

## COUNCIL MEETING – 27 FEBRUARY 2018

### REPORT OF THE PARTNERSHIPS AND PERFORMANCE COMMITTEE

22 January 2018

Present: Councillors Graves (Chairman), Gough (Vice Chairman), Allebone and Simmons.

Also present: Miss K Denton, (Assistant Director) and Mr S Whiteley (Electoral Services Team Leader).

(Councillors G Lawman and B Emerson attended as observers. Councillor M Griffiths attended to speak on agenda item 5. Mr N Hayton, Ms M Mistry and Mr J Bruce (Teamwork Trust) attended to deliver a presentation.)

#### 1. APOLOGIES FOR ABSENCE

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

#### 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 25 September 2017 be confirmed and signed.

#### 4. PRESENTATION FROM TEAMWORK TRUST

The annexed circulated report of the director was received to introduce the presentation from Teamwork Trust. The chairman welcomed Mr N Hayton, Mr J Bruce and Ms M Mistry from Teamwork Trust to deliver their presentation.

Mr Bruce outlined their roles within the organisation and the functions of Teamwork Trust both within the borough and across the county. He went on to explain how the organisation was developing, including an increase in service user engagement across all objectives, the provision of the service to vulnerable people and decisions taken to diversify funding streams from over-reliance on public sector funding. Ms Mistry explained the different ways the organisation received referrals from members of the public and healthcare services.

Mr Hayton provided members with information regarding the specific programmes undertaken by Teamwork Trust, including counselling services, mindfulness courses and working with specialist schools to provide work experience programmes. He went on to demonstrate some of the accolades received by Teamwork Trust from the Cabinet Office and the Wellingborough Chamber of Commerce. Mr Bruce then closed the presentation by outlining the future objectives of Teamwork Trust, and future and partnership funding opportunities within both the private and public sectors.

Members thanked Teamwork Trust for their presentation, and for the work undertaken in the borough in general and particularly on mental health issues.

**RESOLVED** that the presentation from Teamwork Trust be noted.

## **5. CASTLE THEATRE - PROGRESS REPORT**

The annexed circulated report of the director was received to provide a review of the Castle Theatre in 2017, looking forward to the plans for 2018.

The chairman began the discussion by recognising and remembering the life and work of Cyril Hunter, a well-respected local member of the public and previous employee of the council who had been heavily involved with The Castle Theatre and had recently passed away.

Members discussed the report and the improvements that had been made following the handover to the council from the administrators. Members also discussed the challenges faced by the operation of a smaller theatre and the increased competition in the local area following the initial opening of The Castle back in 1995.

Members expressed thanks at the information included in the report and acknowledged the positive progress made during the year.

The chairman invited Councillor Griffiths (Leader of the Council) to read a prepared statement on The Castle. Councillor Griffiths outlined that the administrators had projected that The Castle would take three years to re-open and the council had managed to re-open the theatre within three months. He commended the work undertaken by officers, members and the management team at The Castle to ensure operations continued and prepared the theatre for the tender process currently underway.

**RESOLVED** that the report be noted.

## **6. PERFORMANCE: COMPLIMENTS, COMMENTS, COMPLAINTS AND FREEDOM OF INFORMATION – 1 APRIL 2017 TO 30 SEPTEMBER 2017**

The annexed circulated report of the director was received to inform the committee of the council's performance, including Wellingborough Norse, during the first half of 2017/18 in handling customer feedback, including complaints which have been referred to the Local Government Ombudsman (LGO).

Members discussed the increase in compliments for Wellingborough Norse and recognised that by the nature of their service provision, Wellingborough Norse was likely to continue to receive the highest numbers of compliments as well as complaints.

Members also discussed that potential changes to performance indicators could see a change in the number of complaints received, and that some requests for service may have been incorrectly identified as complaints.

Members considered that more work could be done to promote the different organisations and levels of local government responsible for service provision to the public, which could also have an impact on the number of comments received.

**RESOLVED** that the report be noted.

Chairman

The meeting closed at 7.55pm.



## COUNCIL MEETING – 27 FEBRUARY 2018

### REPORT OF THE SERVICES COMMITTEE

23 January 2018

Present: Councillors G Lawman (Chairman), Ekins (Vice-Chairman), Bailey, Carr, Skittrall, Abram and Watts.

Also present: Mrs B Gamble (Director), Mrs V Jessop (Assistant Director), Mr J Hodgson (Private Sector Housing Team Leader), Miss K Gilbert (Housing Options Team Leader), Mrs A Wilcox (Principal Environmental Health Manager), Mrs G Chapman (Principal Community Support Manager) and Miss E McGinlay (Electoral Services Officer).

(Cllrs L Lawman and Griffiths attended as observers.)

