

## **MINUTES**

OF THE PROCEEDINGS OF A MEETING OF NORTHAMPTON BOROUGH COUNCIL HELD AT THE GUILDHALL, NORTHAMPTON, ON Monday, 25 February 2019 AT SIX THIRTY O'CLOCK IN THE EVENING

**PRESENT:** HIS WORSHIP THE MAYOR Councillor Ansell (in the Chair).

**COUNCILLORS:** Malpas, Ansell, Ashraf, Aziz, Beardsworth, Birch, Bottwood, Choudary, Duffy, G Eales, T Eales, Eldred, Flavell, Golby, Graystone, Hadland, Hallam, Hibbert, J Hill, Joyce, Kilbride, King, Lane, Larratt, B Markham, M Markham, Marriott, McCutcheon, Meredith, Nunn, Oldham, Parekh, Patel, Russell, Sargeant, Kilby-Shaw, Smith, Stone, Walker and Roberts

### **1. DECLARATIONS OF INTEREST**

Declarations of Interest were received from:

Councillor Beardsworth – Trustee of Community Law

Councillor Eldred - Member of Northampton Theatres Trust and Trustee of 78 Derngate

Councillor Marriott – Trustee of 78 Derngate

### **2. MINUTES**

The minutes of the Council meeting held on 14 January 2019 were agreed and signed by the Mayor following the correction that his worship the Mayor was Councillor Ansell and not Councillor G Eales as published.

### **3. APOLOGIES**

Apologies were received from Councillors Cali, Caswell, Chunga, Davenport, Haque, and Parekh.

### **4. MAYOR'S ANNOUNCEMENTS.**

The Mayor provided an update of all the events he had attended since the last meeting and promoted the work of the Hope Centre. He noted that the average age of a homeless person was 48 years old. He was supporting the Hope Centre and urged people to do more to assist.

The Mayor proposed a suspension of standing orders under Rule 25 to enable the mover and seconders the opportunity to speak for a maximum of 10 minutes and that no other speech exceeds 5 minutes in relation to budget reports. This was agreed by Council.

The Mayor proposed a suspension of standing orders under Rule 25 to allow the main opposition to make a budget statement to enable the mover the opportunity to speak for a maximum of 10 minutes. This was agreed by Council.

The Mayor reminded Members that in accordance with the principles of the 2014 regulations, recorded votes would be held on all matters relating to the budget including items 6, 7, 8 and 9.

## **5. PUBLIC COMMENTS AND PETITIONS**

There were none.

## **6. GENERAL FUND REVENUE AND CAPITAL BUDGETS 2019-2020**

Councillor Eldred submitted a report which reported the outcome of the consultation process on the 2019/20 general fund and capital budget and the Government funding settlement for 2019/20 and to agree the Cabinet's recommendations for the 2019/20 general fund budgets, 2019/20 tax base and council tax level and the indicative levels for 2020/21 to 2022/23 and to outline the general fund capital programme and funding proposals for 2019/20 and future years.

He thanked the Section 151 officer and staff for their input, it had been a difficult budget to meet. The budget had been presented to Cabinet, the Audit Committee and Overview and Scrutiny and he appreciated everyone's input.

The budget was mindful of the impacts of moving towards a unitary local government structure and included the maximum council tax increase possible without holding a referendum.

The budget ensured the night shelter continued and none of the proposals required redundancies or the loss of services.

Councillor Nunn seconded the report.

At this point Councillor Stone proposed the Labour groups amendment to the General Fund Revenue and Capital Budgets 2019/20. She highlighted the following:

- £40,000 was unspent, £38,000 of this could be used to offset costs in Community Law and Citizens Advice Bureau (CAB), £2,000 could be used to provide sanitary products in all NBC toilets; and
- £500,000 of Capital could be used to provide a Kings Heath multi-use all weather pitch, for which a business case had been provided.

