

## **COUNCIL MEETING – 19 JANUARY 2016**

### **REPORT OF THE SERVICES COMMITTEE**

7 December 2015

Present: Councillors Carr (Chairman), Anslow, Emerson, Griffiths, G Lawman, Patel, Stevenson,

Also present: Miss J Thomas, Head of Planning and Local Development Mrs V Phillipson, Principal Planning Policy and Regeneration Manager, Mrs S Bateman, Senior Planning Officer, Miss S Mason, Planning Officer, Mrs C Somerville, Team Leader Environmental Protection, Mrs A Wilcox, Principal Environmental Health Manager and Mrs C A Mundy, Democratic Services Officer.

(Councillor L Lawman was also in attendance.)

#### **1. APOLOGIES FOR ABSENCE**

**RESOLVED** to note that apologies for absence were received from Councillors Beirne, Ekins, Gough, Harrington, Maguire, Scanlon, Skittrall and Watts.

The chairman welcomed everyone to the meeting and informed all present that agenda item 10 – Disabled facilities grant budget 2016/17 was withdrawn from the agenda.

#### **2. DECLARATIONS OF INTEREST**

There were no declarations made.

#### **3. CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 19 OCTOBER 2015.**

**RESOLVED** that the minutes of the Services Committee held on 19 October 2015, be confirmed and signed.

#### **4. CROYLAND GARDENS PLAY EQUIPMENT**

The annexed circulated report of the Head of Planning and Local Development was received to inform the committee of a noise complaint received relating to the play equipment in Croyland Gardens and the findings of an investigation.

The chairman welcomed Mr Jones, his children and Councillor L Lawman to the meeting who wished to speak in relation to this item.

Mr Jones addressed the meeting expressing his concern that the sound cushions may be removed from the play area. He lived in the town centre and his family visited the play area all the time, particularly enjoying the sound cushions. He had placed a video of his daughter playing on the sound cushions and speaking about the removal of the sound cushions on the

Facebook page of 'Wellingborough Now and Then', comments on the site indicated that there was a considerable amount of support from local people whose children also used the equipment on offer. He asked the committee to retain the sound cushions as an integral part of the play area.

Councillor L Lawman addressed the committee and informed members of the background to the existence of the play area. The play area had been located in this vicinity as it was near to the town centre and supermarket and near to the site of the former Zoo. Each piece of play equipment was inter-connected to ensure that the children could use it in an interactive way. The equipment was also sensory and suitable for a child with a disability. The play equipment had been used by children in this location for a number of years without any complaints and she asked the committee to defer any decision until more information was available and a solution was found.

The chairman thanked the speakers and referred members to the report.

The report detailed the background of how the interactive play area was designed as a natural play space, to include wooden animal sculptures and play equipment. The play area was opened in April 2011.

In May 2015 a noise complaint had been received from a resident of Avon House which had been converted into residential flats.

Environmental Protection had investigated the complaint and found that the noise level produced from the stepping stones was very loud and very tonal and could be construed as being highly annoying. A further complaint had also been received that the stepping stones were being used late at night by people returning from visits to public houses within the town centre.

The Environmental Protection team's findings were that the stepping stones were a statutory noise nuisance to local residents and the recommendation was that measures be taken to reduce or remove the cause of the noise.

Section 80(1) of the Environmental Protection Act 1990 provides that "where a local authority is satisfied that a statutory nuisance exists, or is likely to occur or recur, in the area of the authority, the local authority shall serve an abatement notice".

The Regeneration team contacted the play equipment suppliers who stated they could carry out work which would reduce the level and tone of the sound omitted, though they couldn't guarantee this reduction would be sufficient.

The chairman asked Mrs Somerville, the Environmental Officer if she would like to comment on the options for relocation of the sound cushions. She considered that the alternative locations of Croyland Park, Bassett's Close, Eastfield Park and Castle Fields Park were not suitable due to the close vicinity of houses and that the problem would just be moved to another area. She explained that high frequency sound was more annoying. A possible suitable alternative location could be the embankment but this was not near

the town centre. She considered that the ideal location for the sound cushions from a noise nuisance point of view would be at a country park play area.

Members discussed the options available and considered that as the play area had been designed to be interactive and connected that removal of the sound cushions would not work. There had only been one complaint made and the 'Wellingborough Now and Then site' had given a clear indication that the people of the borough wished the sound cushions to remain where they were.

