, as may appear appropriate, allocate and/or delegate to such additional committees such powers and duties as may be necessary or desirable notwithstanding any derogation from the powers and duties of any of the standing committees.

20. SUBSTITUTE MEMBERS (OVERVIEW AND SCRUTINY, APPOINTMENTS AND APPEALS, AUDIT AND GENERAL PURPOSES COMMITTEES)

20.1 Except where the Council determines otherwise, a member of any Overview and Scrutiny Committee, the Appointments and Appeals Committee, the Audit Committee or the General Purposes Committee may nominate another Councillor in accordance with Rule 20.2 below to attend one or more meetings of such Committee in his/her place as a substitute with power to vote.

20.2 The person nominated shall not be a member of the Cabinet (not applicable to the Appointments and Appeals Committee) nor already be a member of the Committee concerned, and shall be a member of the same political group as the Member whose place they take. The person nominated shall not be entitled to assume any special position or status with respect to that Committee which the nominating Member may possess.

20.3 A nomination under Rule 20.2 shall be delivered, faxed or e-mailed to Democratic Services, signed by the nominating Member or the Political Assistant or Group Whip, before 12 noon on the day of the meeting(s) or period of time for which the nomination is to have effect.

20.4 A nomination shall apply for the whole of the meeting or for such period of time specified in the notice.

21. POWERS OF CABINET AND COMMITTEES

Subject to the overriding statutory requirements of the Local Government Act 2000 and all regulations made thereunder shall be delegated to the Cabinet, the respective committees, and Officers of the Council the functions of the Council specified in the

ACCESS TO INFORMATION PROCEDURE RULES

1. SCOPE

These Rules apply to all meetings of the Council, the Overview and Scrutiny Committee, ~~Neighbourhood Partnerships~~, the Standards, the Audit, General Purposes and the Regulatory committees of the Council and public meetings of the Cabinet (together called meetings).

2. ADDITIONAL RIGHTS TO INFORMATION

These Rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

3. RIGHTS TO ATTEND MEETINGS

Members of the public may attend all meetings subject only to the exceptions in these Rules, or as otherwise provided by the law.

4. NOTICES OF MEETING

The Council will give at least five clear days' notice of any meeting by posting details of the meeting ~~at The Guildhall, St Giles Square, Northampton, NN1 1DE, (the designated office)~~ on the Council website: www.northampton.gov.uk

5. ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

The Council will make copies of the agenda and reports open to the public available for inspection at the designated office at least five clear days before the meeting. If an item is added to the agenda later, the revised agenda (where reports are prepared after the summons has been sent out, the Proper Officer shall make each such report available to the public as soon as the report is completed and sent to Councillors) will be open to inspection from the time the item was added to the agenda.

6. SUPPLY OF COPIES

6.1 The Council will supply copies of:

6.1.1 any agenda and reports which are open to public inspection;

CABINET PROCEDURE RULES

1. HOW DOES THE CABINET OPERATE?

1.1 Who may make Executive Decisions?

The arrangements for the discharge of executive functions are set out in the Executive Arrangements adopted by the Council and summarised on page 2-52. The Arrangements may provide for executive functions to be discharged by:

- 1.1.1 the Cabinet as a whole;
- 1.1.2 a committee of the Cabinet;
- 1.1.3 an individual member of the Cabinet. (The Leader's Scheme of Delegations in Part 3 of the Constitution sets out the arrangements in this regard);
- 1.1.4 an Officer;
- 1.1.5 ~~Neighbourhood Management arrangements (within any delegated authority)~~
- 1.1.6 Joint Arrangements; or
- 1.1.7 another Local Authority.

1.2 Sub-delegation of Executive Functions

- 1.2.1 Where the Cabinet, any committee of the Cabinet or an individual member of the Cabinet may be responsible for an executive function, they may delegate further ~~to Neighbourhood Management arrangements,~~ to Joint Arrangements or to an Officer.
- 1.2.2 Even where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated them.

4.4 It will be for Cabinet to specify the extent of a Cabinet committee's powers. The committee may be required to report back to Cabinet or may be authorised to make executive decisions (including Key Decisions).

4.5 References to the Cabinet in Rules 5 – 16 should be read as including any committees of the Cabinet unless the context otherwise requires.

5. PROCEDURE BEFORE TAKING KEY DECISIONS

Subject to Rule 7 (general exception) and Rule 8 (special urgency) of these Cabinet Procedure Rules, a Key Decision may not be taken unless:

- a notice (called here ~~a Forward Plan~~ the Executive Business List) has been published in connection with the matter in question;
- at least ~~fourteen calendar~~ 28 days have elapsed since the publication of the ~~Forward Plan~~ Executive Business List for the inclusion of key decisions; and
- where the decision is to be taken at a meeting of the Cabinet and notice of the meeting has been given in accordance with Rule 4 of the Access to Information Procedure Rules (notice of meetings).

6. ~~THE FORWARD PLAN~~ THE EXECUTIVE BUSINESS LIST

6.1 ~~Period of Forward Plan~~ the Executive Business List

~~Forward Plans will be prepared by and on behalf of the Leader of the Council to cover a period of four months, beginning with the first working day of any month. They will be prepared on a monthly basis and subsequent plans will cover a period beginning with the first working day of the following month covered in the preceding Plan. The~~ executive Business List will be prepared by and on behalf of the Leader of the Council. This will be published on the authority's website at least 28 days prior to Cabinet meetings where it is anticipated key decisions will be made.

6.2 ~~Contents of Forward Plan~~ the Executive Business List

~~The Forward Plan will contain matters which the Leader of the Council has reason to believe will be subject of a Key Decision to be taken by the Cabinet, any committee of the Cabinet, individual members of the Cabinet (if appropriate), Officers, Neighbourhood Partnerships or under joint arrangements in the course of the discharge of an executive function during the period covered by the Plan. It will describe the~~

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~~following particulars in so far as the information is available or might reasonably be obtained:~~

~~The requirement to publish a Key Decision 28 clear days in advance of it being made, applies not only to Key Decisions made at Cabinet but also to any Key Decision to be made by an individual Cabinet Member. Currently, the Leader, (or his deputy acting on his behalf) are the only Councillors who can make Key Decisions individually.~~

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- 6.2.1 the matter in respect of which a decision is to be made;
- 6.2.2 where the decision taker is an individual (if so delegated by the Council), their name and title, if any, and where the decision taker is a body, its name and details of membership;
- 6.2.3 the date on which, or the period within which, it is anticipated that the decision will be taken;
- 6.2.4 the identity of any principal groups whom the decision taker proposes to consult before taking the decision;
- 6.2.5 the means by which any such consultation is proposed to be undertaken;
- 6.2.6 the steps any person might take who wishes to make representations to the Cabinet or decision taker about the matter in respect of which the decision is to be made, and the date by which those steps must be taken;
- 6.2.7 a list of the documents submitted to the decision taker for consideration in relation to the matter; and
- 6.2.8 where in relation to any matter the public may be excluded from the meeting, particulars of that item save that no Confidential or Exempt Information shall be disclosed.