Councillor T Eales seconded the amendment noting that there was a gap in the market for this proposal. Northampton Town Football Club currently sent their squad to Rugby to train. The proposal would provide a local facility.

Councillor Eldred noted the points raised.

Councillors discussed the amendments, praising the work of Community Law and CAB and noting that the rules regarding Section 106 funding made it tricky to obtain funding for community facilities.

At this point the Mayor called for the amendment to be voted upon. This was a recorded vote with the following result:

Voting for the amendment: Councillors Ashraf, Beardsworth, Birch, Choudary, Duffy, G Eales, T Eales, Joyce, B Markham, Marriott, McCutcheon, Meredith, Russell, Roberts, Smith and Stone.

Voting against the amendment: Councillors Aziz, Bottwood, Eldred, Flavell, Golby, Graystone, Hadland, Hallam, Hibbert, Hill, Kilbride, King, Lane, Larratt, Malpas, M Markham, Nunn, Oldham, Patel, Sargeant, Shaw and Walker.

The Mayor Councillor Ansell abstained from the vote.

Upon the vote the Labour groups amendment to the General Fund Revenue and Capital Budgets 2019/20 fell.

At this point Councillor Beardsworth proposed the Liberal Democrats amendment to the General Fund Revenue and Capital Budgets 2019/20. She highlighted the provision of temporary accommodation. £350,000 capital investment could be used for modular homes or caravans which could be used to save money until the Council's new build was completed. She also sought to provide temporary day centre facilities for rough sleepers. Revenue investment of £100,000 could provide a day centre to cover from 1pm to 9pm, until the night shelters open, over a 3 month period during the worst winter months.

Councillor Meredith seconded the amendment indicating he was very concerned about the homeless. He felt a building should be provided on land owned by the Council to be used as needed.

Councillor Eldred explained additional funding had been included in the budget to address the homeless issue. Regarding the provision of temporary day centre, other partners may already be addressing this and the Council should work with them.

Councillors discussed the amendments with a number of members agreeing with their sentiments. A better way to address homelessness was needed. It was understood that provision was in the budget but assistance was needed immediately.

In response Councillor Beardsworth thanked Labour for supporting this amendment. It was a small amount of money from the budget to help the most vulnerable.

At this point the Mayor called for the amendment to be voted upon. This was a recorded vote with the following result:

Voting for the amendment: Councillors Ashraf, Beardsworth, Birch, Choudary, Duffy, G Eales, T Eales, Joyce, B Markham, Marriott, McCutcheon, Meredith, Russell, Roberts, Smith and Stone.

Voting against the amendment: Councillors Aziz, Bottwood, Eldred, Flavell, Golby, Graystone, Hadland, Hallam, Hibbert, Hill, Kilbride, King, Lane, Larratt, Malpas, M Markham, Nunn, Oldham, Patel, Sargeant, Shaw and Walker.

The Mayor Councillor Ansell abstained from the vote.

Upon the vote the Liberal Democrat groups amendment to the General Fund Revenue and Capital Budgets 2019/20 fell.

Councillor Stone made the following points during the Labour Groups budget statement:

- She thanked the officers for the hard work, the professionalism and the probity with which they had undertaken their duties in producing a balanced budget;
- The group could not support a budget that raised both car park charges and council tax;
- They had encouraged the Council to become a living wage employer to promote and encourage other employers to do the same but this had not been done;
- It was unthinkable that the money from the loan to Northampton Town Football Club had been lost and that more money had been spent trying to reclaim it;
- The Council needed to work with the Northampton Town Football Club supporters, who had ideas but needed help to bring them forward;
- Thought should be given to creating a wellbeing area at Becketts Park; and
- Work should be undertaken to make the town centre more family friendly.

During discussions it was queried if reserves were in place to address potential flooding issues. Northampton was being asked to pay twice for winter gritting. The increased parking charges will drive businesses away from the town centre. The Council's partnerships with the voluntary sector needed to be productive given the vital services they provided. Information was sought on how the funding to tackle knife crime within the town had been spent and it was suggested that the Police and Crime Commissioner should be invited to speak about that issue and his strategies for address it.

