

COUNCIL MEETING – 13 OCTOBER 2015

REPORT OF THE SERVICES COMMITTEE

14 September 2015

Present: Councillors Carr (Chairman), Harrington (Vice-Chairman), Anslow, Ekins, Griffiths, G Lawman, Maguire, Scanlon, Skittrall, and Stevenson.

Also present: Miss J Thomas, Head of Planning and Local Development, Mrs B Lawrence, Head of Resources, Mrs V Phillipson, Principal Planning Policy and Regeneration Manager, Mrs M Simmons, Principal Planning and Building Control Manager, Mrs J Bell, Project Co-ordinator, and Miss Emma McGinlay, Electoral Services Officer.

(Councillor Graves attended as an observer.)

1. APOLOGIES FOR ABSENCE

RESOLVED to note that apologies for absence were received from Councillors Beirne, V Waters, Patel, Emerson and Watts.

2. DECLARATIONS OF INTEREST

RESOLVED to note that no declarations were made.

3. CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 29 JUNE 2015.

RESOLVED that the minutes of the Services Committee held on 29 June 2015 be approved.

4. MARKET RIGHTS POLICY

The annexed circulated report of the Head of Planning and Local Development was received to seek approval to consult on the draft market rights policy.

The council has exclusive rights to conduct markets on a Wednesday, under the terms of its market charter, within a radius of 6.67 miles of Wellingborough town centre.

Taking into account the European legislation, the National Association of British Market Authorities (NABMA), of which the council is a member, has recommended that local authorities have a market licensing policy to deal with applications for the holding of other markets.

A draft market rights policy was appended to the report. It was proposed that this be consulted on with the public for a period of six weeks and a list of consultees were detailed within the report.

A report on the findings would be submitted to the Services Committee in due course.

Members recommended that other organisation also be consulted, such as South Northants Council. A question was also asked about why no commercial traders were permitted at commercial markets. The chairman consulted with officers and advised that the officer would need to seek legal advice on this point.

Councillors discussed the power the council has to control markets within 6.67 miles of its own market. Some concerns were expressed that there had been no update to the distances set out in the policy because it could restrict opportunities for trading. The chairman reminded councillors that the market charter still stood, and should be adhered to; he also pointed out that the committee could approve applications if it regarded them as appropriate.

RESOLVED that consultation on the draft market rights policy be approved.

5. MARKET REGULATIONS

The annexed circulated report of the Head of Planning and Local Development was received in relation to the market regulations and the bric-a-brac market regulations.

Following a meeting of the market working group it was proposed that the market regulations and the bric-a-brac market regulations be combined into one document, simplifying and providing a set of regulations that applied to all.

The majority of the regulations were the same but minor changes had been made to opening times and trader incentives, both of which were detailed within the report and appendix.

It was suggested that an amendment be made to allow traders to park closer to the market. It was, however, noted that a parking order would be in place from 25 September 2015 which will prohibit vehicles from using the area between 08:00 and 18:00 from Monday to Saturday; it would be difficult to enforce this if some traders were allowed to park in the market area.

Surveys carried out to capture how vehicles were used within the market area raised several potential health and safety risks. Councillors discussed and agreed that they have a duty of care to both customers and members of public and needed to make sure the area was safe.

RESOLVED that approval be given to the combined market and bric-a-brac market regulations and that these be enforced with immediate effect.

6. MARKET LAYOUT

The annexed circulated report of the Head of Planning and Local Development was received to seek approval to change the layout of the market.

The market working group had been looking in detail at the location and layout of the market and considered that improvements could be made. A consultation with market traders had indicated that there was a preference for all stalls to be in one area.

There were fourteen stalls which had been located on Pebble Lane for approximately ten years. The stalls were popular with traders and stall fees were higher. It was, however, considered that the stalls would be much better placed on the main market and that this would attract more custom.

The market working group was therefore recommending the relocation of the stalls in Pebble Lane to the main market square.

Members discussed and welcomed this proposal but that adequate signage would be required to ensure that customers walked up Pebble Lane to visit the market. It was also suggested that murals on and around the market may make it more attractive.

Officers agreed to consider whether the space for stalls in Pebble Lane could be used as an overflow during busy periods such as Christmas.

RESOLVED that the stalls located in Pebble Lane be removed and stall holders be relocated to the main market.

7. KNUSTON CAR BOOT SALE APPLICATION

The annexed circulated report of the Head of Planning and Local Development was received to seek a decision following receipt of an application to hold a weekly car boot sale in Knuston.

The application requested the council's permission to hold a weekly car boot sale, every Saturday afternoon and bank holiday until 31 October 2015.

The council has exclusive rights, under the terms of its market charter, to conduct markets on a Wednesday within a radius of 6.67 miles of Wellingborough Market. Permission could be refused for an alternative market to be held on any day of week provided, in the case of a day other than the charter day, the council has evidence that its own interests (as distinct from those of the market traders) would be damaged financially by the alternative market.

Members discussed the benefits of the application, but also considered the drawbacks, and the effect it would have on the town's market.

It was considered that a great deal of work had been carried out by officers to try and regenerate the market, and the council needed to do everything possible to support that.

RESOLVED that the application to hold a car boot sale at Knuston Home Farm be refused.

(Councillor Maguire asked that his vote against be recorded)

8. DEMOLITION OF TOWN CENTRE PROPERTIES

The annexed circulated report of the Head of Planning and Local Development was received to seek approval, in principle, for the demolition of buildings located in Wellingborough town centre.

The first building was located at 31/32 Church Street Wellingborough. This property had been acquired in June 2015 and had been derelict for over 10 years. The only option was to demolish the property, though remedial works would be required to the neighbouring property. The future of the site would be the subject of a future report to committee.