Councillor G Lawman proposed that the sound cushions remain in situ pending an independent report on noise levels and investigation into the sound cushions being relocated to an alternative site. This was seconded by Councillor Emerson.

On being put to the vote this was declared carried.

**RESOLVED** that the sound cushions remain in situ pending an independent report on noise levels and investigation into the sound cushions being relocated to an alternative site.

## **5. GAMBLING POLICY STATEMENT REVIEW**

The annexed circulated report of the Head of Planning and Local Development was received to consider and approve the statement of policy in relation to the Gambling Act 2005.

Appended to the report was the Northamptonshire statement of licensing principles, a summary of responses from the consultation along with the changes proposed to the policy.

**R1 RECOMMEND** that the Gambling Act Statement of Licensing Principles be adopted.

## **6. RURAL HOUSING NEEDS SURVEYS**

The annexed circulated report of the Head of Planning and Local Development was received in relation to the revised timetable for statutory rural housing needs surveys.

The report detailed the council's statutory duty to investigate housing needs and work with partners to ensure that wherever possible unmet need is satisfied. The most effective way of establishing need in villages is to conduct a survey of each household to enable them to comment on what future requirements for housing were. It is recommended that such housing needs surveys be carried out every five years. Since 2012 surveys have been carried out for Bozeat, Easton Maudit, Ecton, Earls Barton, Wollaston, Irchester, Knuston, Little Irchester, Finedon, Sywell, Great Harrowden, Little Harrowden, Hardwick, Orlingbury, Isham, Grendon and Mears Ashby. A survey in 2010 for Great Doddington resulted in a rural exemption scheme for ten affordable homes. A housing needs survey was completed in 2015 for Mears Ashby and

identified a need for seven affordable homes for which a site has been found and will be the subject of a planning application.

A new survey for the parishes of Great Doddington and Wilby was currently taking place. Ecton parish is producing a neighbourhood plan and requires a housing needs survey which has been brought forward to May 2016.

The revised timetable was appended to the report.

Members referred to the questionnaire and would forward individual comments to officers. Councillor Emerson asked that if variations were made that a members briefing note be provided and this was agreed.

**RESOLVED** that:

- (I) The revised rural housing needs survey programme be approved;
- (II) The Head of Planning and Local Development be authorised to make further minor variations to the timetable should demand be further increased.

## **7. LOCAL PLAN UPDATE**

The annexed circulated report of the Head of Planning and Local Development was received to update members on the progress of the Plan for the Borough of Wellingborough.

The following documents were appended to the report:

Appendix 1 – Glossary of terms;

Appendix 2 – Settlement of hierarchy background paper;

A comment was made that this was not in plain English;

Appendix 3 – Summary of open space, sports and recreational facilities audit and assessment;

The chairman asked for clarity that further comments could be added and this was confirmed;

Appendix 4 – Open space, sports and recreational facilities audit and assessment.

Members thanked officers for the work that had been undertaken in bringing the reports forward to committee.

**RESOLVED** that:

- (i) The progress made towards preparing the Plan for the Borough of Wellingborough be noted;
- (ii) The settlement hierarchy background papers be approved as a basis for preparing a draft Plan for the Borough of Wellingborough;
- (iii) Approval be given to the open space, sports and recreational facilities audit and assessment as the basis for preparing a draft plan for the Borough of Wellingborough;

- (iv) Approval be given to the open space, sports and recreational facilities audit and assessment as the most up to date evidence base for use in determining planning applications pending adoption of the Plan for the Borough of Wellingborough.

## **8. EARLS BARTON NEIGHBOURHOOD PLAN**

The annexed circulated report of the Head of Planning and Local Development was received to update members on the Earls Barton neighbourhood Plan for it to progress towards full adoption.

The Earls Barton Neighbourhood Plan was appended to the report.

Members commented on the quality of some of the plans within the Neighbourhood Plan. Officers explained that this was an external document but these comments would be fed back.

Members asked that thanks be recorded to the members of the Services Committee, officers of the council, Earls Barton Parish Council and all the volunteers who had brought this to fruition as the first Neighbourhood Plan for Northamptonshire.

Councillor Emerson also thanked Councillor Gough and those involved with the preparation of the Plan for their kind comments about the late Peter Wright, a former councillor, who had been heavily involved with the Plan.

