

**MINUTES OF THE MEETING OF
THE BOROUGH COUNCIL OF WELLINGBOROUGH
HELD AT SWANSPool HOUSE, WELLINGBOROUGH
ON TUESDAY 19 APRIL 2016**

Present: The Deputy Mayor (Councillor G Lawman) and Councillors Abram, Allebone, Anslow, Aslam, Bailey, Beirne, Bell, Carr, Ekins, Francis, Gough, Griffiths, Hallam, Harrington, Henley, L Lawman, Lloyd, Maguire, Morrall, Partridge-Underwood, Patel, Scanlon, Scarborough, Simmons, Skittrall, Walia, M Waters, V Waters and York.

Officers present: Mr J T Campbell (Chief Executive), Mrs L Elliott (Head of Finance), Mrs B Gamble (Head of Resources), Miss J Thomas (Head of Planning and Local Development), Miss S Lyons (Solicitor, District Law), Mr G Betts (Mayor's Sergeant), Miss K Denton (Principal Corporate Support Manager) and Mrs C A Mundy, (Democratic Services Officer).

The Deputy Mayor extended congratulations to Councillor Stevenson on the birth of her son on 27 March 2016.

Condolences were extended to Councillor Ward on his recent bereavement.

The Deputy Mayor also informed members of the recent death of Mrs S Bailey, who for many years had videoed the annual council meeting. Condolences were extended to her family.

1. APOLOGIES FOR ABSENCE

RESOLVED to note that apologies for absence were received from Councillors Bone, Emerson, Graves, Stevenson, Ward and Watts.

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 following declarations were made.

Name of Councillor	Item	Interest
Allebone	14 – The Castle	Registered interest.
Beirne	Services Committee 21/3/16 minute 9 - Waste Issues	Other – Step-father is heavily involved in trying to keep Wollaston tip open.
Partridge-Underwood	14 – The Castle	Family member is employed by The Castle.

Scarborough	14 – The Castle	Personal – wife is shareholder and pensioner of bank referred to.
Simmons	Services Committee 21/3/16 Minute 9 – Waste Issues Resources Committee 23/3/16 Min 6 – Waste Issues.	Other – parish councillor on Wollaston Parish Council. As above

3. MINUTES OF THE COUNCIL MEETING OF 1 MARCH 2016

The minutes of the council meeting held on 1 March 2016 were received.

RESOLVED that the minutes of the council meeting held on 1 March 2016 be confirmed and signed.

4. MINUTES OF THE EXTRAORDINARY COUNCIL MEETING OF 22 MARCH 2016

The minutes of the extraordinary council meeting held on 22 March 2016 were received.

RESOLVED that the minutes of the council meeting held on 1 March 2016 be confirmed and signed.

5. QUESTIONS/PETITIONS/REQUESTS TO ADDRESS THE MEETING

A request to address the meeting had been received from Mr Banks who would speak on the Services Committee minute 6 – Equality objective 2016-2020.

RESOLVED that this be noted.

6. MINUTES TO NOTE

The minutes of the following meetings were received:

Planning Committee	10 February 2016
Planning Committee	9 March 2016
Standards Assessment Sub-Committee	25 February 2016
Licensing Sub-Committee	29 March 2016

RESOLVED that the minutes of the above meetings be noted.

7. **AUDIT COMMITTEE – 15 MARCH 2016**

The minutes of the Audit Committee of 15 March 2016 were received.

RESOLVED that the minutes of the Audit Committee of 15 March 2016 be adopted.

8. **SERVICES COMMITTEE – 21 MARCH 2016**

The minutes of the Services Committee of 21 March 2016 were received.

Councillor Scarborough asked when the report, which had been withdrawn from the committee, on the new market layout proposals would be presented.

The chairman explained that further discussions would be taking place with the traders and the market working group before amendment and resubmission.

Minute 5 - Market Rights Policy – this was agreed.

Minute 6 - Equality Objective 2016-2020.

Mr Banks addressed the meeting for three minutes in relation to the equality objective, which he considered was a good start but not sufficiently challenging.