The second property was located at 17/18 High Street on the north west corner of the High Street compulsory purchase order site, on the corner of High Street and Jacksons Lane. It was proposed to demolish these properties in preparation for the redevelopment of the site.

As both sites lie within the conservation area an alternative scheme would need to be proposed. A planning application for the demolition and draft alternative schemes would be submitted.

Members congratulated the officers on their hard work and noted that it had been well received by members of the public. Officers confirmed that the building in Church Street was stable but beyond economic repair. The building was surveyed on a regular basis to determine the ongoing state and safety of the site.

RESOLVED that approval in principle be given to the demolition of the properties located at 31/32 Church Street and 17/18 High Street Wellingborough and that officers submit the relevant planning applications.

9. EQUALITY OBJECTIVE 2016-2020

The annexed circulated report of the Head of Resources was received to seek authority to consult on a draft equality objective for the council.

The council has a legal duty to publish one or more equality objectives by 6 April 2016. It was proposed that the draft equality objective for the Council would be “to continue to promote equality through the provision of services that are fair and accessible to all”.

Consultation on the proposed objective would take place with the council’s key stakeholders including; residents, voluntary and community groups, representatives of the protected characteristics, our partners and employees.

This would be done via an online questionnaire on the website with paper versions available on request. Promotion would be via social media, an article in the winter edition of The Link and face to face meetings. Appended to the report was the equality objective setting timetable. A further report would be presented to Services Committee in March 2016.

A request to address the committee had been received from Mr T Banks, which had been accepted. He informed the committee of his concern that, in his view, the report did not reflect the motion that was placed before the council on 21 July 2015, and which had been referred to this committee for consideration.

It was suggested that the committee defer the timetable and ask for the report to be resubmitted. It was explained that the intention of the officers had been to capture the essence of the motion in the report and in the equality objective. The draft objective reflected the size and resources currently in place at the council. Members were also reminded that the council had to meet a specific timetable in order to meet publication deadlines.

Members expressed a need to ensure that they received user feedback from all communities. Councillor Lawman proposed that an amendment to the resolution be added as follows:

(ii) Consultation paperwork to come to committee for approval.

The proposal was seconded by Councillor Maguire and on being put to vote the motion was lost with 6 votes against and 3 in favour.

RESOLVED that:

- (i) Approval be given to a consultation taking place with key stakeholders in relation to the draft equality objective for 2016-2020 to “continue to promote equality through the provision of services that are fair and accessible for all”;
- (ii) The associated timetable be agreed.

10. TOWN AND COUNTRY PLANNING ACT SECTION 106 – PROJECT LIST

The annexed circulated joint report of the Head of Planning and Local Development and Head of Finance was received to provide an update on the list of projects proposed by councillors.

In June the Resources and Services Committees had approved the section 106 project lists, with members requesting that further consultation be undertaken with them.

Appended to the report were the responses from councillors; officers had not yet completed a final review of these proposals to enable an updated project list to be produced.

Councillors considered some of the projects listed in the report, but officers still had to carry out a further analysis and could report back once the approved projects had funds allocated to them.

Discussion took place about the possibility of funds being allocated to councillors to complete small projects such as additional signage or flower baskets etc.; it was, however, confirmed that small projects like this were not usually funded by Section 106 funds. It was reported that the Head of Finance was looking into whether it would be possible to recommend a potential funding stream for councillors to use on small projects; further information would be reported in due course.

It was confirmed that there were no unallocated funds, and that this was not likely because Section 106 funding was generally allocated to specific projects.

RESOLVED to note the responses received.

11. LOCAL DEVELOPMENT SCHEME REVIEW

The annexed circulated report of the Head of Planning and Local Development was received in relation to the review of the Local Development Scheme (LDS) for the Plan for the Borough of Wellingborough (PBW).

The LDS is a public statement setting out what documents are to be prepared as part of the local plan along with the programme for their production. Appended to the report was the Local Development Scheme Review (2015).

It was confirmed that the review of the plan was ongoing and documents could be added at any time.

RESOLVED that approval be given to the Local Development Scheme Review (2015) and that it be published on the council's website.

12. UPPER NENE VALLEY GRAVEL PITS SPECIAL PROTECTION AREA SUPPLEMENTARY PLANNING DOCUMENT (SPD).

The annexed circulated report of the Head of Planning and Local Development was received in relation to the adoption of the Upper Nene Valley Gravel Pits Special Protection Area (SPA) Supplementary Planning Document (SPD).

The document had been produced to help local planning authorities, developers and others ensure that development has no significant effect on the Upper Nene Valley Gravel Pits Special Protection Area (SPA), in accordance with the legal requirements of the Habitats Regulations. The document had been consulted on between 9 February and 23 March 2015 and the SPD and comments schedule were appended to the report.

RESOLVED that the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document be adopted.

13. THE NORTHAMPTONSHIRE BIODIVERSITY SUPPLEMENTARY PLANNING DOCUMENT

The annexed circulated report of the Head of Planning and Local Development was received in relation to the adoption of the Northamptonshire Biodiversity Supplementary Planning Document (SPD) 2015.

The SPD had been produced to explain how biodiversity should be incorporated into the planning process to ensure that policy and legislative requirements are met and best practice standards achieved.

The report referred to the review of the SPD, subsequent consultation, and the comments received. The document and comments were appended to the report.

RESOLVED that the Northamptonshire Biodiversity Supplementary Planning Document 2015 be adopted.

14. PROPOSED CONSERVATION AREA CHARACTER APPRAISAL FOR MEARS ASHBY

The annexed circulated report of the Head of Planning and Local Development was received to seek approval to proceed with consultation with interested parties in relation to the proposed Mears Ashby Conservation Area Character Appraisal which was appended to the report.