6.3 ~~The Forward Plan must be published at least 14 calendar days before the start of the period covered. The Proper Officer will publish once a year a notice in at least one newspaper circulating in the area, stating:~~

~~6.3.1 that Key Decisions are to be taken on behalf of the Council;~~

~~6.3.2 that a Forward Plan containing particulars of the matters on which decisions are to be taken will be prepared on a monthly basis;~~

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~~6.3.3 that the Forward Plan will contain details of the Key Decisions to be made for the four month period following its publication;~~

~~6.3.4 that each Forward Plan will be available for inspection at reasonable hours free of charge at the Council's offices;~~

~~6.3.5 that each Forward Plan will contain a list of the documents submitted to the decision takers for consideration in relation to the Key Decisions on the Forward Plan;~~

~~6.3.6 the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed in the Forward Plan is available;~~

~~6.3.7 that other documents may be submitted to decision takers;~~

~~6.3.8 the procedure for requesting details of documents (if any) as they become available; and~~

~~6.3.9 the dates on each month in the following year on which each Forward Plan will be published and available to the public at the Council's offices.~~

~~Exempt Information need not be included in a Forward Plan and Confidential Information cannot be included.~~

Key decisions

~~1) A "key decision" means an executive decision, which is likely –~~

~~(a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates; or~~

~~(b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.~~

~~(2) In determining the meaning of "significant" for the purposes of paragraph (1) the local authority must have regard to any guidance for the time being issued by the Secretary of State in accordance with section 9Q of the 2000 Act (guidance).~~

~~(3) A key decision is any decision likely to result in expenditure or savings of £250,000 or above (in a single transaction or a related series of transactions) will be treated as a key decisions. Further information is contained in Article 15 of this Constitution.~~

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Publicity in connection with key decisions

1) Where a decision maker intends to make a key decision, that decision must not be made until a document has been published in accordance with paragraph (2), which states—

(a) that a key decision is to be made on behalf of the relevant local authority;

(b) the matter in respect of which the decision is to be made;

(c) where the decision maker is an individual, that individual's name, and title if any and, where the decision maker is a decision-making body, its name and a list of its members;

(d) the date on which, or the period within which, the decision is to be made;

(e) a list of the documents submitted to the decision maker for consideration in relation to the matter in respect of which the key decision is to be made;

(f) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;

(g) that other documents relevant to those matters may be submitted to the decision maker; and

(h) the procedure for requesting details of those documents (if any) as they become available.

(2) At least 28 clear days before a key decision is made, the document referred to in paragraph (1) must be made available for inspection by the public—

(a) at the offices of the relevant local authority; and

(b) on the relevant local authority's website, if it has one.

(3) Where, in relation to any matter—

(a) the public may be excluded under regulation 4(2) from the meeting at which the matter is to be discussed; or

(b) documents relating to the decision need not, because of regulation 20(3), be disclosed to the public, the document referred to in paragraph (1) must contain particulars of the matter but may not contain any confidential, exempt information or particulars of the advice of a political adviser or assistant.

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7. GENERAL EXCEPTION

~~7.1 If a matter which is likely to be a Key Decision has not been included in the Forward Plan, then subject to Rule 8 (special urgency), the decision may still be taken if:~~

~~7.1.1 the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next Forward Plan and until the start of the first month to which the next Forward Plan relates;~~

~~7.1.2 the Proper Officer has informed the Chair of the Overview and Scrutiny Committee, or if there is no such person, each member of that committee in writing, by notice, of the matter to which the decision is to be made;~~

~~7.1.3 the Proper Officer has made copies of that notice available to the public at the offices of the Council; and~~

~~7.1.4 at least five clear days have elapsed since the Proper Officer complied with Rules 7.1.2 and 7.1.3.~~

~~— Where such a decision is taken collectively, it must be taken in public.~~

~~(1) Subject to regulation 11, where the publication of the intention to make a key decision under regulation 9 is impracticable, that decision may only be made—~~

~~(a) where the proper officer has informed the chairman of the relevant overview and scrutiny committee or, if there is no such person, each member of the relevant overview and scrutiny committee by notice in writing, of the matter about which the decision is to be made;~~

~~(b) where the proper officer has made available at the offices of the relevant local authority for inspection by the public and published on the relevant local authority's website, if it has one, a copy of the notice given pursuant to sub-paragraph (a); and~~

~~(c) after five clear days have elapsed following the day on which the proper officer made available the notice referred to in sub-paragraph (b).~~

~~(2) Where paragraph (1) applies to any matter, regulation 9 need not be complied with in relation to that matter.~~

~~(3) As soon as reasonably practicable after the proper officer has complied with paragraph (1), he or she must—~~

~~(a) make available at the offices of the relevant local authority a notice setting out the reasons why compliance with regulation 9 is impracticable; and~~

~~(b) publish that notice on the relevant local authority's website, if it has one.~~

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8. SPECIAL URGENCY

~~If by virtue of the date by which a decision must be taken, Rule 7 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual possessing delegated authority) or the chair of the body making the decision, obtains the agreement of the Chair of the Overview and Scrutiny Committee that the taking of the decision cannot be reasonably deferred. If there is no Chair of the Overview and Scrutiny Committee, or if the Chair of the Overview and Scrutiny Committee is unable to act, then the agreement of the Mayor, or in their absence the Deputy Mayor will suffice.~~

1) ~~Where the date by which a key decision must be made, makes compliance with regulation 10 impracticable, the decision may only be made where the decision maker has obtained agreement from—~~

~~(a) the chairman of the relevant overview and scrutiny committee; or~~

~~(b) if there is no such person, or if the chairman of the relevant overview and scrutiny committee is unable to act, the chairman of the relevant local authority; or~~

~~(c) where there is no chairman of either the relevant overview and scrutiny committee or of the relevant local authority, the vice-chairman of the relevant local authority.~~

~~that the making of the decision is urgent and cannot reasonably be deferred.~~

~~(2) As soon as reasonably practicable after the decision maker has obtained agreement under paragraph (1) that the making of the decision is urgent and cannot reasonably be deferred, the decision maker must—~~

~~(a) make available at the offices of the relevant local authority a notice setting out the reasons that the meeting is urgent and cannot reasonably be deferred; and~~

~~(b) publish that notice on the relevant local authority's website, if it has one.~~

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9. REPORT TO COUNCIL

9.1 When the Overview and Scrutiny Committee can require a report

If the Overview and Scrutiny Committee thinks that a Key Decision has been taken which was not:

9.1.1 included in the ~~Forward Plan;~~Executive Business List or

9.1.2 the subject of the general exception procedure; or

9.1.3 the subject of an agreement with the Overview and Scrutiny Committee Chair, or the Mayor/Deputy Mayor of the Council under Rule 8; or

9.1.4 in accordance with the Council's adopted Budget or Policy Framework

the Committee may require the Cabinet to submit a report to the Council within such reasonable time as the Committee specifies. The power to require a report rests with the Committee, but is also delegated to the Proper Officer, who shall require such a report on behalf of the Committee when so requested by the Chair or any two Members. Alternatively, the requirement may be raised by resolution passed at a meeting of the Overview and Scrutiny Committee.