#### 1. APOLOGIES FOR ABSENCE

**RESOLVED** to note that no apologies for absence were received.

#### 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 declaration was made.

Councillor	Min. no.	Report Title	Reason
Lawman G	11	Compulsory purchase action	Other – knows a neighbour near to the property to be purchased.

#### 3. CONFIRMATION OF THE MINUTES

**RESOLVED** that the minutes of the meeting held on 26 September 2017, be confirmed and signed.

#### 4. TREE POLICY

The annexed circulated report of the director was received to seek approval to adopt the tree policy as council policy.

The report had been prepared in discussions with Wellingborough Norse following a number of queries raised by customers. The draft policy had been consulted on, with the approval of the committee, and representations from consultees were presented in appendix one. The proposed tree policy, which was amended to take the responses into account, was presented in appendix two.

Three speakers submitted requests to address the committee to give their view on the tree policy, all of which were accepted. The speakers (Bill Mandeville, Claire Frogley, and Andrew Howard) addressed the committee to raise concerns that the policy needed further development before it was adopted.

Their overarching concern was that trees in the borough were a valuable environmental asset and no budget had been allocated to the tree policy, making it difficult for a tree replacement programme to come into force in the future.

Members discussed the limited council budgets and confirmed that it would be the responsibility of the resources committee to discuss and approve any budget for tree replacement if it was wanted by members. It was noted that with overall council budgets shrinking, it would be difficult to provide a substantial budget for tree replanting and the more costly commitment of the maintenance of the new trees.

The speakers expressed their willingness for the council to work with local residents and organisations and involve them with the planting and upkeep of any new trees planted in the borough. They also confirmed that funding for new trees in the borough could be granted by the Woodland Trust. Members concurred that they would be happy to work in partnership with residents and organisations to maintain and increase the number of trees in the borough but noted that there would be no requirement to make any significant change to the policy to achieve this aim.

The chairman suggested that a paragraph could be added into the policy to confirm the council's wishes to work with external stakeholders. Members discussed the proposal and agreed this should be included, along with a diagram to help residents understand the process of reporting tree issues to the correct authority/agency. Relevant contact details would also be added.

**RESOLVED** that the tree policy - January 2018 be adopted as council policy subject to the following amendments being incorporated:

- A paragraph be added to the policy to confirm the council's wish to work in conjunction with residents and local partners to manage the trees in the borough; and
- A diagram detailing the process of reporting concerns to the council or other agencies, i.e. Wellingborough Norse be added to the policy, together with relevant contact details.

## **5. MARKET RIGHTS POLICY**

The annexed circulated report of the director was received to seek approval to adopt the market rights policy - January 2018.

Following the approval by the committee to consult on the market rights policy, a six week consultation exercise was undertaken. The new policy, which had been amended to reflect consultation comments, was presented in appendix two.

Members discussed the report and questioned whether there was a need to formalise how many car boot type events a charity would be allowed to carry out as these could have a detrimental effect on the town's market if they were held often.

It was decided that it would be resource intensive to formalise, and enforce such a regime, and that instead officers would continue to monitor the number of charity events held and report back if they had any concerns.

**RESOLVED** that the market rights policy - January 2018 be adopted as council policy.

## **6. FOOD SAFETY AND HEALTH AND SAFETY SERVICES PLANS**

The annexed circulated report of the director was received to seek approval of the food safety and health and safety enforcement service plans for the period 2018-19. The plans set out food safety and health and safety objectives of the environmental health service for the next year.

The production of the plans was a requirement of mandatory guidance issued to local authorities by the Food Standards Agency under the framework agreement and the health and safety executive, using its powers under section 18 of the Health and Safety at Work Act 1974.

Members discussed the report and attached plans.

**R1 RECOMMENDED** that the food safety enforcement plan 2018-19 be adopted;

**RESOLVED** that the health and safety enforcement service plan 2018-19 be adopted.

## **7. PUBLIC SPACES PROTECTION ORDER**

The annexed circulated report of the managing director was received to seek approval to create a public space protection order (PSPO) in Wellingborough town centre and surrounding area. The PSPO would provide additional powers to deal with antisocial behaviour, particularly that stemming from excessive alcohol consumption.

The principal community support manager presented her report to the committee and confirmed that enough evidence had now been gathered to demonstrate the need for a PSPO in the town centre.

Members discussed the report, and concerns were raised that the PSPO may be aimed at homeless people within the borough. The principal community support officer confirmed that this was not the case, and that the PSPO was designed to target persistent antisocial behaviour that was detrimental to the community and would not target any particular groups of people. She noted that the order also intended to provide a positive contribution to the community by providing support where relevant for anyone with ongoing dependencies.

Members queried the ability and circumstances where a person could successfully challenge the creation of the PSPO. It was confirmed that the likelihood of this was low because of the level of evidence available, and that the council would be able to defend any claim that was made.