Consultation would take place over a six week period with ward councillors, Mears Ashby Parish Council, Historic England, Northamptonshire County Council, Wellingborough Civic Society and local residents who live in the conservation area.

RESOLVED that approval be given to consult with interested parties on the proposed Mears Ashby Conservation Area Character Appraisal.

15. REVIEW OF OPERATIONAL POLICY AND CONDITIONS GOVERNING TAXI AND PRIVATE HIRE LICENSING

The annexed circulated report of the Head of Planning and Local Development was received in relation to the draft review of the Operational Policy and Conditions Governing Taxi and Private Hire Licensing and to seek permission to consult thereon.

The new policy was appended to the report and incorporated changes in legislation along with reflecting comments from the licensed trade on the existing policy to improve consistency of enforcement. The main changes were also appended to the report.

A six week consultation period was proposed with the policy being posted on the council website, communications with the Hackney Carriage Association and a mail drop to all private hire operators inviting them to make comment. Once concluded a further report would be submitted to the Services Committee.

It was confirmed that the changes to the policy regarding the age of the vehicle applied to both hackney carriage and private hire.

Members congratulated the officers on the report and their efficiency and ability when it came to enforcement of the regulations.

RESOLVED that approval be given to consult on the draft policy for a period of six weeks and that a further report be presented to Services Committee in due course.

16. NEIGHBOURHOOD PLANNING

The annexed circulated report of the Head of Planning and Local Development was received in relation to the receipt of the examiner's report in relation to the Earls Barton Neighbourhood Plan and whether to proceed to referendum.

The report detailed the work that had taken place in the production of the Neighbourhood Plan. Appended to the report were the examiner's report and the draft decision statement, including all recommended and proposed changes.

Councillor Gough, Chairman of the Neighbourhood Plan Group in Earls Barton, addressed the meeting and informed members that the Earls Barton Neighbourhood plan reflected the needs of the residents of Earls Barton and had strong support within the community. He went on to say that developers had wanted to build on land in Earls Barton that was deemed unsuitable by residents, and this plan incorporated the needs of the area. He noted that the plan had been commended and approved within the regulations by the external examiner and urged the committee to approve the plan and initiate the referendum.

Members congratulated the volunteers and members of the group who had helped to make the plan, and commended them on their hard work. The chairman also congratulated and thanked the officers for liaising with the Parish Council and associated stakeholders.

RESOLVED that approval be given to the examiner's report being published along with the suggested amendments and minor modifications and that a decision statement be issued to initiate the statutory referendum on the Earls Barton Neighbourhood Plan.

Chairman

The meeting concluded at 8.35pm.

COUNCIL MEETING – 13 OCTOBER 2015
REPORT OF THE RESOURCES COMMITTEE

16 September 2015

Present: Councillors Bell (Chairman), Griffiths (Vice-Chairman), Allebone, Francis, Hallam, Henley, Harrington, Morrall, Partridge-Underwood, Scarborough, Ward and M Waters

Also present: Mr J T Campbell, Chief Executive, Mrs L Elliott, Head of Finance, Mrs B Lawrence, Head of Resources, Miss J Thomas, Head of Planning and Local Development, Miss S Lyons, Monitoring Officer/Solicitor District Law, Mrs S Knowles, Principal Accountancy Manager, Mrs T Cave, Service Accountant, Mrs J O'Connell, Service Accountant, Mr N Robinson, Principal Revenue and Benefits Manager, Mr R Watson, Consortium Business Rates Manager and Miss K Denton, Principal Corporate Support Manager

Councillor G Lawman attended as an observer

1. APOLOGIES

RESOLVED to note that apologies for absence were received from Councillors Bailey, Carr and Emerson.

2. DECLARATIONS OF INTEREST

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 councillors declared an interest in the following items:

Councillor	Minute	Report Title	Reason
Griffiths	8	Discretionary non-domestic rate relief policy	Personal – former acquaintance of the speaker.

3. CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 24 JUNE 2015

RESOLVED that the minutes of the Resources Committee held on 24 June 2015 be approved.

The Chairman advised the committee that Agenda Item 10 – High Street Development Agreement – had been withdrawn.

4. FINANCIAL MONITORING AND POSITION STATEMENT FOR 2015-16

The annexed circulated report of the Head of Finance was received in relation to the revenue position at 31 July 2015.

The report detailed the revenue budget for 2015-16, set in February 2015 at £10.046m, using £575,000 of general fund reserves and £95,000 of ear marked reserves to support the revenue spending.

The revenue monitoring was currently forecasting a £58,000 reduction in the use of reserves, made up from a number of net savings and efficiencies which were detailed in the report. It was noted that throughout the year budget movements were monitored and reported once they materialised.

The report also highlighted the budget approach and key risks for 2016-17 referring to the government's spending review due to take place on 25 November 2015 and further details on that would be presented to this committee in December.

Councillor Henley referred to the £14,000 reduction in contributions to voluntary bodies and questioned the context of this. The detail of this wasn't available at the meeting and it was agreed that the Principal Accountancy Manager would provide this information under separate cover.

Councillor Allebone enquired about the increased cost of Travellers sites and the Waendel Walk. It was clarified that these were due to enforcement action and increased running costs such as room hire, respectively.

RESOLVED to note the position on the revenue monitoring and the reasons for the variances reported.

5. CAPITAL PROGRAMME MONITORING

The annexed circulated report of the Head of Finance was received in relation to the capital programme monitoring information as at 31 July 2015.