9.2 ~~Cabinet's report to Council~~

~~The Cabinet will prepare a report for submission to the next available meeting of the Council. However, if the next meeting of the Council is within seven days of receipt of the written notice, or the resolution of the Committee, then the report may be submitted to the meeting after that. The report to Council will set out particulars of the decision, the individual or body making the decision, and, if the Leader is of the opinion that it was not a Key Decision, the reasons for that opinion.~~

9.3 Quarterly reports on special urgency decisions

In any event, the Leader will cause to be submitted, quarterly reports to the Council on the Cabinet decisions taken in the circumstances set out in Rule 8 (special urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.

10. RECORD OF EXECUTIVE DECISIONS MADE AT MEETINGS

~~After any meeting of the Cabinet, whether held in public or private, the Proper Officer or, where no Officer was present, the person presiding at the meeting, will produce a record of every decision taken at that meeting as soon as practicable. The record will include a statement of the reasons for each decision and any alternative options considered and rejected at that meeting.~~

(1) As soon as reasonably practicable after any meeting of a decision-making body at which an executive decision was made, the proper officer, or if the proper officer was not present at the meeting, the person presiding, must ensure that a written statement is produced for every executive decision made which includes the information specified in paragraph (2).

(2) The statement referred to in paragraph (1) must include—

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(a) a record of the decision including the date it was made;

(b) a record of the reasons for the decision;

(c) details of any alternative options considered and rejected by the decision-making body at the meeting at which the decision was made;

(d) a record of any conflict of interest relating to the matter decided which is declared by any member of the decision-making body which made the decision; and

(e) in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.

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(3) For the purposes of paragraph (1) "person presiding" means the person actually presiding or the person nominated to preside at that meeting.

(4) Executive decisions made by decision-making bodies are prescribed decisions for the purposes of section 9G(3) of the 2000 Act (duty to keep written records of private meetings).

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11. CABINET MEETINGS RELATING TO MATTERS WHICH ARE NOT KEY DECISIONS

Normally Cabinet meetings will be held in public save and except in respect of those matters covered by Appendix B of the Guidelines for Open Government or other exceptional circumstances.

12. NOTICE AND PROCEDURES PRIOR OF TO PRIVATE MEETINGS OF THE CABINET

~~Members of the Cabinet will be entitled to receive five clear working days notice of a meeting to which they are summoned, unless the meeting is convened at shorter notice as a matter of urgency.~~

(1) A decision made by a decision-making body to hold a meeting in private is a prescribed decision for the purpose of section 9GA(5) of the 2000 Act (regulations requiring prescribed information about prescribed decisions).

(2) At least 28 clear days before a private meeting, the decision-making body must—

(a) make available at the offices of the relevant local authority a notice of its intention to hold the meeting in private; and

(b) publish that notice on the relevant local authority's website, if it has one.

(3) A notice under paragraph (2) must include a statement of the reasons for the meeting to be held in private.

(4) At least five clear days before a private meeting, the decision-making body must—

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(a) make available at the offices of the relevant local authority a further notice of its intention to hold the meeting in private; and

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(b) publish that notice on the relevant local authority's website, if it has one.

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(5) A notice under paragraph (4) must include—

(a) a statement of the reasons for the meeting to be held in private;

(b) details of any representations received by the decision-making body about why the meeting should be open to the public; and

(c) a statement of its response to any such representations.

(6) Where the date by which a meeting must be held makes compliance with this regulation impracticable, the meeting may only be held in private where the decision-making body has obtained agreement from—

(a) the chairman of the relevant overview and scrutiny committee; or

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(b) if there is no such person, or if the chairman of the relevant overview and scrutiny committee is unable to act, the chairman of the relevant local authority; or

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(c) where there is no chairman of either the relevant overview and scrutiny committee or of the relevant local authority, the vice-chairman of the relevant local authority.

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that the meeting is urgent and cannot reasonably be deferred.

(7) As soon as reasonably practicable after the decision-making body has obtained agreement under paragraph (6) to hold a private meeting, it must—

(a) make available at the offices of the relevant local authority a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred; and

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(b) publish that notice on the relevant local authority's website, if it has one.

13. ATTENDANCE AT PRIVATE MEETINGS OF THE CABINET

13.1 Overview and Scrutiny Committee Members

13.1.1 Notice of private meetings of the Cabinet will be served on the Chair of the Overview and Scrutiny Committee, at the same time as notice is served on members of the Cabinet. Where the Overview and Scrutiny Committee does not have a chair, the notice will be served on all the members of the Committee.

13.1.2 Any Member of the Council may attend a meeting of the Cabinet as an observer without the right to speak or vote, except when a matter in respect of which they



Northampton Borough Council

Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members' Code of Conduct and of Codes of Conduct adopted by Parish Councils

1. Context

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These "Arrangements" set out how you may make a complaint that an elected or co-opted Member of this Council has failed to comply with the authority's Code of Conduct, and sets out how the authority will deal with it. These Arrangements also apply to Parish Councils within the Borough of Northampton. You may make a complaint under these Arrangements that a Parish Councillor has failed to comply with the Code of Conduct adopted by the Parish Council. A complaint about a Parish Councillor will be dealt with by Northampton Borough Council in accordance with these Arrangements. References to "Member" in these Arrangements should therefore be read to include reference to a Parish Councillor.

These Arrangements include the appointment of at least one Independent Person, whose views must be sought by the authority before it takes a decision on an allegation which it has decided warrants investigation, and whose views can be sought by the authority at any other stage, or by a Member against whom an allegation has been made.

2. The Code of Conduct

The Council has adopted a Code of Conduct for Members, which is attached as Appendix A to these arrangements and is available for inspection on the authority's website
[<https://www.northampton.gov.uk/downloads/file/5450/arrangements>] and on request from the One Stop Shop at the Guildhall

If you wish to make a complaint, please

write to:

The Monitoring Officer

Northampton Borough Council
The Guildhall
St Giles Square
Northampton
NN1 1DE

or e-mail the Monitoring

Officer at:

monitoringofficer@northampton.gov.uk

The Monitoring Officer is a senior officer of the authority who has statutory responsibility for maintaining the Register of Members' Interests and who is responsible for administering the process in respect of complaints of alleged Member misconduct.

In order to ensure that we have all the information which we need to be able to process your complaint, please use the complaint form, which can be downloaded from the authority's website, next to the Code of Conduct, and is available on request from the One Stop Shop at the Guildhall.

You are required to provide us with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please indicate this in the space provided on the complaint form, in which case we will not disclose your name and address to the Member against whom you make the complaint, without your prior consent. The authority does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

The Monitoring Officer will acknowledge receipt of your complaint as soon as possible after receiving it and will keep you informed of the progress of your complaint.

