

**MINUTES OF THE MEETING OF THE
BOROUGH COUNCIL OF WELLINGBOROUGH
HELD AT SWANSPOOL HOUSE, WELLINGBOROUGH
ON TUESDAY 30 JULY 2013**

Present: The Mayor (Councillor G Lawman) and Councillors Ainge, Allebone, Bailey, Bass, Beirne, Bell, Blackwell, Carr, Dholakia, Elliott, Emerson, Gough, Graves, Harrington, Hawkes, Henley, Higgins, L Lawman, Maguire, Morrall, Partridge-Underwood, B Patel, M Patel, Pursglove, Scarborough, Simmons, Timms, Ward, Warwick, M Waters, V Waters, and Watts.

Officers present: Mr J T Campbell (Chief Executive), Mr T Wright (Corporate Director), Mrs L Elliott, Mrs B Lawrence and Mr S Wood (Heads of Service), Mr C Pittman (Monitoring Officer), Ms S Lyons (Legal Adviser), Ms P Lawton (Principal Democratic Services Manager) and Mr G Betts (Mayor's Sergeant).

The meeting was preceded by a minute's silence, observed as a mark of respect for Lance Corporal Craig Roberts of the 3rd Battalion Royal Anglian Regiment. The Mayor paid his own tribute, and confirmed that he had sent a letter of condolence to the Regiment on behalf of the Council and the people of Wellingborough as well as a letter congratulating the Duke and Duchess of Cambridge on the recent arrival of Prince George.

The Mayor welcomed fellow councillors to the meeting and also extended a welcome to his guests for the evening: representatives of the Wellingborough Carnival Committee, BID, Royal British Legion and Wellingborough Rotary, Lions and Round Table and their ladies counterparts.

1. APOLOGIES FOR ABSENCE

RESOLVED to note that apologies for absence were received from Councillor Raymond.

(Councillors Griffiths and Hollyman were not present at the meeting.)

2. DECLARATIONS OF INTEREST

The Mayor reminded members of their obligations to verbally declare 'registerable' and 'other' interests in matters to be considered at the meeting, only if they did not appear on their official 'register of interests'. Members were also reminded that if they had a 'disclosable pecuniary interest' they would not be permitted to participate in the discussion or any vote on that item of business.

RESOLVED to note that in accordance with the Localism Act 2011, the council's code of conduct and the council's constitution, the under-mentioned councillor declared an interest in the following item:

Councillor	Committee date and minute no.	Reason for declaration
Carr	Community 15/07/13 (min 8) – Compulsory Purchase Order and Empty Property Update.	Prejudicial Other interest – knowledge of one of the persons involved.

3. MINUTES OF THE PREVIOUS COUNCIL MEETING

RESOLVED that the minutes of the Council meeting held on 02 July 2013 be confirmed and signed.

4. QUESTIONS, PETITIONS AND REQUESTS TO ADDRESS THE MEETING

RESOLVED to note that no questions, petitions or requests to address the meeting had been received from the public.

5. PLANNING COMMITTEE – 19 JUNE 2013

Councillor Maguire asked that it be noted that he had in fact tendered his apologies in advance of the meeting, but these had not been formally reported at the meeting.

RESOLVED that the minutes, so amended, of the Planning Committee of 19 June 2013 be noted.

6. AUDIT COMMITTEE – 25 JUNE 2013

The minutes of the Audit Committee of 25 June 2013 were received.

Reference was made to item 6 – ‘Unaudited Statement of Accounts 2012-13’ thanking officers for their hard work and diligence in relation to the re-introduction and integrity of the new asset register.

RESOLVED that the minutes of the Audit Committee of 25 June 2013 be adopted.

7. COMMUNITY COMMITTEE – 15 JULY 2013

The minutes of the Community Committee of 15 July 2013 were received. The chairman referred to the re-circulation of appendix B of report item 8 to assist Council members in the discussion on recommendation R1.

Reference was made to item 6 – ‘Private Sector Housing Policy’ requesting an update to the 2010 ‘Decent Homes’ figures which had been presented to the committee, to reflect the position at 2013.

The chairman responded to confirm that a Members Briefing Note would be issued updating members on the current position, and that officers would be asked to present figures the Community Committee on an annual basis thereafter.