The amount council tax could be increased by was capped therefore if additional income was needed it had to come from other areas. Increased to car parking would be detrimental to the town. The budget did not contain any schemes for regeneration of the town.

The two free hours of car parking in all multi-storey car parks remained and all day parking had not been increased. There was an additional £500,000 in the capital programme for the Mayorhold car park repairs. The Council was engaging with school children regarding knife crime with conferences being delivered to all Year 6 primary school children. The Council was not paying twice for the winter gritting.

Councillor Eldred responded that the Council received £225 per year per band D property in council tax which was not a lot given all the services provided. Business rates were being reduced to benefit the local economy.

At this point the Mayor called for the recommendations to be voted upon. This was a recorded vote with the following result:

Voting for the recommendations: Councillors Aziz, Bottwood, Eldred, Flavell, Golby,

Graystone, Hadland, Hallam, Hibbert, Hill, Kilbride, King, Lane, Larratt, Malpas, M Markham, Nunn, Oldham, Patel, Sargeant, Shaw and Walker.

Voting against the recommendations: Councillors Ashraf, Beardsworth, Birch, Choudary, Duffy, G Eales, T Eales, Joyce, B Markham, Marriott, McCutcheon, Meredith, Russell, Roberts, Smith and Stone.

The Mayor Councillor Ansell abstained from the vote.

The recommendations in the report were agreed.

**RESOLVED: That Council agreed:**

1. That the feedback from consultation with the public, organisations and the Overview and Scrutiny and Audit Committees be considered and welcomed (detailed at appendices 9, 10 and 11).
2. That a general fund revenue budget for 2019/20 of £27.495m (excluding parishes) be approved (detailed in appendices 1 and 2).
3. That Council approve the tax base for 2019/20 at 68,418.55 band D equivalent properties and associated parish tax bases as set out at section 3.1.3 and as recommended to Council for approval at the Cabinet meeting of 12 December 2018.
4. That the Council increases the council tax for its own purposes (excluding County, Police, Fire and Parish Precepts) by £6.56 (2.99%) per year per average band D property for 2019/20.
5. That the Council approve the general fund capital budget and outline programme and proposed financing for 2019/20, including the inclusion of schemes in the development pool, as set out in appendix 4.
6. That Council confirms the aim of maintaining a minimum level of general fund reserves of £4.0m for 2019/20, having regard to the outcome of the financial risk assessment, and also note the position on earmarked reserves (appendix 7).
7. That authority be delegated to the Chief Finance Officer in consultation with the Cabinet Member for Finance, and where appropriate the relevant Head of Service and Cabinet Member to:
  - Transfer monies to/from earmarked reserves as appropriate during the financial year; and
  - Update prudential indicators in both the prudential indicators report and treasury strategy report to Council, for any budget changes that impact on these.
8. That the draft fees and charges set out in appendix 8 be approved, including immediate implementation where appropriate.
9. That Council approve the treasury management strategy (and associated appendices) for 2019/20 at appendix 5 of this report.
10. That authority be delegated to the

**Council's Chief Finance Officer, in liaison with the Cabinet Member for Finance, to make any temporary changes needed to the Council's borrowing and investment strategy to enable the authority to meet its obligations.**

- 11. That Council delegate authority to the Chief Executive, Heads of Service and Chief Finance Officer to implement all budget options and restructures.**

## **7. HOUSING REVENUE ACCOUNT (HRA) BUDGET, RENT SETTING 2019/20 AND BUDGET PROJECTIONS 2020/21 TO 2022/23**

Councillor Eldred submitted a report which sought to approve the Housing Revenue Account (HRA) 2019/20 budget and the HRA indicative levels for 2020/21 to 2022/23, rent setting, service charges and other charges for 2019/20, including the total fee proposed for Northampton Partnership Homes (NPH) to deliver the services in scope for 2019/20 and give a brief update on the ongoing work on the direction of the HRA.