4. Initial Assessment of Complaints Received

The Monitoring Officer will review all complaints received by the authority and may consult with the Independent Person (see section 11 below) at this stage. If a complaint has been made but does not fall within the scope or intent of these arrangements, the Monitoring Officer may still decide to take informal action in order to resolve the matter. In assessing the complaint the Monitoring Officer will determine whether the complaint is admissible and, if so, decide whether:

- a) it warrants investigation or,
- b) it may be suitable for alternative resolution without investigation or,
- c) it doesn't warrant any further action.

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For the complaint to be admissible it must be in a legible format and relate to an existing Member of the authority.

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In determining whether or not the complaint should be referred for investigation or to seek alternative resolution the Monitoring Officer (and Independent Person if involved at this point) will have regard to a range of factors including the following:-

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i) Whether there is sufficient information upon which to base a decision.

ii) How serious is the alleged complaint.

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iii) Is the complaint politically motivated, vexatious or tit for tat;

iv) Did the action complained about occur recently or not;

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v) Do the allegations relate to actions occurring whilst the Member was acting in their official capacity or do they relate to their private life;

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vi) Whether the matter is considered suitable for alternative resolution and either the Member concerned or the complainant is not prepared to accept this as a solution.

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The initial assessment of the complaint will be held as soon as possible after receipt of your complaint and you will be informed, in writing, of the outcome by the Monitoring Officer. You will be informed on progress throughout the process.

Unless exceptional circumstances exist that indicate otherwise, the Monitoring Officer will inform the Member concerned of the receipt and nature of the complaint and invite their comments.

Where the Monitoring Officer requires additional information in order to come to a decision, they may come back to you for such information, and may request information from the Member against whom your complaint is directed.

Alternative Resolution

In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. The Monitoring Officer may consult with the Independent Person about this course of action. Such informal resolution may involve the Member accepting that their conduct was unacceptable and offering an apology, or other remedial action by the

authority. Where the Member or the authority makes a reasonable offer of informal resolution, but you are not willing to accept that offer, the Monitoring Officer (and Independent Person, if appropriate) will take account of this in deciding whether the complaint warrants a formal investigation.

If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police and other regulatory agencies.

5. If the Complaint is referred for Investigation how is the investigation conducted?

If the Monitoring Officer decides that a complaint merits formal investigation, they will appoint an Investigating Officer, who may be another senior officer of the authority, an officer of another authority or an external investigator. The Monitoring Officer will agree an investigation plan with the Investigating Officer. The Investigating Officer will decide whether they need to meet or speak to you to understand the nature of your complaint. If so, then you can explain your understanding of events and suggest what documents the Investigating Officer needs to see and who the Investigating Officer needs to interview. The Monitoring Officer may consult with the Independent Person about the need for a formal investigation.

The Investigating Officer would normally write to the Member against whom you have complained and provide them with a copy of your complaint. The Member would be asked to provide their explanation of events, and to identify what documents he needs to see and who he needs to interview. In exceptional cases, where it is appropriate to keep your identity confidential or disclosure of details of the complaint to the Member might prejudice the investigation, the Monitoring Officer can delete your name and address from the papers given to the Member, or delay notifying the Member until the investigation has progressed sufficiently.

At the end of their investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to you and to the Member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires further consideration.

Having received and taken account of any comments which you may make on the draft report, the Investigating Officer will send it to the Monitoring Officer.

What happens if the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will, in consultation with the Independent Person, review the Investigating Officer's report and, if they are satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to you and to the Member concerned, notifying you that no further action is required.

7. What happens if the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will, in consultation with the Independent Person, review the Investigating Officer's report and will then either send the matter for local hearing before the Hearings Panel made up of Councillors from the Council's Standards Committee and any appropriate co-optees or seek an alternative resolution.

7.1 Local Resolution

The Monitoring Officer and Independent Person may consider that the matter can be resolved without the need for a hearing. Such resolution may include the Member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the authority. If the Member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Committee for information, but will take no further action.

7.2 Local Hearing

If the Monitoring Officer and Independent Person consider that local resolution is not appropriate or it isn't possible to achieve, the Monitoring Officer will report the Investigating Officer's report to the Hearings Panel which will conduct a local hearing to decide whether the Member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the Member.

In summary, the Monitoring Officer will conduct a "pre-hearing process", requiring the Member to give their response to the Investigating Officer's report. This is in order to identify what is likely to be agreed and what is likely to be contentious at the hearing. The Chair of the Hearings Panel may issue directions as to the manner in which the hearing will be conducted. At the hearing, the Investigating Officer will present their report, call such witnesses as they consider necessary and make representations to substantiate their conclusion that the Member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer may ask you as the complainant to attend and give evidence to the Hearings Panel.

The Member will then have an opportunity to give their evidence, to call witnesses and to make representations to the Hearings Panel as to why they consider that they did not fail to comply with the Code of Conduct.

The Hearings Panel, with the benefit of any advice from the Independent Person, may conclude that the Member did not fail to comply with the Code of Conduct and so dismiss the complaint. Alternatively, if the Hearings Panel finds that the Member did fail to comply with the Code of Conduct, the Chair will inform the Member of this finding and the Hearings Panel will then consider what action, if any, the Hearings Panel should take as a result of the Member's failure to comply with the Code of Conduct. In doing this, the Hearings Panel will give the Member an opportunity to make representations to the Panel and will consult the Independent Person.

If the Member wishes to make representations to the Panel and/or consult with the Independent Person the Hearing will adjourn, normally for one week, and reconvene to hear any representation or statement from the Member before either confirming or amending their decision. If the Member does not wish to make representations to the Panel, or consult with the Independent Person, the decision of the Panel will stand as announced.

8. What action can the Hearings Panel take where a Member has failed to comply with the Code of Conduct?

The Hearings Panel may:

8.1 Publish its findings in respect of the Member's conduct;

8.2 Report its findings to Council for information

8.3 Recommend that Council remove the Member from any or all Committees or Sub- Committees of the Council for a specified period of time;

8.4 Recommend to the Leader of the Council that the Member be removed from the Cabinet, or removed from particular Portfolio responsibilities for a specified period of time;

8.5 Instruct the Monitoring Officer to arrange training for the Member;

8.6 Instruct the Monitoring Officer to mediate between the complainant and the Member;

8.7 Recommend to Full Council that the Member be removed from any or all outside appointments to which they have been appointed or nominated by the authority where the complaint relates to that appointment and for a specified period of time;

8.8 Withdraw any facilities provided to the Member by the Council that may have been abused or improperly used; or

8.9 Exclude the Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

There are no powers that allow Council or the Standards Committee to suspend or disqualify the Member or to withdraw Members' basic allowances. (Although removing a Member from Cabinet or a Committee would lead to a loss of any Special Responsibility Allowance that position was entitled to for the period of the suspension.)

9. What happens at the end of the hearing?

At the end of the hearing, the Chair will state the decision of the Hearings Panel as to whether the Member failed to comply with the Code of Conduct and as to any actions which the Hearings Panel resolves to take.

As soon as reasonably practicable thereafter and subject to any adjournment as set out in 7.2 above, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Hearings Panel and send a copy to you and to the Member. The decision notice will be made available for public inspection and the decision reported to the next convenient meeting of the Council.