Reference was made to item 8 – ‘Compulsory Purchase Order (CPO) and Empty Property Update’. Officers were thanked for their work on this initiative, with specific reference being made to 3 properties in Castle Ward, and Ash Close in Irchester.

The Leader of the Council referred to the success of the CPO policy, confirming that 150 homes had been brought back into use as a direct result of application of the policy. The Leader re-iterated the Council’s continued commitment to pursuing CPOs where appropriate to do so.

RESOLVED:

- (i) that action commence to compulsorily purchase those properties listed in Appendix B (as circulated),
- (ii) to adopt the minutes of the Community Committee of 15 July 2013 (as amended).

8. DEVELOPMENT COMMITTEE – 16 JULY 2013

The minutes of the Development Committee of 16 July 2013 were received.

Discussion ensued in relation to item 3 – ‘Presentation by Tresham’. Concern was raised in respect of the design of the proposed new development, although the importance of Tresham being encouraged to remain in Wellingborough was acknowledged. It was noted that Tresham had been unsuccessful in their recent bid for funding, and that they intended to make a further application in September 2013.

The committee chairman made reference to recommendation R1 at item 7 – ‘North Northamptonshire Interim Housing Policy Statement’ confirming that the bulleted items were to be re-formatted (i) to (xi) inclusively. Minor amendments were noted to the wording at (ii) and (xi) which did not materially change the recommendation put before Council. *(The aforementioned minor amendments are reflected in the Council resolution as printed below.)*

Discussion ensued in respect of item 7 – ‘North Northamptonshire Interim Housing Policy Statement’. Concern was raised in respect of the policy, which it was suggested did not sufficiently address infrastructure issues and might encourage land owners to bring forward inappropriate sites. Reference was made to comments which it was alleged had been made at the Development Committee meeting in relation to immigration/migration issues, which had not been included in the minutes of the meeting. The chairman responded by reminding members that minutes were not a verbatim record of the meeting, and that it was important that the council adopted a proactive approach to retain control on planning issues.

A drafting error was noted at item 8 – ‘Neighbourhood Planning’ that the final paragraph starting with the words ‘RECOMMEND TO RESOLVE...’ be deleted.

RESOLVED:

- (l) that a positive and proactive approach be taken to delivering housing by making the commitment that the council will:
 - (i) in accordance with the National Planning Policy Framework (NPPF), look for solutions rather than problems, and will seek to approve applications for sustainable development, wherever possible, through the use of planning conditions and S106;
 - (ii) encourage pre-application discussions so that more issues can be resolved at an early stage, and consider whether pre-application fees can be temporarily suspended;
 - (iii) be proactive to seek to bring forward housing on sites within its own ownership particularly those previously agreed through the Site Specific Plan;
 - (iv) continue to work proactively with housing associations to bring forward affordable housing schemes;
 - (v) continue to support the production of rural housing needs assessments to identify the need for, and support delivery of, housing to meet local needs;

- (vi) re-negotiate S106 agreements where this is affecting viability and will consider reduced or delayed payments where this could aid delivery;
 - (vii) continue to support a Stanton Cross Steering Group and Technical Working Group to support delivery of this site;
 - (viii) create a cross disciplinary team to support delivery of the Wellingborough North Sustainable Urban Extension (SUE);
 - (ix) continue to support neighbourhood plans and the identification of suitable sites for housing;
 - (x) invite landowners of sites included with appendices 2 and 3 to confirm deliverability of their site in accordance with the checklist for potential sites suggested through the Harman Report and included at appendix 4;
 - (xi) invite landowners to bring forward new deliverable sites for consideration, which will be assessed by officers. Those sites that accord with the overall strategy of the plan and can be demonstrated to be deliverable will be considered by a future Development Committee for inclusion in the revised land supply calculation.
- (II) that the Draft Neighbourhood Planning Protocol be agreed and provided to each of the parishes forums, subject to financial approval by the Resources Committee;
- (III) to adopt the minutes of the Development Committee of 16 July 2013 (as amended).

9. RESOURCES COMMITTEE – 17 JULY 2013

The minutes of the Resources Committee of 17 July 2013 were received.