The total capital budget for 2015-16 of £10.377m was reported at Resources Committee on 24 June 2015. Subsequent movements in the budget in relation to re-profiling were detailed within the report and the revised capital budget for 2015-16 was now £8.458m.

The report detailed the current position for approved schemes, including delays and the reasons for these, as well as an update on the key projects including the Crematorium; Photovoltaic panels; the project cost of compulsory purchase orders and the Bassets Park Skate Park.

In relation to the replacement of the roof, with Collyweston slate, on Croyland Hall there had been an increase to the costs and as there was no remaining budget a virement of £12,185 had been agreed to cover this.

Additional funding was requested to complete the following:

- (i) the roll out of superfast broadband across the borough in the sum of £27,000.

- (ii) Enhancements to the Waste Transfer station in the sum of £100,000, the committee was requested to agree, in principle, that subject to a viable business case being in place that the funding be made available;
- (iii) Swanspool House Boilers – these had reached the end of their life and a capital budget of £30,000 was requested.
- (iv) Waendel Centre - Health and safety repairs were required. These were the responsibility of the council and an initial survey estimated that the budget for this would be in the region of £150,000.

Councillor Henley thanked the officers for adjusting the forecast and enquired about the activity on spend not relating to the crematorium. The Principal Accountancy Manager advised that the project updates were as per the officer's estimate at this point in time.

Members made a number of enquiries about some of the projects including:

- Clarity on the figure quoted in paragraph 6.8 – Additional Funding – relating to the potential costs at Waendel Centre. The Head of Finance confirmed that this figure should read as £150,000 and advised that there were a number of defects from the original build with some items becoming obsolete at the centre as well as anything of a health safety concern remaining the council's responsibility. The Head of Finance also advised that this matter was still under investigation, that the original builder had become insolvent and as such the building had become an unfunded liability. The Head of Finance would report back to this committee once the exact details and costs had been identified.
- Further details about the Castle Fields Park S106 project. The Head of Finance advised that the audit and survey were still being analysed and the spend at this point was unknown. A report would be presented to a future Services Committee or Resources Committee if there were financial implications.
- Clarity on the funding for the Hind Hotel. The Head of Finance confirmed that the funding was still available but that there was a new owner who was required to undertake a procurement exercise before this could progress any further.
- Further information on superfast broadband. The Head of Finance explained that the funding for this was intended to be received from previously funding with Northamptonshire County Council but the funding stream was removed from the County Councils budget before the full drawdown for this scheme could be made. The council was now required to make up the shortfall as the scheme had already been committed.

Councillor Allebone referred to the Photovoltaic Panels and expressed his support for the scheme.

RESOLVED that the:

- (i) projected outturn and anticipated variances as at 31 July 2015 be noted;

- (ii) variations as detailed within the report be noted;
- (iii) external funding as detailed within the report be noted;
- (iv) inclusion of the schemes for additional funding outlined in the report be agreed.

6. LOCAL COUNCIL TAX SUPPORT SCHEME 2016-17

The annexed circulated report of the Principal Revenue and Benefits Manager was received in relation to the Local Council Tax Support scheme (CTS) for 2016-17 and subsequent years.

The report detailed the total current council tax support expenditure which was predicted to be in the region of £4,350,000 for 2016-17 and more than the existing budget. The scheme was designed to be self-financing and not an additional burden on the revenue budget. There had been several changes to the calculation of entitlement, including the introduction of Universal Credit and the proposed welfare changes in the summer budget, as well as some relevant case law since the scheme was last reviewed. It was considered necessary and best practice, therefore, to consult on the scheme for 2016-17.

The report detailed how CTS worked and the proposal to consult on three potential schemes as follows:

- a. Retaining the existing liability calculation of 80%;
- b. Reducing the amount of liability used in the scheme to 75%;
- c. Increasing the level used to 85%.

Consultation would take place using the council's website, correspondence to various welfare groups, and those of the council's consultation database, direct surveys of benefit claimants and the general public in supermarkets and outside the Swansgate Centre.

The Principal Revenue and Benefits Manager emphasised to the committee that the purpose of the report was to seek agreement for a consultation exercise in relation to the scheme. A further report would be submitted to the December meeting of the committee detailing the outcome of the consultation.

Members asked about the introduction of Universal Credit timescale and the effect this may have on some individuals as well as the potential to increase arrears. The Principal Revenue and Benefits Manager advised that the scheme was gradually being rolled out in Wellingborough, by post code, and affected a small number of people at present. The timeframe for completing the rollout was currently unclear and affected working age claimants only.

RESOLVED that consultation on technical changes to the Borough Council of Wellingborough's Local Council Tax Support Scheme (CTS) for 2016-17 be agreed.

7. LAND AND PROPERTY ISSUES

The annexed circulated report of the Head of Resources was received in relation to developing a property asset management strategy and associated objectives, whilst dealing with specific land and property operational issues.

The Head of Resources advised that the report was a further step towards putting together a property asset strategy that could be developed and presented to members. The report proposed three main aspects that needed to be considered as follows:

- (i) The establishment of objectives which could be applied to recommendations on property management, acquisition and disposal;
- (ii) The categorisation of property so that members had flexibility in supporting the local community;
- (iii) An option to look at an alternative way of disposing of land to facilitate the development of additional housing, whilst still maintaining best consideration for the council.

It was proposed within the report that a property located at 9/10 Oxford Street, Wellingborough, which was in a poor state, and land at Milner Road, Finedon, both be offered for sale at best consideration.

Reference was also made to land at Fulmar Lane which did not meet its reserve price when it went to auction. Discussions were taking place with Wellingborough Homes regarding the possible acquisition of this land. These details were commercially sensitive and further information was contained in a confidential appendix to the report.