- R2** **RECOMMENDED** that the Earls Barton Neighbourhood Plan be formally made and that it would become part of the borough's statutory development plan.

## **9. URGENT ACTION TAKEN - MARKET TRADER PERMITS**

The annexed circulated report of the Head of Planning and Local Development was received in relation to urgent action taken following a request received by market traders for temporary parking permits on the Market Place over the Christmas period.

Traders who stand on stalls 90 to 99 asked for a temporary permit to park to the rear of those stalls on market days only to act as a wind barrier and improve security. The market working group had agreed to issue temporary permits until 1 February 2016.

**RESOLVED** that the urgent action taken, to issue temporary permits for permanent traders on stalls 90 to 99 until 1 February 2016, be noted.

Chairman

The meeting concluded at 8.10pm.



**COUNCIL MEETING – 19 JANUARY 2016**  
**REPORT OF THE RESOURCES COMMITTEE**

9 December 2015

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

Also present: Mr J T Campbell, Chief Executive, Mrs L Elliott, Head of Finance, Miss J Thomas, Head of Planning and Local Development, Mrs S Knowles, Principal Finance Manager, Mr N Robinson, Principal Revenue and Benefits Manager, Mr R Watson, Business Rates Manager, Mr G Hollands, Solicitor District\_Law and Mrs C A Mundy, Democratic Services Officer.

**1. APOLOGIES**

**RESOLVED** to note that an apology for absence was received from Councillor Harrington.

The Chairman, Councillor Bell, had been delayed at another meeting and the Vice-Chairman, Councillor Griffiths took the chairmanship of the meeting until he arrived.

**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, no declarations were made.

**3. CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 21 OCTOBER 2015**

**RESOLVED** that the minutes of the Resources Committee held on 21 October 2015, be confirmed and signed.

**4. LOCAL COUNCIL TAX SUPPORT SCHEME 2016/17**

The annexed circulated report of the Head of Finance was received in relation to the Borough Council of Wellingborough's local council tax support scheme (CTS) for 2016/17 and subsequent years.

The report detailed the consultation that had taken place on eight amendments to the scheme, taking account of national welfare changes, to mitigate financial pressures already identified within the budget. The results of the consultation and the officer's recommendations were outlined in the report.

The council tax support scheme provides help for people on low incomes with their council tax bill and replaced the national council tax benefit scheme in

April 2013. The funding changed to a fixed grant which forms part of the overall funding of the council.

In 2014/15 the local council tax support scheme for the borough was amended so a maximum of 80% of the council tax liability was used in the entitlement calculation for working age claimants, requiring them to make a contribution of at least 20%. There was no change to the scheme for 2015/16.

An award of CTS is a 'discount' against a council tax liability, where all precepting authorities (i.e. county council, police and crime commissioner and parishes) are affected by decisions to amend the scheme. This puts financial pressure on the collection fund and future reductions in the council tax base calculation.

Those of pensionable age are protected from the changes and continue to be entitled to support of up to 100%. The burden of funding reductions is therefore borne by working age benefit claimants, it is estimated that working age claimants would need to make a contribution of at least 20% to their council tax charge. Income from certain other benefits e.g. DLA is fully disregarded and no changes were proposed to that provision.

The report detailed the current scheme along with the consultation options one to eight, along with the findings of the consultation.

Based on the information collected, it was the recommendation of officers that option two, to make no change to the maximum amount of help working age people may receive, be retained, along with options four to eight to align the CTS scheme with national changes being made to housing benefit and those in receipt of Universal Credit. This would mitigate the pressure on the budget.

Members discussed the options in detail, asking for the timescale of when a decision was required and for what period of time the scheme would run; and what the financial implications for each option would be for the council.

The Principal Revenue and Benefits Manager responded stating that a decision was required by 31 January 2016 and that it could be in perpetuity, but realistically would be looked at annually. He also clarified the figures for each option.

Concern was expressed that the percentage paid in Wellingborough was high compared to other areas in the country. The Head of Finance clarified that it related to the financial position of each authority and that 20% of Wellingborough's average band D council tax would be considerably less in financial terms than 20% of another authority's band D council tax.

The Principal Revenue and Benefits Manager explained that the scheme was extremely technical and suggested that he provide a members' briefing note explaining the detail to some of the questions asked.