10. Appeals

There is no right of appeal for you as complainant or for the Member against a decision of the Monitoring Officer or of the Hearings Panel

If you feel that the authority has failed to deal with your complaint properly, you may make a complaint to the Local Government Ombudsman or take your own legal advice as to options that might be open to you.

11. Who are the Hearings Panel?

The Hearings Panel is a panel of the Council's Standards Committee. It will comprise three Members of the Standards Committee. If the conduct of a Parish

Councillor is to be considered a Parish Council Member will form an additional Member of the Panel.

The Independent Person is invited to attend all meetings of the Hearings Panel and their views are sought and taken into consideration before the Hearings Panel takes any decision on whether the Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

12. Who is the Independent Person?

Council has appointed three Independent Persons.

* A person cannot be "independent" if they:

12.1 are, or have been within the past five years, a Member, co-opted Member or officer of the authority or of a parish council within the authority's area;

12.2 Is a relative or close friend, of a person within paragraph 12/1. For this purpose, "relative" means:

2.1 Spouse or civil partner;

12.2.2 Living with the other person as husband and wife or as if they were civil partners;

12.2.3 Grandparent of the other person;

12.2.4 A lineal descendent of a grandparent of the other person;

12.2.5 A parent, sibling or child of a person within paragraphs 12.2.1 or 12.2.2;

12.2.6 A spouse or civil partner of a person within paragraphs 12.2.3, 12.2.4 or 12.2.5; or

12.2.7 Living with a person within paragraphs 12.2.3, 12.2.4 or 12.2.5 as husband and wife or as if they were civil partners.

* Note: This definition applies post the Transitional Arrangements period.

12. Revision of these arrangements

The Council may by resolution agree to amend these arrangements and has delegated to the Chair of the Hearings Panel the right to depart from these arrangements where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matter.

Appendix A The authority's Members Code of Conduct

Members' Allowances Scheme

1. Citation

The Northampton Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following Scheme:

This Scheme may be cited as the Northampton Borough Council Members' Allowance Scheme, and took effect from ~~1st April 2003~~^{18th Septemeber 2017}

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2. Interpretation

In this Scheme,

"Councillor" means a Member of the Northampton Borough Council who is a Councillor;

"year" means the 12 months ending on 31st March.

3. Independent Remuneration Panel

The Council shall set up and maintain an Independent Remuneration Panel under the Local Government Act 2000 and associated regulations.

4. Basic Allowance

Subject to paragraph 9, for each year, a Basic Allowance specified by the Council upon advice from the Independent Remuneration Panel shall be paid to each Councillor.

5. Special Responsibility Allowances

5.1 For each year a Special Responsibility Allowance shall be paid to those Councillors who hold the special responsibilities in relation to the Council as specified in Schedule 1, or any subsequent scheme approved by the Full Council following recommendations made by the Independent Remuneration Panel.

5.2 Subject to paragraph 9, the amount of each such allowance shall be the amount specified by the Council upon advice from the Independent

SCHEDULE 2

1. Dependant Carer's Allowance

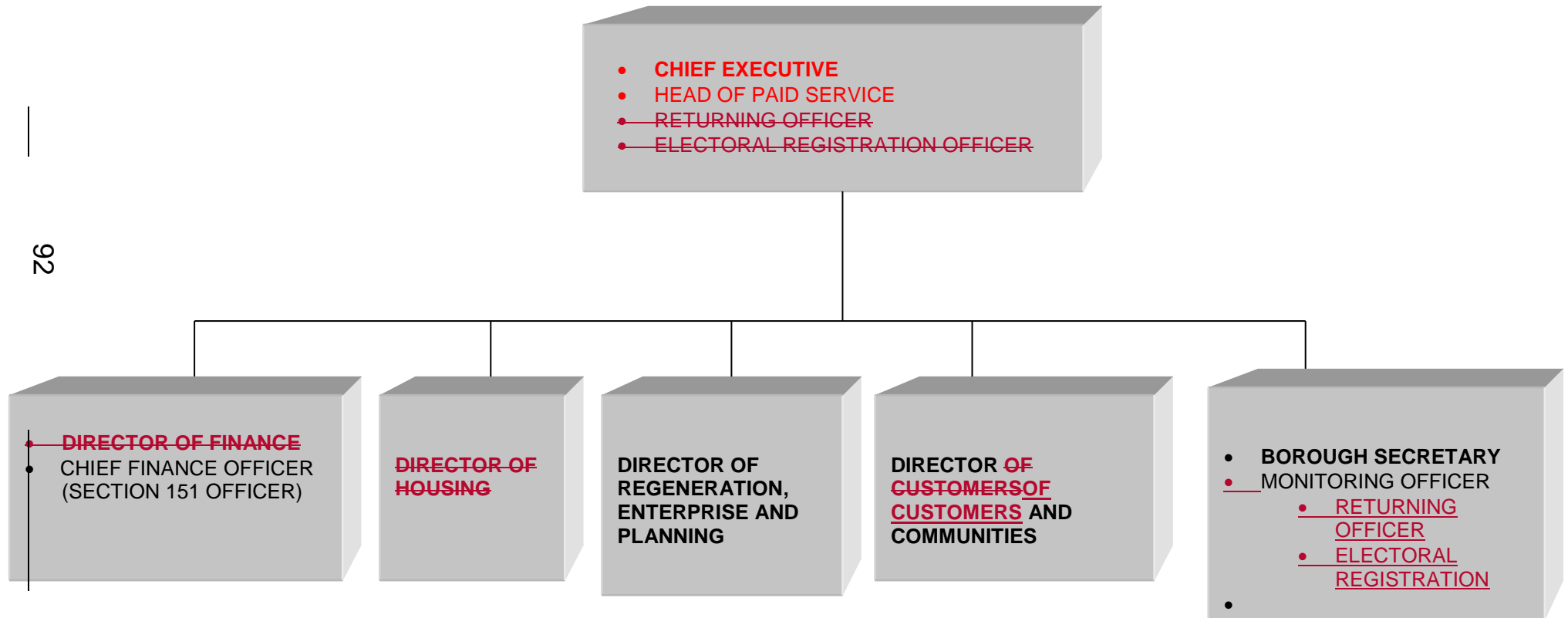
Approved Duties

For the purposes of claiming Dependant Carer's Allowance the following are regarded as Approved Duties:

- meetings of the Cabinet, committees of the Cabinet (if any), Council, or committees and sub-committees of Council, ~~and Forums, and Neighbourhood Partnerships (including Managed Areas);~~
- meetings of some other body to which the Council makes appointments or nominations, or meetings of a committee or sub-committee of some other body to which the Council makes appointments or nominations;
- meetings which have both been authorised by the Council (or by a committee or sub-committee or a Joint Committee with one or more other authorities or a sub-committee thereof) and to which representatives of more than one political group have been invited (or two or more Councillors have been invited if the Council is not divided into political groups); and
- meetings of a Local Authority Association of which the Council is a member.