Councillor Anslow spoke expressing her concern that there were two issues that needed to be dealt with individually. She proposed the following amendment:

“to adopt the equality objective for 2016-20 to ‘continue to promote equality through the provision of services that are fair and accessible to all’ and to adopt the equalities objectives as set out in the equalities action plan.”

This was seconded by Councillor Abram.

The chairman replied to Councillor Anslow’s comments explaining that the action plan which supported the objective would be reviewed annually and this approach was beyond the duties required of the council.

RESOLVED that in accordance with Rule 4.1.6(d) seven councillors made a request for a recorded vote on the amendment.

The Deputy Mayor put the amendment to the meeting and the following votes were cast:

For: Councillor Abram, Anslow, Aslam, Francis, Henley, Maguire, Scarborough (7 no.)

Against: Councillors Allebone, Bailey, Beirne, Bell, Carr, Ekins, Gough, Griffiths, Hallam, Harrington, L Lawman, Lloyd, Morrall, Partridge-Underwood, Patel, Scanlon, Simmons, Skittrall, Walia, M Waters, V Waters and York (22 no.)

Absent: Councillors Bone, Emerson, Graves, Stevenson, Ward and Watts (6 no.)

The amendment was declared lost with seven votes in favour, 22 against and six apologies.

The substantive motion was put to the vote and agreed.

Minute 7 - Food Safety Enforcement Service Plan 2016/17 – this was agreed.

RESOLVED that:

- (i) the Market Rights Policy be adopted;
- (ii) approval be given to the adoption of the Equality Objective for 2016-2020 'to continue to promote equality through the provision of services that are fair and accessible to all' along with the under-pinning action plan;
- (iii) approval be given to the adoption of the food safety enforcement service plan 2016-17;
- (iv) the Services Committee minutes of 21 March 2016 be adopted.

9. RESOURCES COMMITTEE – 23 MARCH 2016

The minutes of the Resources Committee of 23 March 2016 were received.

Minute 10 - Capital Strategy for the medium term; the recommendation was agreed.

Minute 11 - Fees and charges update 2016-17; the recommendation was agreed.

Minute 12 - Reserves policy; the recommendation was agreed.

Minute 14 - Prudential Indicators and Treasury Management Strategy 2016-17; the recommendation was agreed.

Minute 16 – Crematorium update. Councillor Lloyd referred to the minute and asked for clarification in respect of the potential conflict of interest if the Head of Finance were to be appointed to Wellingborough Bereavement Services Ltd.

The chairman confirmed that legal advice was being sought, to ensure there was no conflict with the Head of Finance's statutory duty as the council's Section 151 officer. In the interim she would act as financial adviser to the board.

RESOLVED that approval be given to:

- (i) the capital strategy;
- (ii) the fees and charges schedule;
- (iii) delegated power being given to the Heads of Service to agree variations to the hire of halls terms and conditions in exceptional circumstances;
- (iv) the current reserves position being noted;
- (v) the reserves policy;
- (vi) the treasury management policy statement;
- (vii) the prudential and treasury indicators;
- (viii) the annual investment strategy;
- (ix) the minutes of the Resources Committee of 23 March 2016 being adopted.

10. MOTION FROM COUNCILLORS SCARBOROUGH AND HENLEY

The following motion was presented by Councillor Scarborough and Councillor Henley:

“This council views with deep regret HM Government’s current proposals to give itself powers to veto investment decisions made by democratically elected local councils if it believes that local decisions conflict with the views of Westminster politicians.

These proposed powers undermine the right of councils to make democratic decisions reflecting local public opinion and the views of local authority pension fund members, who, under these proposals would have fewer rights to influence pension fund investment decisions than those investing in personal pensions.

These proposals fatally undermine the government’s stated commitment to transfer power to local government and communities and represent a serious attack on local democracy.

We urge the government to reconsider.”

Councillor Scarborough and Henley spoke in relation to the above.

Councillor Gough also spoke expressing his concern about the views contained in the motion put to the meeting.