Members referred to confidential Appendix C to the report and sought clarification on the last bullet point in relation to the overall cost. The Head of Resources advised that this was the value to the council.

R1 RECOMMENDED the approval of the following objectives for a property asset strategy forming the basis of a detailed report to members in due course:

- (i) Property acquisitions or disposals will be considered by the council only if there is a clear business case which demonstrates that the proposed action will:
 - (a) Provide revenue income for the council or one of its wholly owned companies; or
 - (b) Reduce existing revenue costs, and thereby demonstrate best value; and
 - (c) Contribute to the regeneration, redevelopment and improvement of the borough.
- (ii) In order to support the council's overall objectives, land or property will be identified within the strategy as intended for operational, investment or community use.

RESOLVED that approval be given to the:

- (I) disposal of 9/10 Oxford Street, Wellingborough and land at Milner Road, Finedon at best consideration in order to gain a capital receipt for the council, and
- (II) option of a “land for property swap” with Wellingborough Homes on any suitable sites approved for disposal, so long as best consideration is ensured, with a further report to members on whether to retain or dispose of any properties acquired in this way.

8. DISCRETIONARY NON-DOMESTIC RATE RELIEF POLICY

The annexed circulated report of the Head of Finance was received to review the discretionary rate relief policy for businesses, charities and not-for-profit organisations in the borough.

The council has the discretion to grant relief to charities and not for profit organisations. Appended to the report was the Discretionary Rate Relief Policy, a summary of the policies of neighbouring authorities and organisations benefiting from an award.

The chairman allowed Mr Andrew Richardson from Phoenix Resource Centre to address the meeting for three minutes. Mr Richardson expressed his concern over the proposed changes to the policy and explained the work done by his organisation and how the council had previously assisted financially by way of rate relief. Mr Richardson advised that the council's proposal to retract the 20% discretionary relief received by the organisation, had led to Phoenix Resource Centre having to downsize its accommodation and asked for the council to reconsider its decision.

The Consortium Business Rates Manager explained that the committee decision of two years ago was taken in order to safeguard the public purse and that a number of recent applications for rate relief had been deferred pending a further review of the policy. He also explained that government guidance on other matters had determined small or medium sized property of a 50,000 rateable value, and this was considered by officers an appropriate cut off level for allowing discretionary rate relief. He also advised that awarding relief above this level could set a precedent and lead to a review of other awards. The Consortium Business Rates Manager also clarified that there was no allocated budget for rate relief and that this was a cost directly to the council, via the government funding associated with Business rates.

RESOLVED that the Discretionary Rate Relief Policy, as appended to the report, be introduced with immediate effect and qualifying organisations be awarded relief backdated to 1 April 2015.

9. IRRECOVERABLE COUNCIL TAX, HOUSING BENEFIT OVERPAYMENTS, NON-DOMESTIC RATES AND SUNDRY DEBTS

The annexed circulated report of the Head of Finance was received to approve the write off of irrecoverable debts.

The details of the accounts to be written off were appended to the report.

Members enquired as to why two of the specific cases had been allowed to reach such levels of debt.

The Consortium Business Rates Manager explained that in one case both individuals refused to pay and were self-employed and as a result it wasn't possible to apply an attachment to earnings, as would normally be the case. The matter had been passed to the bailiffs but the value of items in the property were not enough to cover the fees. Committal action was taken but the debtors went in to Individual Voluntary Arrangement (IVA) and there were no other options to pursue. The other case was an individual in receipt of housing benefit and was paying £3 per week but they then disappeared and couldn't be traced.

Members referred to the excellent collection rates that the council had. The Consortium Business Rates Manager explained that the majority of council tax payers were on direct debit, which in itself was a low cost method of collection. Wellingborough's collection rates were in the top quartile at 99% for Non-Domestic Rates and 98% for Council Tax.

RESOLVED:

- (i) that the sum of £47,822.92 of irrecoverable council tax and non-domestic rates be written off; and
- (ii) to note that the sum of £41,218.08 had been written off under the delegated powers of the Section 151 Officer.

10. HIGH STREET DEVELOPER AGREEMENT

The chairman reported that this item had been withdrawn from the agenda.

RESOLVED that this information be noted.

11. FUTURE SERVICE DELIVERY MODELS

The annexed circulated report of the Head of Finance was received in relation to future service delivery.

The report provided a progress update and recommended future actions as well as building on a number of previous reports to the committee; summarising the future service delivery models under consideration.

The report covered the issue of developing collaborative working relationships and the potential of shared services, as well as the more commercial aspects of service delivery regarding the creation of wholly owned local authority companies.

The Head of Finance referred to the recently held seminar for members that had provided opportunity for discussion on the council's priorities and service delivery options.

Members expressed that the seminar had been helpful, the issues that had been raised at that had been well reflected in the report and welcomed the options outlined. At the same time, Members emphasised the continued importance of governance when progressing these matters.

R2 RECOMMENDED that:

- (i) approval be given to the strategy for shared services and collaborative working being progressed as detailed in the report;
- (ii) the Chief Executive and Head of Finance be authorised, in consultation with the Monitoring Officer, to progress the creation of a wholly owned local authority trading company to deliver the bereavement services provided at the crematorium as detailed in the report;
- (iii) approval be given to the creation of a further wholly owned local authority trading company to deliver the residential rental services for the converted operational borough properties and other potential residential units in the borough's possession, subject to further reports to this committee.

12. EXCLUSION OF PRESS AND PUBLIC

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

Min. no.	Item	Paragraph of Schedule 12A
13	Appendix C to report 7 – Land and property issues	E1
14	Appendices to report 9 - Irrecoverable council tax, housing benefit overpayments, non-domestic rates and sundry debts	E1
15	Appendix to report 11 - Future service delivery models	E3
16	The Castle	E3

13. LAND AND PROPERTY ISSUES

The annexed circulated exempt appendix was received.