Any enquiries as to entitlement to allowances should be referred to the Chief Executive; and the ~~Director of Finance & Support~~Chief Finance Officer will be pleased to deal with enquiries of a financial or taxation nature.

CHIEF EXECUTIVE/DIRECTORS/STATUTORY OFFICERS



Appendices
0



COUNCIL

22nd January 2018

Agenda Status: Public

Directorate: Interim Chief Executive

Report Title	APPOINTMENT OF CHIEF FINANCE OFFICER (SECTION 151)
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1. Purpose

- 1.1 The purpose of this report is to ask Full Council to approve the interim appointment of a Chief Finance Officer (Section 151) for NBC, such Officer to be provided by LGSS under current arrangements; and, to agree to recruitment of a subsequent permanent Chief Finance Officer (Section 151) to be directly employed by NBC.

2. Recommendations

- 2.1.1 That Stuart McGregor be appointed as Chief Finance Officer (Section 151) with effect from 18th February (being the last day of employment of the current Chief Finance Officer), until 1st June 2018 or later if otherwise agreed as being needed until a permanent appointment is made.
- 2.1.2 That the role of Chief Finance Officer (Section 151) reverts back to the Council's employment on a full-time basis post 1st June 2018, or as soon after as reasonably practicable, and that recruitment to that permanent position is undertaken.

3. Issues and Choices

3.1 Report Background

- 3.1.1 The position of Chief Finance Officer is critical to the governance of councils. Section 151 of the Local Government Act 1972 requires every local authority to make arrangements for the proper administration of their financial affairs and requires one officer to be nominated to take responsibility for the administration of those affairs (aka the Chief Finance Officer). The officer has a number of statutory duties, including the duty to report any unlawful financial activity involving the authority (past, present or proposed) or failure to set or

keep to a balanced budget. The officer also has a number of statutory powers in order to allow this role to be carried out.

- 3.1.2 The Chief Finance Officer needs to have specific skills and qualifications, the latter of which are outlined in Part VIII of the Local Government Finance Act 1988 and which require membership of a specified accountancy body.
- 3.1.3 LGSS currently provide the Chief Finance Officer services through the LGSS contract and the contract provides for the officer to serve NBC part-time for 3 days per week along with a supporting team of finance professionals. The current Chief Finance Officer, Glenn Hammons, has resigned from Northamptonshire County Council, his employer, and LGSS have a contractual obligation to provide alternative provision for this key statutory role. His last date of NCC employment is 18th February. Under the terms of the Partner and Delegation Agreement with LGSS, the decision as to who should be appointed to this role is a matter for this Council, although the person will be an employee of Northamptonshire County Council.
- 3.1.4 As part of testing of the Council's professional resilience, the Interim Chief Executive has identified the clear need for a permanent and full-time Chief Finance Officer to be employed by the Council. This is particularly because of the size and complexity of the Council's budgets and programmes, and in response to governance improvements previously identified. This view has been endorsed by key officers and key relevant parties, including via discussions with the Council's auditors. It is considered that recruitment to a permanent full-time position should therefore commence.
- 3.1.5 The LGSS contract had an end-date of June 2018, unless an extension was agreed. In development of the Council's medium term financial plan, officers had been considering efficiencies. One of these involved options for support service arrangements, including whether to stay with LGSS long-term or to commission alternatives. This review needs to continue and will conclude later in 2018. In the meantime however, the overall LGSS contract has been extended for a year by mutual agreement but, as part of this agreement to extend, the return of the Chief Finance Officer role to the Council can be newly accommodated from 1st June 2018. (Given the outstanding review, it is inappropriate to precipitate any change in financial management arrangements supporting the Chief Finance Officer although, to confirm, the officer will have supervision of this LGSS professional support as now).
- 3.1.6 Full Council's support is therefore sought for the role and function to be provided full-time and in-house rather than through the LGSS contract. If Council agrees this, the costs will be confirmed in the budget and the appointment process will be established and conducted under current arrangements through the Appointments and Appeals Committee.
- 3.1.7 In the intervening period, it is necessary to appoint a Chief Finance Officer for the interim period up to 1st June 2018 or later, if otherwise agreed, until a permanent NBC Chief Finance Officer is in place.
- 3.1.8 Pursuant to the current LGSS arrangements, the LGSS Director of Finance and NBC Interim Chief Executive selected suitable qualified candidates for the

interim position and, following interview, have offered the role, subject to Council's approval, to Mr Stuart McGregor. Mr McGregor has accountancy experience in the public sector spanning 30 years, the last 14 of which has been primarily in local government - including as Chief Finance Officer (Section 151) for Havant BC and East Hampshire BC, North Wiltshire DC and, most recently, Wycombe DC. He has also acted as Head of Paid Service.

4. Implications (including financial implications)

4.1 Policy

4.1.1 There are no new policy implications in this report.

4.2 Resources and Risk

4.2.1 There is an anticipated revenue budget consequence to the Council of some £40,000 – 45,000 for bringing the current role in-house on a permanent basis. If the advice is agreed, this would be confirmed in the final budget. For the interim position, following discussion with NBC, LGSS are expected to keep costs within the existing contracted budget.

4.3 Legal

4.3.1 There is a legal obligation for Council to appoint a Section 151 Officer. LGSS currently have a legal obligation to provide such services to NBC.

4.4 Equality

4.4.1 The interim recruitment process, through agencies, has been in accordance with established equality processes.

4.5 Other Implications

4.5.1 There are no other new implications in this report.

5. Background Papers

5.1 Partner and Delegation Agreement 31st May 2013 (confidential agreement)

Simon Bovey
Interim Chief Executive

Appendices:
1



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

22nd January 2018

Agenda Status: Public

Directorate: Borough Secretary

Report Title	Update on carried Motions submitted to Council
---------------------	---

1. Purpose

- 1.1 To update all Members of the Council on the status of motions following approval at full Council for the previous six-months.

2. Recommendations

- 2.1 That the information relating to motions be noted.

3. Issues and Choices

3.1 Report Background

- 3.1 At the Council meeting on 18th September 2017 a motion was submitted by the Liberal Democrat Group which requested that information be provided for Councillors on the motions that had been voted on. An alteration to the original motion was submitted by the Conservative group and the following motion was passed:

“This council believes that motions passed by a majority vote are important and that the public would expect them to be acted on.

There should we believe be a report-back process on action taken and where appropriate results.