Reference was made to item 4 – ‘Property Disposals’. Particular concern was raised in respect of resolved item (iii) ‘land adjacent to Diamond Learning Community’ which it was suggested appeared to be little more than a land transfer from the council to the school. Discussion ensued in relation to what the school might do with the land, potential covenants which might be placed on it, and whether it might be more appropriate for the land to remain in the Council’s possession.

It was moved by Councillor Scarborough and seconded by Councillor Dholakia that the Resolution item (iii) be referred back to the Resources Committee for further consideration, and on being put to the vote the vote was declared lost.

Reference was made to item 13 – ‘Exclusion of Press and Public’ reminding members that items 14 to 16 were of a confidential nature, therefore, any discussion which might reveal the detail of these items would need to be moved into private session.

Concern was raised in respect of item 16 – ‘Restructuring of the Senior Management Team’ particularly in relation to R2 (iii) and the Monitoring Officer role.

(Terry Wright and Chris Pittman left the meeting whilst discussion took place in respect of this item.)

An amendment was proposed to R2 (iii) that the following wording be added:

“save that no further action shall be taken in respect of the Monitoring Officer’s retirement unless and until the arrangements for the performance of his duties have been considered and approved by the Full Council.”

This was proposed by Councillor Hawkes, seconded by Councillor Warwick and on being put to the vote, the vote was declared lost.

Further discussion ensued in respect of the Monitoring Officer role and it was proposed that discussion on this item be suspended until later in the proceedings, after item 7. This was proposed by Councillor Elliott, seconded by Councillor Scarborough and declared carried.

(Terry Wright and Chris Pittman returned to the meeting; discussion on this item resumed at minute 13.)

10. REPORT OF THE CHIEF EXECUTIVE: NOTABLE ACTIVITIES AND EVENTS

The annexed circulated report of the Chief Executive was received providing details of notable activities relating to the council’s PRIDE objectives. A number of councillors commented on the initiatives contained therein, with specific reference being made to the following:

- Party weekend – formal recognition of the work of the Carnival Committee and the council’s Events Officer;
- The Big Lift – noted that £43K had been raised for the charities involved; members were honoured that the event had included Wellingborough on its route;
- Older Persons’ Forum – very successful event; noted that the next event in the planning stages;
- Fraud prosecution – thanks to officers for their efforts, and commitment to the council’s continued diligence in prosecuting those who defraud the people of the borough;
- No Excuses campaign – pleased that the campaign had been re-launched; acknowledged the cost of littering to the council; noted change of date of Queensway event which had taken place on 26 July; clarification was requested in relation to the event in Irchester Park.
- Mayor’s Charity Fund 2012-13 – the Deputy Mayor thanked everyone who had donated to his charity fund during his civic year of office, and confirmed his pleasure at being able to help so many worthy causes;
- Mayor’s bowls match – thank you to councillors and officers who played in the match;
- Medieval festival – formal thanks to John Cable and the BID team for a great weekend of events;
- Buckwell End start on site – particularly noteworthy event; one of many brownfield sites due to come back into use.

RESOLVED that the report be noted.

11. MEMBERS’ QUESTIONS/MOTIONS

A motion had been submitted in advance of the meeting by the Labour Group in respect of the impact on social housing tenants of the Government’s housing benefit

changes under the Welfare Reform Act 2012. This was proposed by Councillor Scarborough, and seconded by Councillor Elliott.

The Leader of the Opposition presented the motion to the Chamber, outlining the reasons for bringing the motion, with particular emphasis being placed on the impact of the Act in targeting the most vulnerable in society, tenants facing increasing rent arrears and evictions, and the knock-on effect on landlords and council resources, increasing costs relating to homelessness and social disruption to people's lives.

The Deputy Leader of the Council responded on behalf of the Administration, acknowledging the importance of social housing provision to the people who needed it. He cited the following reasons why he did not support the motion: figures indicating that almost one third of social housing tenants lived in properties too large for their needs; the resulting increased benefits payments to those in over-sized accommodation; and questioned why people on benefit should have large properties of the nature that taxpayers could not afford. Reference was made to exclusions for some vulnerable groups, discretionary housing payments totalling £155m, and other support available to help those affected.

Lengthy debate ensued with views expressed both for and against the motion.