RESOLVED that the detail therein be noted.

14. IRRECOVERABLE COUNCIL TAX, HOUSING BENEFIT OVERPAYMENTS, NON-DOMESTIC RATES AND SUNDRY DEBTS

The annexed circulated exempt appendices were received.

RESOLVED that the detail therein be noted.

15. FUTURE SERVICE DELIVERY MODELS

The annexed circulated exempt appendix was received.

RESOLVED that the detail therein be noted.

16. THE CASTLE

The exempt circulated joint report of the Head of Finance and the Head of Resources was received in relation to the review of the interim arrangement with The Castle (Wellingborough) Ltd.

The review suggested a recommendation to extend the interim arrangements and continue with the six monthly payments, with a further report to the committee in September 2016. It also detailed the current operating position in relation to The Castle (Wellingborough) Ltd.

The Head of Finance advised that the proposal was a continuation of the interim arrangements and that The Castle had made good progress with its management working with the council and The Castle Board challenging the financial situation. The Head of Finance had again reviewed The Castle's accounts ending 31 March 2014 and clarified that these were the most recent accounts available because of the accounting practice in place.

Members questioned the position in comparison to reports that had been presented to Partnerships and Performance Committee and sought assurance that The Castle was able to sustain the reduction in funding that was being applied by the council.

The Head of Finance explained that this would depend on the future business model but that improvements had already been made in terms of food provision at The Castle and that there was already a more business and entrepreneurial approach to operations.

The Head of Resources advised that The Castle had plans that it wished to present to members but it was essential that the committee received this report as an update in advance of that.

The Head of Finance confirmed that this request was to support cash flow management and that the current contract had a further seven years remaining.

RESOLVED that approval be given for the authorised officer to agree the proposal for an interim variation for a further 12 months, to be made to Schedule 4, paragraph 1, of the contract with The Castle (Wellingborough) Ltd to read “the council shall pay the service provider the contract price for the services in accordance with the provisions of this contract on a yearly basis, to be paid six monthly in advance by the council.....”.

Chairman

The meeting closed at 7.55pm

COUNCIL MEETING – 13 OCTOBER 2015

REPORT OF THE PARTNERSHIPS AND PERFORMANCE COMMITTEE

21 September 2015

Present: Councillors Allebone (Chairman), Gough (Vice-Chairman), Abram, Aslam, Bone, Carr, Morrall, Partridge-Underwood, Simmons, Walia, and V Waters.

Also present: Mrs L Elliot, Head of Finance, and Mr S Whiteley, Electoral Services Officer.

(Councillors Patel and Watts did not attend the meeting.)

1. APOLOGIES FOR ABSENCE

RESOLVED to note that apologies for absence were received from Councillors Maguire and York.

2. DECLARATIONS OF INTEREST

RESOLVED to note that there were no declarations of interest.

3. CONFIRMATION OF MINUTES

RESOLVED that the minutes of the meeting held on 6 July 2015 be confirmed and signed.

(Councillor Gough took chairmanship for the next agenda item in his capacity as vice-chairman.)

4. WELLINGBOROUGH NORSE ANNUAL REVIEW

The annexed circulated report of the Head of Resources was received to provide members with the annual review of Wellingborough Norse Ltd for the year 2014-15.

The chairman welcomed Mr B Gallyot, Operations Director of Wellingborough Norse, and gave members the opportunity to ask questions of Mr Gallyot.

Members discussed the issues with waste in the borough, particularly surrounding fly tipping along the A45 dual carriageway and in more residential and rural areas, and what action could be taken by Wellingborough Norse to combat this in future. Mr Gallyot explained the issues with the A45 and the costs involved to close the carriageway so that it can be effectively cleaned, and the difficulties faced in identifying those guilty of fly tipping in order for prosecutions to be successful.

Members suggested alternative ways to improve waste recovery across the borough, including working with community groups, which had proved extremely successful in some parishes in the borough, and advertising signs in prominent fly tipping areas to act as a visual deterrent. Members also questioned whether more Enforcement Officers, designed to prevent and prosecute persistent offenders, could be made available. Mr Gallyot agreed

that the previous campaign with Northamptonshire Waste Partnership had been successful and garnered national attention, and that extra resource for more Enforcement Officers would be welcome. He agreed that Norse would look at what provisions could be provided to volunteer groups within the parish to help community services.

Members also commented that the target of 70% satisfaction level of cleanliness across the borough was lower than it should be, and that this should be raised and benchmarked against other organisations. Mr Gallyot explained that the target of 70% was set as part of the business plan for the year. Members requested more information in regard to prosecutions. Mr Gallyot agreed to clarify the responsibilities for prosecution and advise members accordingly.

Members discussed the missed bin collections in the borough and Mr Gallyot explained that missed bins were predominantly due to vehicle breakdown. He went on to say that there would be an incremental renewal of the fleet over the next few years, which should improve the number of bins missed, and that the current KPIs would be reviewed to balance customer needs with the cost effective provision of his service.

Councillor Simmons raised an issue in regard to Wollaston residents of a particular street, where waste had previously been collected from both sides of the houses, but now only on one side. He provided the results of a survey of residents which showed that 35% of residents on the street favoured a return to collections on both sides. Councillor Gough stated that a similar issue had occurred in Earls Barton, but that this had been resolved when Norse met with the parish council. Mr Gallyot explained that he would be happy to look at the affected area in Wollaston and confirmed to members that an assisted delivery service was available to residents.