To ensure that the proper process exists, it needs to be enshrined in the Constitution of this authority and Council resolves to address this as a part of a Constitution review in the very near future”

- 3.2 Having been supported by the Council, it has subsequently been agreed that a report updating members on carried motions be submitted to Council every 6 months.
- 3.3 A cross party Constitution Review Working Party has been established and as part of their review of the Constitution, the Party has agreed that wording will be included in the Constitution that will incorporate the changes requested by this motion.
- 3.4 Any changes that are made to the Constitution will be submitted to Full Council for approval.
- 3.5 Officers have undertaken an information gathering exercise to assess the current status of Motions that have been passed and what has been completed or is in the process of being completed for each Directorate.
- 3.6 Information contained within the appendix of the report demonstrates that of the 17 motions submitted 6 are currently outstanding, 6 are in progress and 5 have been completed.
- 3.7 Due to the complexities of work that is required to complete some of the motions, it is reasonable for several motions to be 'in progress' for a period of time whilst officers carry out work in prior to completion which can also involve partnership agencies.
- 3.8 In order to promote transparency and allow for members to monitor the progress of motions, a table of motions (previously passed by Council) that are being progressed or have been actioned and completed will be published and uploaded on the intranet. This will be updated on an ad hoc basis as and when motions have been completed or significant progress made. Should Members wish to have further information on individual motions, a narrative will be provided with additional information that cannot practically be reported on the published table of motions by contacting Democratic Services who will endeavour to gather relevant information on each motion.
- 3.9 A further report will be submitted to Council in July 2018 updating Council on the six month progress since this meeting and on further progress of motions submitted and carried at future Council meetings.

4. Implications (including financial implications)

4.1 Policy

4.1.1 N/A

4.2 Resources and Risk

4.2.1 There are no resources or risks as an outcome of the report.

4.3 Legal

4.3.1 There are no legal implications as an outcome of the report.

4.4 Equality

4.4.1 None

4.5 Other Implications

4.5.1 N/A

5. Background Papers

5.1 None

Francis Fernandes
Borough Secretary & Monitoring Officer
01604 837734

CARRIED MOTIONS JUNE 2017	
“This Council welcomes the 30th Anniversary of the Call Care Service which was set up in 1987. The Call Care system is operated 365 days a year and 24 hours a day and responds to hundreds of daily alarm calls from sheltered housing tenants. It allows vulnerable people to live life independently but can obtain assistance when needed. This Council asks the Chief Executive to write to the Call Care staff to pass on our congratulations for their work and our acknowledgement of this important milestone. This Council hopes to see the Call Care System to be in place for another 30 years”.	Completed
“This Council notes Refugee Week on 19 - 25 June 2017. Refugee Week is a nationwide programme of arts, cultural and educational events that celebrate the contribution of refugees to the UK, and encourages a better understanding between communities. This Council hopes refugee week is a great success across the UK. This Council asks the relevant Cabinet Member to look at how Northampton can play a part in refugee week next year”.	Ongoing
CARRIED MOTIONS JULY 2017	
66 This council makes the following commitment to all tenants living in Council buildings. To feel safe in their homes and have the right fire protections as provided by the Fire Service. In light of recent events, Northampton Partnership Homes (NPH) have already instructed the installation of sprinklers in their only high-rise Council building, St Katherine’s Court. The Council will continue a review of the other 10 buildings in conjunction with the Fire Service and any further Government guidance. To ensure those in private buildings are also suitably protected, this Council resolves to undertake an urgent review of the planning policy with regard to residential developments and provisions for sprinkler systems in all new residential buildings of 5 storeys or above. The Council will also review the possible need for two separate stair cases to exit tower blocks. NPH to be asked to provide tenants of tower blocks fire safety training.	Completed

<p>“There are 5,000 people at any one time in the UK with Motor Neurone Disease (MND), it can affect any adult of any age and nearly 2,200 people die from this rare but fatal neurological disease each year. MND describes a group of diseases that affect the nerves (motor neurones) in the brain and spinal cord that tell your muscles what to do. With MND, messages from these nerves gradually stop reaching the muscles, leading them to weaken, stiffen and waste. Motor Neurone Disease is a devastating condition. Progress has been made through research but much more needs to be done. This motion, therefore, calls for this Council to adopt the MND Charter and thereby support achieving quality of life, dignity and respect for people with MND and their carers. The Charter: 1) People with MND have the right to an early diagnosis and information; 2) People with MND have the right to access quality care and treatments; 3) People with MND have the right to be treated as individuals and with dignity and respect; 4) People with MND have the right to maximise their quality of life; 5) Carers of people with MND have the right to be valued, respected, listened to and well supported.”</p>	
<p>“This Council welcomes the development of plans for the Northern Orbital Road around Northampton, from the A43 at Moulton to the A4500 near Harpole. We also welcome the consultation on the emerging plans. This Council confirms its support for the provision of this road for many reasons, not least to alleviate traffic congestion in the Kingsthorpe area, and wishes to see its construction as soon as possible. To provide the road at the earliest opportunity, while recognising that its provision is dependent on developer contributions, this Council requires that all further development sites, not currently included within the West Northamptonshire Joint Core Strategy, but attributed to the growth of Northampton, are concentrated in the vicinity of the proposed road so that they can contribute to the delivery of this much needed infrastructure and secure its early delivery”.</p>	Ongoing
CARRIED MOTIONS SEPTEMBER 2017	Column1
<p>“This council will mark the centenary of women gaining the right to vote by honouring Margaret Bondfield as the first ever Woman MP for Northampton. Afterwards she became the first female cabinet minister, and the first woman to be a privy counsellor in the UK, when she was appointed Minister of Labour. The women’s forum will be asked to consider a commemoration event in the Guildhall. The Council further commits to honouring Margaret Bondfield by commissioning a statue of her to be placed in the Courtyard of the Guildhall during the next financial year. This Council notes that 2018 is the centenary of the year in which women won the same voting rights as men. This gave propertied women aged 30 and over the right to vote for the very first time. Universal suffrage for both men and women followed 10 years later.”</p>	Ongoing

<p>“This Council notes the Secretary of State for Communities and Local Government made a recent speech to the Local Government Association where he recognised ‘there is a serious shortage of decent affordable housing’ and went to talk about the stark inequalities in housing and said he was willing to listen to proposals from ambitious councils to try to address these issues. In Northampton we have recognised for some time there is a desperate need for more social housing and have stated our aim to address this. We are an ambitious council and agree that members and officers will continue to work together to develop a proposal to finance and build new social housing locally. The proposal will be submitted to government for their support and approval.”</p>	
<p>This Council notes that some parts of the town have increasing numbers of HIMOs. This Council further notes that in recent times it has introduced tougher restrictions with Article 4 directives in certain areas of town restricting the concentration of HIMOs to 15 per cent in a 50 metre radius. This Council believes it now needs to review the current policy, using evidence to assess the extent and impact of HIMOs in relation to their impact on existing localities and communities, including reviewing the concentration of Class C4 (Houses In Multiple occupation), and mixed C3/C4 use or sui generis Houses in Multiple Occupation use (more than six people sharing) uses within the 50m radius.</p>	<p>Ongoing</p>
<p>“This Council recognises the burden of special expenses and how they impact on parished areas of Northampton and the residents thereof. In order to relieve the burden special expenses have on parish taxpayers, this Council is working closely with parishes to encourage them and afford them the opportunity to take on the freehold of premises and open spaces within their areas. This will lead to special expenses not being charged for transferred premises and land. We are also reviewing the designation of our parks and open spaces in order to ensure that in parish areas special expenses apply appropriately”</p>	
<p>“This council believes that motions passed by a majority vote are important and that the public would expect them to be acted on. There should we believe be a report-back process on action taken and where appropriate results. To ensure that the proper process exists, it needs to be enshrined in the Constitution of this authority and Council resolves to address this as a part of a Constitution review in the very near future”.</p>	<p>Completed</p>