RESOLVED that in accordance with Rule 4.1.6 (d) seven councillors requested that a recorded vote be taken.

For: Councillors Abram, Anslow, Aslam, Francis, Henley, Maguire and Scarborough (7 no.)

Against: Councillors Allebone, Bailey, Beirne, Bell, Carr, Ekins, Gough, Griffiths, Hallam, Harrington, L Lawman, Morrall, Partridge-

Underwood, Patel, Scanlon, Simmons, Skittrall, Walia, M Waters, V Waters and York (21 no.)

Absent: Councillors Bone, Emerson, Graves, Stevenson Ward and Watts (6 no.)

RESOLVED that the motion was declared lost with seven votes in favour, 21 votes against and six apologies.

11. CORRESPONDENCE, COMMUNICATIONS AND OTHER BUSINESS BROUGHT FORWARD BY THE DIRECTION OF THE DEPUTY MAYOR OR THE CHAIRMAN OF THE MEETING

The Deputy Mayor informed members that there was an exempt urgent report in relation to The Castle (Wellingborough) Ltd (in administration), which needed a decision from members.

(Councillors Allebone and Partridge-Underwood left the meeting each having declared an interest.)

The Deputy Mayor referred to the following other business:

- The Civic Ball had taken place on 16 April and he reported that over £1800 had been raised for the Mayor's charity which was Northamptonshire Carers.
- The Mayor's tree planting would be rearranged and details would be notified to members.
- Consultation would be taking place in various locations of the town centre and in Finedon, in relation to the emerging local plan.
- Members were reminded to respond to the invitation from Sarah Bridges, Archives and Heritage Services Manager, at Northamptonshire County Council if they wished to attend Chester Farm.

12. URGENT ITEM

Min. no.	Report title	Reason for urgency
14	The Castle (Wellingborough) Ltd (In administration)	a decision was required by the end of the week.

13. 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 12
14	The Castle (Wellingborough) Ltd (in administration).	E1

14. THE CASTLE (WELLINGBOROUGH) LTD (IN ADMINISTRATION)

The exempt report of the Head of Finance for an urgent council decision to be made in relation to a request for a loan, received from the administrators on behalf of The Castle (Wellingborough) Ltd (in administration) was received.

The report detailed the request by the court-appointed Administrator for a loan of £25,450 to be used for the payment of weekly wages and monthly salaries to the staff for April 2016, for a short term period until funds due from merchant services and others were released.

Mr Pettit of PBC Business Recovery Ltd. had been appointed as one of the official joint Administrators by the court. He explained the process of administration, detailing the monies that were due to be paid to the company, along with the reasons for the urgent request to council for a loan. Members asked a number of detailed questions, to which he responded.

Mr Pettit left the meeting.

The Deputy Mayor put the request to council.

A lengthy debate ensued with members discussing the options available to them.

During this debate Councillor Bell proposed that the loan of £25,450 be granted to The Castle (Wellingborough) Ltd (in administration). This was seconded by Councillor Scarborough.

RESOLVED that in accordance with Rule 4.1.16 (d) seven councillors requested that a recorded vote be taken:

For: Councillors Abram, Anslow, Aslam, Bell, Carr, Francis, Gough, Griffiths, Henley, G Lawman, Lloyd, Maguire, Morrall, Patel, Scanlon, Scarborough, Skittrall, Walia, M Waters, V Waters and York (21 no.)

Against: Councillors Beirne, Ekins, Hallam, Harrington, L Lawman, Simmons (6 no.)

Abstention: Councillor Bailey (1 no.)

Absent: Councillors Allebone, Bone, Emerson, Graves, Partridge-Underwood, Stevenson, Ward and Watts (8 no.)

RESOLVED that approval be given for a loan of £25,450 to the Castle Wellingborough Ltd (in administration) for the purposes detailed in the email from the Administrator dated 14 April 2016 and that agreeing the detailed terms of the loan be delegated to the Chief Executive.

Mayor

The meeting closed at 9.25pm.