Members expressed their thanks to several members of the Norse workforce, having worked closely with them at various meetings to aid the reduction of fly tipping in the borough. They also congratulated Mr Gallyot on Norse having achieved ISO 9001, to which Mr Gallyot credited his workforce and the Norse headquarters in Norwich. He also explained the benefits of the Waste Transfer station project, including gaining the best deal for the disposal of recycled materials and the associated costs of this. He stated that the transfer station would also allow Norse to take waste from other companies and provide a weighbridge for HGVs, providing Norse with alternative avenues of revenue. The Head of Finance elaborated on the savings that should be made when the Waste Transfer Station project is completed, including a reduction in the per-ton cost of waste, and that it would comply with the Borough Council of Wellingborough's aim of turning capital into revenue savings.

The Head of Finance reminded members that any changes to Wellingborough Norse would have to go through the Liaison Board and be built into a future business plan.

RESOLVED that the report on Wellingborough Norse be noted.

(Councillor Allebone resumed as chairman for the remainder of the meeting.)

5. THE CASTLE ARTS CENTRE PROGRESS REPORT

The annexed circulated report of the Head of Resources was received to provide the committee with a report on the performance of The Castle (Wellingborough) Ltd under its contract with the Borough Council of Wellingborough for the operation of The Castle Arts Centre. The chairman invited Mr D Walter, Director at The Castle (Wellingborough) Ltd, to provide an overview of the report.

Mr Walter explained that the core business at The Castle was continuing to grow, including ticket sales and revenue, participation in events and external funding revenues, with a steady improvement year on year. He went on to say that a particularly recent area of improvement was shown in catering, due in part to a new partnership with Frank's Hamburger House. In just ten days, the new restaurant had seen a 125% increase in catering revenue, and was particularly good at attracting the weakest demographic in customers of The Castle (25-40 year olds) to the premises, allowing for more opportunities to target that age group.

Mr Walter further explained the importance of the Arts Council retaining The Castle's national portfolio status, as this would equate to no reduction in funding from the Arts Council, and the growing relationships between The Castle and other organisations, including Northamptonshire Community Foundations and Sport England. He explained that the introduction of a customer feedback tool, via an email sent to all ticketholders who attend an event within 30 minutes of the event ending, had led to 5000 responses in two months.

Members expressed gratitude to Mr Walter about the positivity of his report and excitement over the future projects that were outlined within it. Members asked Mr Walter whether the reduction of 15% from the Borough Council of Wellingborough funding each year was sustainable. Mr Walter stated that whilst changes had been made and the future looked good for The Castle, in his opinion there would come a point where the balance would tip and no further reductions in funding could be absorbed. He explained that the appointment of a Funding and Development manager had helped to mitigate the reduction in funding from the Borough Council of Wellingborough, and that The Castle was moving in the right direction.

Mr Walter and the Head of Finance explained that a proposal would be brought to Resources Committee in October in regard to all the options for on-going sustainability of the services provided at The Castle. Members would then be able to review these options and make informed decisions on how they would like to proceed in the future. This would help provide guidance to The Castle (Wellingborough) Ltd on its proposals going forward.

Members expressed satisfaction with the numbers provided by Mr Walter in regard to subscription to workshops and classes, and asked if anything could be done to increase this even further. Mr Walter explained that in regard to youth provision, all workshops and classes were either subscribed or over-

subscribed, and that there was a struggle with space which prevented an increase in numbers. He went on to explain that the introduction of a circus class was helping to target adult participation and education, and that The Castle had excellent facilities for circus arts and contemporary dance. Mr Walter explained that the circus arts provided sports activities for those who may be put off by competitive sport, especially younger people, and that there were discussions with British Gymnastics in regard to these workshops and these may provide a future partnership opportunity.

After a request from members, Mr Walter explained that the number of children involved with the Christmas production would be approximately 75, the same as last year. Due to complications with licensing, it would be unlikely that The Castle would be able to increase the number of children involved, unless (as in previous years) the casting required a larger number.

Members stated that they were very pleased to see the key statistics and improvements provided in the report, especially in regard to provision of facilities to young people, and that they had every confidence in the officers at The Castle to continue their good work.

Mr Walter stated that he would be happy to organise a backstage tour of the facilities at The Castle for members of the Borough Council of Wellingborough if they were interested in attending.

RESOLVED that the position of the committee with regard to performance of The Castle be noted.

(Councillor Abram left the meeting at 8pm and did not return.)

6. COMPLIMENTS, COMMENTS AND COMPLAINTS AND FREEDOM OF INFORMATION PERFORMANCE – 1 OCTOBER 2014 to 31 MARCH 2015

The annexed circulated report of the Head of Resources was received to provide members with a report on the Borough Council of Wellingborough's performance during the second half of the year, including details on requests considered under the Freedom of Information Act 2000 (FOI) and Environmental Information Regulations 2004.

Members expressed their satisfaction with the relatively low number of complaints considering the population of the borough, especially when reduced staff numbers and the speed of responses to the complaints were taken into consideration. The Head of Finance explained that in terms of officer time, the low number of complaints was offset by the growing number of FOI requests, and that work was being done to provide more information on the website, so as to reduce time spent by staff in answering FOI requests.

Members discussed the fact that many of the complaints were outside the remit of the Borough Council of Wellingborough, specifically in regard to the design of the multi-storey car park and planning regulations. Members then asked if any compensation had been awarded in regard to these complaints and wanted further information in regard to lessons to be learnt from the one

complaint which was upheld. The Head of Finance explained that complaints are dealt with over three stages. Stage one is handled by the relevant officer, and if this could not be resolved satisfactorily it was escalated to stage two, where it would be dealt with by the relevant Head of Service. If the complaint was then still not resolved, it went to stage three, where it goes to the Local Government Ombudsman (LGO), who is able to award compensation, but this had not occurred in the time period of this report. The Head of Finance agreed to look into the upheld complaint requested by members.