Councillor Hibbert seconded the report.

Councillors discussed the report praising the work of NPH, which had uplifted the area. There was pressure for rents to be affordable. Staff at NPH were helpful and informative. There was a need to ensure that all properties were kept to the same standards and that it was easier for people to pay for their utilities.

At this point the Mayor called for the recommendations to be voted upon. This was a recorded vote with the following result:

Voting for the recommendations: Councillors Ashraf, Aziz, Beardsworth, Birch, Bottwood, Choudary, Duffy, G Eales, T Eales, Eldred, Flavell, Golby, Graystone, Hadland, Hallam, Hibbert, Hill, Joyce, Kilbride, King, Lane, Larratt, Malpas, B Markham, M Markham, Marriott, McCutcheon, Meredith, Nunn, Oldham, Patel, Russell, Roberts, Sargeant, Shaw Smith, Stone and Walker.

Voting against the recommendations: None.

The Mayor Councillor Ansell abstained from the vote.

The recommendations in the report were agreed.

**RESOLVED: That Council agreed:**

- a) An average rent decrease of 1% per dwelling, in line with the legislation and the government's national rent policy, to take effect from 1st April 2019.**
- b) The HRA budget for 2019/20 of £51.8m expenditure detailed in Appendix 1.**
- c) The HRA capital programme for 2019/20, including future year commitments, and proposed financing as set out in Appendix 2.**
- d) The proposed service charges listed in Appendix 3.**

- e) That Cabinet be authorised, once the capital programme has been set, to approve new capital schemes and variations to existing schemes during 2019/20, subject to the funding being available and the schemes being in accordance with the objectives and priorities of the Council
- f) The Total Fees proposed for NPH to deliver the services in scope for 2019/20 detailed in Appendix 4.

## **8. ROBUSTNESS OF BUDGET ESTIMATES AND ADEQUACY OF RESERVES**

Councillor Eldred submitted a report which advised the Council on the robustness of the estimates in the budget and the adequacy of the proposed financial reserves for the general fund and Housing Revenue Account (HRA) before approving the Council's Medium Term Financial Plan (MTPF) 2019/23, the revenue budget for 2019/20, capital programme 2019/23, reserves levels and the treasury management strategy for 2019/20. He thanked the Chief Finance Officer and noted that this had been considered by Cabinet and the Audit Committee.

Councillor Nunn seconded the report and thanked the Chief Finance Officer for the work he did and the confidence he provided.

At this point the Mayor called for the recommendations to be voted upon. This was a recorded vote with the following result:

Voting for the recommendations: Councillors Ashraf, Aziz, Beardsworth, Birch, Bottwood, Choudary, Duffy, G Eales, T Eales, Eldred, Flavell, Golby, Graystone, Hadland, Hallam, Hibbert, Hill, Joyce, Kilbride, King, Lane, Larratt, Malpas, B Markham, M Markham, Marriott, McCutcheon, Meredith, Nunn, Oldham, Patel, Russell, Roberts, Sargeant, Shaw Smith, Stone and Walker.

Voting against the recommendations: None.

The Mayor Councillor Ansell abstained from the vote.

The recommendations in the report were agreed.

**RESOLVED: That Council considered the content of this report with regards to the general fund and HRA prior to the approval of the Council's MTFP 2019/23, the revenue budget for 2019/20, capital programme 2019/23 and the treasury management strategy 2019/20.**

At this point the Mayor adjourned the meeting for a 10 minute break. The meeting then reconvened.

## **9. COUNCIL TAX 2019/2020**

Councillor Eldred submitted a report which summarised the final precept determinations from the major precepting authorities (Northamptonshire County Council, Northamptonshire Police and Crime Commissioner, Northamptonshire Commissioner Fire and Rescue Authority), parish councils, and the budget setting

decision of Northampton Borough Council earlier on the agenda lead directly to the council tax determinations set out in Appendices A, B, and C.