Councillor Scarborough proposed the following amendment:

- (i) That option three, to increase the maximum amount of help working age people may receive from 80% to 85%, be adopted and that options four and five be omitted.

This was seconded by Councillor Emerson.

On being put to the vote the amendment was declared lost with four votes in favour and eight against.

(Councillor Emerson, Francis, Henley and Scarborough each asked that their vote in favour of this amendment be recorded.)

The vice-chairman put the substantive motion to the committee, that option two, to make no change to the maximum amount of help working age people may receive, be retained and the amendments in options four to eight be adopted.

This was declared carried with eight votes in favour and four votes against.

(Councillor Emerson, Francis, Henley and Scarborough each asked that their vote against this be recorded.)

- R1** **RECOMMENDED** that option two be retained, to make no change to the maximum amount of help working age people may receive, and that the amendments in options four to eight be adopted.

(Councillor Bell joined the meeting and took his place as chairman for the remainder of the meeting.)

## **5. CALCULATION OF THE COUNCIL TAX BASE 2016/17**

The annexed circulated report of the Head of Finance was received in relation to the council tax base for 2016/17.

Each year the council has to set a council tax base in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012. This enables precepting authorities to determine their financial requirements for the coming year. The calculation takes into account the occupancy of every banded property in the borough and is adjusted for growth factors, local council tax support and an estimated in year collection rate.

Appended to the report was the council tax tax base calculation for the parishes and for Wellingborough town.

**RESOLVED that:**

- (i) approval be given to the amount calculated by the Borough Council of Wellingborough as the council tax base for the year 2016/17 be £23,480 (band D equivalents);
- (ii) the council tax base for the parish councils and Wellingborough town be approved.

**6. CAPITAL PROGRAMME MONITORING**

The annexed circulated report of the Head of Finance was received in relation to the Capital Programme monitoring information to 31 October 2015.

The total capital budget for 2015-16 was reported to the committee on 24 June 2015 as being £10.377m. Movements in the budget were detailed in the report and had resulted in a revised the budget of £8.524m.

A member asked for an explanation of the overspend on Croyland Hall/Abbey. The Head of Finance clarified that this was due to the cost of the Collyweston tiles used for the roof costing more than originally anticipated.

Another query was raised regarding the Waste Transfer Station and whether there was any progress in this regard. The Principal Finance Manager confirmed that this was still progressing and that she was hopeful that a revised business case would be brought forward shortly.

Reference was made to the photovoltaic panels and the information in the report that the Trafalgar House site was proceeding. Members asked what was happening regarding the proposal to use the Swansgate car park. The Head of Finance clarified that it would not be possible to use the roof of the Swansgate car park. The top floor of the car park was the subject of a lease and there were technical issues with the panels. She would provide a members briefing note on the detail.

Members also made reference to other variances to which the Principal Finance Manager responded.

With regard to additional funding requests a query was raised over the requirement for an electronic data records management system in addition to the expenditure already listed for the service.

The Head of Finance clarified that there had been a restructure within the revenue and benefits service and this was an 'invest to save' project which would assist with the implementation of changes. Councillor Scarborough considered that the costings should have been the subject of a business case and presented to committee. The Head of Finance confirmed that she could provide members with the business case and would send the information in a members briefing note.

**RESOLVED** that:

- (i) the projected outturn and anticipated variances as at 31 October 2015 be noted;
- (ii) the external funding be noted;
- (iii) the analysis of the 2015/16 capital programme budget at 31 October 2015 be noted;
- (iv) approval be given to the inclusion of the Revenue and Benefits electronic data records management system being included in the agreed capital programme;
- (v) the supplementary budget of £665, approved under delegated powers, be noted.

**7. DRAFT CAPITAL PROGRAMME 2016-17 TO 2020-21**

The annexed circulated report of the Head of Finance was received in relation to the capital financing available for the medium term together with a list of potential capital schemes.

The funding for the capital programme is based on an assumption that the council will, at any one time, maintain a balance of £5 million in its capital resources available for future years.

Appended to the report was a list of proposed capital schemes for 2016-17; a list of capital schemes 2016-17 awaiting further information; and a summary of capital resources.

The report detailed the capital programme 2014-15 to 2018-19; the unapplied capital grants and contributions; capital financing requirement (CFR); and capital receipts.