RESOLVED that the report on Compliments, Comments and Complaints and Freedom of Information be noted.

7. PERFORMANCE – PROGRESS AGAINST TARGETS

The annexed circulated report of the Head of Resources was received to provide members with a report on the Borough Council of Wellingborough's progress against performance targets from 1 January 2015 to 30 June 2015.

The Head of Finance explained that the key performance indicators (KPIs) were under review, and that the Senior Management Team was working on including higher level Corporate Health KPIs, in order to provide a greater overview of the Borough Council of Wellingborough's performance.

RESOLVED that the report on Performance – progress against targets be noted.

Chairman

The meeting closed at 8:20pm.

COUNCIL MEETING – 13 OCTOBER 2015

REPORT OF THE AUDIT COMMITTEE

22 September 2015

Present: Councillors Bailey, (Chairman), Bell, Francis, Henley, Simmons and Skittrall.

Also present: Mrs L Elliott, Head of Finance, Mrs S Lyons, Monitoring Officer, Mr M Watkins, Chief Internal Auditor - CW Audit Services, Mr T Furber, Interim Accountant, Mrs Y Geen Manager - KPMG LLP (UK), and Miss E McGinlay, Electoral Services Officer.

1. APOLOGIES FOR ABSENCE

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

2. DECLARATIONS OF INTEREST

RESOLVED to note that no declarations were made.

3. CONFIRMATION OF MINUTES

RESOLVED that the minutes of the meeting held on 7 July 2015 be confirmed and signed.

4. REFERENCE BACK FROM FULL COUNCIL 21 JULY 2015

The annexed circulated report of the Monitoring Officer was received to provide guidance to the Audit Committee on the law and best practice in considering the composition of the committee.

The report stated there were no statutory requirements that determine the composition of the Audit Committee, however there is guidance set by CIPFA on the function and operation for all Audit committees in local authorities.

Members discussed how the issue of the composition of the Audit Committee had been raised to which it was noted that it had been as a result of some recent accounts training members had received by KPMG LLP (UK).

The chairman concluded that the present arrangements were satisfactory and proposed a motion to take no further action which was seconded by Councillor Simmons. On being put to vote, the motion was carried with 4 votes for and 2 against.

RESOLVED that no further action be taken.

(Councillor Henley asked for his vote against the motion to be recorded)

5. AUDITED STATEMENT OF ACCOUNTS 2014-2015

The annexed circulated report to the Head of Finance was received to provide members of the Audit Committee with a revised audited Statement of Accounts for 2014-2015 including amendments agreed with the council's external auditors, KPMG LLP (UK).

The report explained that the external audit of the accounts had commenced on Monday 20 July for a period of two weeks and confirmed the audit was now substantially complete and following discussions with external auditors KPMG, the Statement of Accounts had been amended and the required adjustments made. These were attached at appendix C.

Mrs Geen, Manager at KPMG, explained that she had been able to give an unqualified opinion prior to 30 September deadline. She went on to say the accounts had been well put together and thanked the officers for their efficiency in responding to any queries she had.

Members commended the work of the Head of Finance and her team for preparing the accounts and asked for their thanks to be recorded. .

Mrs Geen suggested an amendment to the proposed action 4.3 as follows:

- Authorise the S151 officer to approve the accounts and make any amendments, if required, after the committee date and subsequent to the official signing of the accounts.

The proposal was accepted by councillors and on being put the vote the motion was carried.

RESOLVED that:

- (i) the matters raised by KPMG in their report, (appendix A), and the adjustments made in the redrafted financial statements presented at appendix C, be noted and approved;
- (ii) the letter of representation, (appendix B), be noted and approval be given to enable the Section 151 Officer to sign on the council's behalf;
- (iii) the S151 officer be authorised to approve the accounts and make any amendments, if required, after the committee date and subsequent to the official signing of the accounts;
- (iv) the key issues and recommendations contained within KPMG's report had been noted and approved and progress would be monitored at future meetings.

6. PROGRESS REPORT ON INTERNAL AUDIT ACTIVITY FOR 2015-2016

The annexed circulated report of the Chief Internal Auditor was received to brief the Audit Committee on the work carried out by the Internal Audit service for the first five months of the 2015-2016 financial year to the end of August 2015.

The report was presented to the committee by Mr M Watkins, Chief Internal Auditor, and provided his opinion on the work undertaken as noted above. He summarised the reviews that were taken place in the areas of Community Safety, Building Control and Anti-Fraud and Corruption and noted that they all had significant levels of assurance.

Members discussed the targets that were set by the auditor in order to improve the Building Control service and questioned why they needed targets as they should have them in place already. Mr Watkins explained that their current targets do not have measurements that can be reviewed to accurately report on their progress and the new targets will incorporate these.

A discussion took place regarding the whistleblowing policy to which members questioned if the system had ever been used. The Head of Finance advised members that she was sure the system had not been used but would double check and advise them accordingly. It was explained that there were several telephone numbers that whistle-blowers could use to ensure they could speak to an impartial person.

Mr Watkins discussed the progress on the implementation of the recommendations and advised members that there had been an improvement in percentage of recommendations implemented and that the number of implemented items had increased from 136 to 138 since writing the report. He went on to advise members that the number of ongoing recommendations due for implementation was high because they are not signed off until they are fully completed.

RESOLVED that the the report be noted, in ensuring that sufficient progress was being made against the agreed internal audit plan for the years 2015-2016.

Chairman

The meeting closed at 8.00pm.