He explained this was the last Northampton Borough Council, council tax resolution and it was a privilege to present it. He explained that the Council had no control over the precept, that Northamptonshire County Council and the Northamptonshire Police and Crime Commissioner, Northamptonshire Commissioner Fire and Rescue Authority set their own.

Councillor Nunn seconded the report.

Councillors discussed the report noting that it was important to find other ways of generating income so that the burden did not fall on the tax payers. There was a need to be mindful of those who would find it most difficult to pay the increased council tax. There was pressure to increase the rate of debt collection. It was felt that the government was not managing the housing supply or conducting proper interrogations into Adults and Children's services. Property tax should not be funding social services. The Revenue and Benefits team were praised for their efficiency. There was a need to chase those who won't pay their council tax rather than those who couldn't pay.

At this point the Mayor called for the recommendations to be voted upon. This was a recorded vote with the following result:

Voting for the recommendations: Councillors Ashraf, Aziz, Beardsworth, Birch, Bottwood, Choudary, Duffy, T Eales, Eldred, Flavell, Golby, Graystone, Hadland, Hallam, Hibbert, Hill, Joyce, Kilbride, King, Lane, Larratt, Malpas, M Markham, Marriott, McCutcheon, Meredith, Nunn, Oldham, Patel, Russell, Roberts, Sargeant, Shaw Smith, Stone and Walker.

Voting against the recommendations: None.

Those who abstained from the vote were: the Mayor Councillor Ansell Councillors G Eales and B Markham.

The recommendations in the report were agreed.

**RESOLVED: That Council approved the council tax resolution shown at appendices A, B, and C.**

## **10. LOCAL GOVERNMENT REFORM IN NORTHAMPTONSHIRE - STRUCTURAL CHANGES ORDER**

Councillor Nunn submitted a report which asked Council to consider making representations to Government on legal, governance and electoral arrangements for transition to a prospective unitary authority for the area. He then proposed an amendment to the report.

The first element of the amendment was that the last recommendation detailing that 'the submission included an expression of in-principle desire for a consequential



'Section 24 direction' to apply to all of the Councils, the details of which to be separately agreed between the councils and government.' be deleted. The second element referred to Appendix 1 in particular the election cycles. It was proposed an alternative that elections held in 2020 be for a 5 year term and elections held from 2025 follow the normal County Council electoral cycle. This would then provide stability while the unitary authority was established.

Councillor Larratt seconded the amendment.

Some councillors discussed the amendment highlighting that Northampton had more residents than Daventry and South Northamptonshire put together. It was felt that if approved the number of allocated seats would be detrimental to Northampton. The allocated seats should reflect the population being represented rather than the number on the shadow board. The re-organisation benefited no one and Northampton should be managed by the people who lived in the town.

At this point the Mayor called for the amendment to be voted upon. Two members abstained from the vote the remaining members voted for the amendment. Upon the vote the amendment was agreed.

Further discussions were then held on the main report. Some councillors felt that it was the wrong direction for the Council to go in. The proposals provided too much power to those from outside of the town. 4 members from each authority was a misrepresentation for the people of Northampton. People did not want to have a West Northamptonshire unitary authority at all.

In the debate it was suggested that the Council was being forced down a path that no one wanted to take and concerns were not being taken account of. It was queried if the process could be paused while further discussions took place.

The sentiments of others were agreed with and it was felt that it was being forced on the town. If the Council was being forced into becoming a unitary authority with other then there was a need to ensure Northampton was represented.

At this point the Mayor called for the report's recommendations to be voted upon. 19 members voted for the recommendations. 19 members voted against the recommendations. Using his casting vote the Mayor voted in favour of the recommendations, therefore the amended recommendations were carried.

The recommendations in the report were agreed as amended.