The Leader of the Opposition thanked fellow councillors for a thoughtful and decent debate, and acknowledged that much could be done locally by councillors and partners. He reiterated his reasons for bringing the motion, stating that a national discretionary payments fund of £155m was an inadequate amount of support for people who had been left with no choice but to pay more, or move from their homes.

Upon 7 members demanding a recorded vote, the motion was put to the vote, and the following votes cast:

For: Councillors Ainge, Blackwell, Dholakia, Elliott, Emerson, Henley, Maguire, Scarborough and Watts (No. 9).

Against: Councillors Allebone, Bailey, Bass, Beirne, Bell, Carr, Gough, Graves, Harrington, Hawkes, Higgins, G Lawman, L Lawman, Morrall, Partridge-Underwood, M Patel, Pursglove, Simmons, Timms, Ward, Warwick, and M Waters (No. 22).

Abstained: Councillors B Patel and V Waters (No. 2).

RESOLVED that the motion be declared lost with 9 votes in favour, 22 votes against and 2 abstentions.

12. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that the press and public be excluded from the meeting during consideration of the following item in accordance with Section 100A(4) to the Local Government Act 1972 on the grounds that it would involve the likely disclosure of exempt information of the descriptions shown in schedule 12A to the Act:

Minute No.	Item	Paragraph of Schedule 12A
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Minute No.	Item	Paragraph of Schedule 12A
13	Restructuring of the Senior Management Team.	3

13. RESOURCES COMMITTEE – 17 JULY 2013

Debate resumed in relation to the future discharge of the statutory Monitoring Officer role under the Head of Paid Service's proposed new management structure. Specific concerns were raised in relation to the service being provided by District Law under the shared service agreement. It was noted that a further report was to be presented to the Resources Committee in September, detailing the specific arrangements for discharge of the Monitoring Officer role. A number of councillors were of the opinion that the restructure of the management team was solely the responsibility of the Chief Executive, and that members should not be involved in the detail.

The Mayor invited the Chief Executive to respond. The Chief Executive outlined the reasons for his proposals, confirming his regret that the new structure involved losing some committed senior members of the management team. Members were advised, however, that savings had to be made and, had the 3 senior roles not been removed from the management structure, this would have had the impact of needing to cut a higher number of more junior roles. Furthermore, it was confirmed that the proposal was to remove the Head of Community post from the management structure; it was merely incidental that this post was also responsible for discharging the Monitoring Officer function, which it was acknowledged was a statutory function. Members were reminded that under Section 4 of the Local Government and Housing Act 1989, it was the sole responsibility of the Head of Paid Service to set out a suitable organisational structure to deliver the services that the council provided. The Chief Executive confirmed that he was still requesting that Council endorse the deletion of the 3 posts from the management structure as originally identified in his proposal.

Further discussion ensued and the general consensus amongst members was that they had full confidence in the Chief Executive to deliver an effective management structure, including the statutory roles of Monitoring Officer and S151 Officer. It was noted that members welcomed a full debate on the Monitoring Officer role when the follow-up report was presented to the Resources Committee in September.

RESOLVED that:

- (I) the amended Credit Worthiness policy be incorporated in the council's Annual Investment Strategy;
- (II) the proposals of the Head of Paid Service relating to the Senior Management Structure:
 - (i) be endorsed by Council; and that
 - (ii) eligible employees identified in Appendix C of the report be retired early from the service of the council, in the interests of the efficient exercise of the council's functions with effect from a date to be agreed;

- (iii) eligible employees identified in Appendix C of the report receive pension scheme benefits with effect from their retirement date, in accordance with the provisions of Section 26 of the Local Government Pension Scheme Regulations 1997;
 - (iv) with effect from the date of departure of the Director of Resources that the Head of Finance be designated as the council's Section 151 officer.
- (III) membership of the Constitution Working Party comprises Councillors Bell, Graves, Hawkes, Bailey, G Lawman, Maguire and Scarborough.
- (IV) the minutes of the Resources Committee of 17 July 2013 be adopted.

14. CORRESPONDENCE, COMMUNICATIONS AND OTHER BUSINESS

RESOLVED to note that there was no correspondence, communications or other business to consider.

Mayor

The meeting closed at 8.50 pm.