<p>This Council recognises the value of its parks and open spaces that are well used by residents and visitors. Therefore, it shares the community's concern about illegal encampments occupying our parks and open spaces as well as private areas across the Borough. Councillors and Officers have been in continual contact with local residents during the periods of many illegal encampments throughout this year, and have been extremely concerned by the reports of anti-social and threatening behaviour, as well as fly-tipping and damage to parkland around the encampments. Northampton Borough Council (NBC) subscribes to the Countywide Traveller Unit (CTU), a joint initiative between councils, and led by Northamptonshire County Council. NBC also delegates its powers under sections 77 and 78 of the Criminal Justice and Public Order Act 1994 to the CTU. For several years this has proven to be the most effective way of dealing with illegal encampments. We recognise that the legal process is lengthy and can cause a good deal of inconvenience and anxiety to the local residents. NBC seeks to achieve a balance between actively discouraging illegal encampments and maintaining access for residents, recognising that it is not possible to completely secure parks from those who are determined to set up illegal encampments without affecting residents' rights of access to their local parks and open spaces. Bollards and posts can be an effective means of preventing unauthorised access to our parks and open spaces. The bollards are designed to prevent any motorised vehicles gaining access as they all have the potential to damage green spaces, and more importantly, put the people who use our parks at risk. Therefore, NBC has last month again started the installation of bollards and posts around our town's green spaces. While most people respect the signage we have in place, installing bollards is one of the ways we can make sure that our parks can be maintained to a high standard for everyone to enjoy. This Council resolves to: 1) Call on the police to make use of all powers at their disposal to remove as soon as possible any illegal encampments from our parks and open spaces, bearing in mind the legal duties placed on the council to assess the welfare needs of relevant groups; 2) Investigate further legal opportunities to prevent / deter illegal encampments; 3) Continue to work closely with the CTU and the police to increase efficiency and identify ways of speeding up the eviction process whilst continuing to abide by all the legal requirements.</p>	Completed
<p>"The Keep Safe Scheme aims to support people with learning disabilities to keep safe and get help in an emergency when out and about in Northamptonshire. Keep Safe, together with Safe Places, works under the Safe Places Organisation, which unites all the Safe Place (and Keep Safe) schemes by having all the information in one place so everyone can see it. Northampton Borough Council recognises the importance of the Keep Safe Scheme and will be training all new staff at the one stop shop during their induction. Northampton Borough Council aims to be a Keep Safe place, accessible to all".</p>	
CARRIED MOTIONS NOVEMBER 2017	Column1

<p>“This Council notes that Fixed Odd Betting Terminals (FOBT) are sometimes referred to the “crack cocaine of gambling”.This Council further notes that due to a relaxation in gambling regulations introduced by the Labour Government in 1999, FOBT gamblers are currently able to bet up to £100 per go on the machines, allowing players to make substantial losses very quickly. People can place £100 every 20 seconds on FOBTs. Council welcomes the outcome of the current Government’s consultation on stake reduction and that it will be taking action to reduce maximum stakes on FOBT to between £50 and £2. This Council, therefore, asks the Chief Executive to write to our local MPs urging them to persuade the Government to reduce the stakes on FOBT to the lower end of the proposed spectrum, preferably £2.”</p>	<p>Completed</p>
<p>This Council notes that at the last meeting a motion was passed calling for a review of our HMO policies.This Council asks the review to look at Oxford City Council as a case study and the benefits of adopting their approach. In Oxford the whole of the local authority area is covered by an Article 4 directive and any proposal to create a new HMO, including the change of use of any dwelling to an HMO, will only be permitted where the proportion of properties within 100 metres of street length either side of the property does not exceed 20%.“This Council notes that at the last meeting a motion was passed calling for a review of our HMO policies. This Council asks the review to look at Oxford City Council as a case study and the benefits of adopting their approach. In Oxford the whole of the local authority area is covered by an Article 4 directive and any proposal to create a new HMO, including the change of use of any dwelling to an HMO, will only be permitted where the proportion of properties within 100 metres of street length either side of the property does not exceed 20%.This Council looks forward to the review being completed in the near future.</p>	<p>Ongoing</p>
<p>“This Council believes that hate crimes have no place in our country, whether based on race, religion, sexual orientation, age or disability.This Council condemns racism, xenophobia and hate crimes unequivocally. All Members of this Council are proud to live in a diverse and tolerant society.This Council will work to ensure that local bodies, organisations, and programmes have the support they need to fight and prevent racism and xenophobia and will reassure all people living in this Borough that they are valued members of our community.This Council welcomes and acknowledges the UK Government’s announcement of December 11th 2016 that it will sign up to the internationally recognised International Holocaust Remembrance Alliance (IHRA) guidelines on antisemitism. This Council hereby resolves to:a) Adopt the definition of antisemitism as set out by the IHRA, and request that the Chief Executive ensure all relevant NBC codes of conduct are consistent with this; b) Work together as an entity to combat this pernicious form of racism</p>	<p>Ongoing</p>

CARRIED MOTIONS DECEMBER 2017	
<p>This Council notes the new contractor for Environmental Services will be announced in January 2018. A new contractor will take over the running of Environmental Services from June 2018. This Council believes that Residents, Resident Associations and Parish Councils understand best the environmental challenges in their area such as fly tipping hot spots and overgrown grass verges. They should be able to fully share their views with both the Contractor and Borough Council so that information can be acted on promptly and effectively. This Council therefore commits to positive and productive collaboration with Residents, Resident Associations and Parish Councils. Further to the new Contractor being chosen, the Cabinet will ask Overview and Scrutiny to determine the most effective process for the sharing of the views of members of the public and community groups with the Contractor and report back before June 2018</p>	Ongoing
<p>This Council notes that the Greyfriars site remains undeveloped and notes that Cabinet agreed on 6th December 2017 to end the arrangement with the development partner in light of legal advice due to issues relating to the delivery of the housing elements of the scheme. Council welcomes the opportunity that the ending of the agreement provides, allowing further consideration to be given to the infrastructure requirements and leisure element of the development. Council also welcomes the work that has been going on to enable it to deliver large scale housing development through Northampton Partnership Homes and the Council's own specialist delivery vehicle, about which a report will be presented to Cabinet in January 2018. In light of this, Council also recognises and welcomes the work that is now underway to deliver a mix of housing, including family and social housing, at an early stage on the Greyfriars site, along with a mix of other uses, such as retail, hotel, leisure, and coach facilities. This Council recognises that to develop the site, there is a need to work with the County Council to reconfigure the Highway infrastructure within the area to bring the site into the town centre and improve north south permeability through the site. his Council resolves to progress the delivery of a mix of housing alongside retail, hotel, leisure, and coach facilities on the Greyfriars site, working with the County Council to improve highway infrastructure around and through the site</p>	