**RESOLVED: That Council agreed:**

- 1. The preferences for a Structural Changes Order, as per Appendix 1, be included in a submission to Government.**
- 2. Amendment of the submitted preferences, as arising from negotiations with Government officials, be delegated to the Chief Executive in consultation with the Leader and the Monitoring Officer - where it is not expedient to formally report to Council or duly appointed Committee.**

3. The submission be accompanied by a statement reiterating the Councils' original position that "Government commits to meeting the significant implementation challenges and ensures that we are collectively equipped to deliver success" as per the Councils' original Joint Proposal.

## **11. LOCAL GOVERNMENT REFORM IN NORTHAMPTONSHIRE PROPOSED JOINT COMMITTEE - EXECUTIVE FUNCTIONS - TERMS OF REFERENCE**

Councillor Nunn submitted a report which asked Council to consider making representations to Government on legal, governance and electoral arrangements for transition to a prospective unitary authority for the area. These proposals were subject to proportionality and it was proposed that Councillors Larratt, Hibbert, Nunn and Stone be appointed.

Councillor Larratt seconded the report.

Councillors discussed the report expressing that the work of the Joint Committee was critical in terms of openness and transparency. It was queried if remuneration would be paid to the members on the Joint Committee because it was felt it wasn't required. Assurance was sought that any attendance on the Joint Committee would not be remunerated.

The Monitoring Officer explained that there were two issues involved – Remuneration for members of the Joint Committee and on the Shadow Council and associated structures. The Council should not make a decision about remuneration until the remuneration panel had put forward its proposals. If a decision was made at this meeting it would be unlawful because the Council could not predetermine the outcome of the remuneration panel. He advised Council to stick to the process and set up the remuneration panel and either accept or reject its findings at a future meeting.

It was noted that Daventry District Council (DDC) had gone to its own remuneration panel, who had recommended an additional allowance to the Leader and two other members. Northampton Borough Council (NBC) had no control over what DDC agreed. Many at NBC were opposed to be paid to carry out a roll on the Joint Committee.

Councillor Nunn explained that the membership would be made up by the County Council and district and borough councils.

At this point the Mayor called for the recommendations to be voted upon. 26 members voted for the proposal. 12 members voted against the proposal. The Mayor abstained from the vote.

The recommendations in the report were agreed.

**RESOLVED: That Council agreed:**

1. A "West Northamptonshire Joint Committee" of 16 seats (4 per council)

be established with Northampton Borough Council, South Northamptonshire Council, Daventry District Council and Northamptonshire County Council, effective from 28 February 2019, with delegated functions as set out in the terms of reference at Appendix 1, subject to these other councils so resolving.

2. The statutory allocation of seats to political groups following the rules of proportionality will for Northampton Borough Council be, 3 Conservatives and 1 Labour Members. Council is invited to make nominations to the Joint Committee.
3. Subject to recommendations above being approved, the Monitoring Officer be delegated to agree a “West Northamptonshire Joint Committee Agreement” identifying appropriate standing order and operating practices for the Committee; and in consultation with the Leader of the Council, to negotiate, finalise and enter into the proposed agreement with the other councils.

## **12. STATEMENT ON GAMBLING POLICY**

Councillor Flavell submitted a report which sought the adoption of the attached Statement of Licensing Principles in respect to Gambling following the three yearly review required by the Gambling Act 2005 (‘the Act’)

Councillor King seconded the report.

Councillors welcomed the report indicating that more Government funding should be invested in the prevention of gambling.

At this point the Mayor called for the recommendations to be voted upon. All members voted for the proposal. No voted against the proposal.

The recommendations in the report were agreed.

### **RESOLVED: That Council agreed:**

1. That the Policy attached to this report be approved for publication as the Council’s Statement of Licensing Principles in respect to Gambling under section 349 of the Act for the three year period commencing 1 March 2019.
2. That once approved the Policy is published in accordance with the relevant regulations and as set out at paragraph 3.2.3.

## **13. 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 9:58 pm