The Head of Finance asked members if they wished her to arrange a Capital Programme Review meeting. Members agreed that they needed to review the lists and would welcome this being arranged for early 2016.

Members referred to the capital financing requirement and asked for confirmation that £8.6m of additional funds for use on capital projects was correct. The Principal Finance Manager confirmed this.

**RESOLVED** that:

- (i) the list of capital schemes, to progress to the next stage or prioritisation when resources are available be approved;
- (ii) approval be given to officers re-profiling schemes in line with available resources, based on the funding schedules and scheme priorities;
- (iii) approval be given to release the previously approved capital funding for Kick Start Housing;
- (iv) the Head of Finance arrange a Capital Programme Review meeting for early 2016.

## **8. FINANCIAL MONITORING AND POSITION STATEMENT FOR 2015-16**

The annexed circulated report of the Head of Finance was received in relation to the monitoring position for revenue expenditure only as estimated at 31 October 2015.

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

In September when the monitoring position was last reported it was anticipated that the council would need to use £58,000 less from the budget implementation reserve than it had budgeted for. Further analysis of the spending position and the impact of low interest rates on investment income have meant that the forecast has changed and the council is now anticipating the need to increase the amount of reserve it needs by £50,000 in order to balance the funding position.

This is an increase of £108,000 from the previous position reported and detailed in the report.

The two main areas where there was a net underspend on service budgets which contributed to this change were for planning appeals, where additional costs have been incurred to provide professional support and advice during the planning appeal process and in Investment income. The estimated interest receivable for the year was £237,000, based on an average annual interest rate of 0.84%, the 2015-16 budget was set at £324,000 assuming an average rate of return of 1.20%, therefore anticipated performance for the year is approximately £87,000 below budget and has created a pressure.

Throughout the year budget movements are monitored and reported when they materialise now or in the future. There are some items that potentially will add further pressures or savings and will be reported to a future meeting.

**RESOLVED** that the revenue monitoring position be noted, along with the reasons for the variances reported.

(Councillor Partridge-Underwood left the meeting at 7.50pm.)

## **9. DRAFT REVENUE BUDGET 2016-17 AND THE MEDIUM TERM FINANCIAL PLAN PROJECTIONS**

The annexed circulated report of the Head of Finance was received to provide members with the medium term financial projections for revenue spending and to outline details of the 2016-17 draft revenue budget for consultation.

Appended to the report were the medium term financial projections 2015-16 to 2019-20; draft opening budget for consultation for 2016-17; initial ideas for savings proposals for 2016-17 and beyond; and the consultation methodology.

The report detailed the medium term financial outlook and spending review; the council's approach to the budget pressures for 2016-17 and the medium term along with the consultation process.

The Principal Finance Manager apologised that the draft fees and charges schedule was not with the papers and confirmed that this would be presented to the next meeting.

**RESOLVED to:**

- (i) approve the indicative level of council tax increase to be included in the budget assumptions as part of the consultation, after considering the section 151 officer's advice in the report;
- (ii) approve the use of reserves to support the revenue budget over the short term to allow for more robust service delivery options to be developed and implemented;
- (iii) approve the draft 2016-17 revenue budget including the initial proposed savings suggestions for consultation;
- (iv) Approve the method of consultation as detailed in the report.

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

The annexed circulated report of the Head of Finance was received in relation to a request to write off irrecoverable debts.

The appendices were discussed in the exempt part of the meeting.

**11. 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:

<b>Min. no.</b>	<b>Item</b>	<b>Paragraph of Schedule 12A</b>
12	Irrecoverable council tax, housing benefit overpayments, non-domestic rates and sundry debts.	E3

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

The annexed circulated exempt appendix of the Head of Finance was received in relation to a request to write off irrecoverable debts.

A Member commented on one of the debts listed to which the Business Rates Manager responded confirming that the council's interest has been registered but it was extremely unlikely that the debt would be paid.

**RESOLVED** that:

- (i) The sum of £12,930.33 of irrecoverable council tax and housing benefit overpayment be written off;
- (ii) To note that the sum of £63,691.21 has been written off under the delegated powers of the Section 151 officer.

The chairman wished everyone a merry Christmas and happy new year.

Chairman

The meeting closed at 8.10pm.