**RESOLVED** that approval be given to the Public Spaces Protection Order being made, having taking into consideration the conditions within s.59 of the Antisocial Behaviour, Crime and Policing Act 2014.

## **8. CEMETERY RULES**

The annexed circulated report of the director was received to propose a number of changes to the current cemetery rules to reflect changes in operation, and to consider permission for shroud burials.

The current cemetery rules had been in place since 2009, before Wellingborough Norse was created and some amendments were therefore required. The council had also received requests from the Muslim community to consider changes in the way in which burials take place in the borough.

One request to address the committee was received and accepted. The speaker (Faruk Uddin) addressed the committee to express his support for the proposal to amend the cemetery rules. He thanked the council for considering the change and confirmed that he would be communicating the changes in the new policy so that all residents of the Muslim community were informed. He also noted that he would be translating the policy into other languages so that it was accessible to all.

Members thanked the speaker for his help in cascading the information to the Muslim community and expressed their desire to work with community leaders to make sure all communities feel included and informed on the changes in the borough.

The committee discussed the report and asked for clarity in respect of the additional charges.

**RESOLVED** that:

- (i) approval be given to the adoption of the Cemeteries Rules 2018;
- (ii) it be recommended to resources committee that the council's fees and charges schedule be amended to include the following, after the words depth to 6ft, – that a fee be charged of £544.30 for a burial which takes place within 24 hours, subject to the availability of trained personnel;
- (iii) it be recommended to resources committee that the council's fees and charges schedule be amended to include a new fee of £384.70 for the construction and installation of a timber pack, supplied by the Muslim community, by trained personnel to enable a shroud burial and entry to a grave;
- (iv) it be recommended to resources committee that the council's fees and charges schedule be amended to allow the fee for the purchase of a grave to be doubled if the purchaser had not lived within the borough for more than ten years;
- (v) it be recommended to resources committee that the increased charges set out in (ii) and (iii) above be reviewed each year, but initially increase further by 50% for burials on a Friday after 11.30am and Saturday morning, and by 100% for the remainder of the weekend and council/bank holidays.

## **9. HOUSING ALLOCATION POLICY**

The annexed circulated report of the director was received to propose amendments to the Borough Council of Wellingborough's housing allocation policy, adopted in April 2013, in order to take account of the new duties in the Homelessness Reduction Act 2017 which would come into effect on 3 April 2018.

The Borough Council of Wellingborough's housing allocation policy was originally adopted in April 2013 and had been amended since this time to reflect legislative changes, provide additional clarity and ensure best use of stock. The policy had been reviewed over the last 12 months and the changes proposed in this report and appendices were recommended as a result of this review.

The amendments sought to shift the focus of the policy to a preventative approach, prioritising those in most urgent housing need, and seeking to reduce those approaching the council at crisis point when they were threatened with homelessness. It looked to reduce pressure on temporary accommodation and the significant costs thereof.

**RESOLVED** that approval be given to delegated authority being given to the relevant director, in consultation with the chairman of the committee, to amend the housing allocation policy, following consultation with the relevant stakeholders.

## **10. CIVIL PENALTY NOTICES**

The annexed circulated report of the managing director was received to seek members' approval for the implementation of a policy relating to the Housing and Planning Act 2016 which would allow officers to implement the new legislation. The policy covered the use of civil penalty notices and rent repayment orders, including the method used to calculate the fee charged for a civil penalty notice.

Members discussed the report and agreed the need for a policy to determine the level of the fee charged so that civil penalty notices could be issued. The implementation of the policy would assist the council in improving the stock of privately rented accommodation within the borough.

It was noted that any income received from a civil penalty could only be retained by the council; provided that it would be used to further the authority's statutory functions in relation to their enforcement activities covering the private rented sector.

**RESOLVED** that approval be given to the use of civil penalty notices under the Housing and Planning Act 2016 policy.

## **11. COMPULSORY PURCHASE ACTION**

The annexed circulated report of the managing director was received to advise members of the recent updates in regard to the empty property at 47 Albert

Road, Wellingborough and to request approval to proceed with a Compulsory Purchase Order (CPO) at this address.

Members discussed the report and expressed their thanks to officers for their efforts in reducing the number of empty properties in the borough. It was suggested that an update of the process and progress of reducing the number of empty properties should be provided to members. The private sector housing team leader confirmed that he was happy to provide this and would issue a briefing note.

**R2 RECOMMENDED** that approval be given to the making of a compulsory purchase order, under section 226 of the Town and Country Planning Act 1990 or section 17 and part XVII of the Housing Act 1985 and the Acquisition of Land Act 1981, for the acquisition of 47 Albert Road, Wellingborough; together with land associated, for prompt resale.

Chairman

The meeting concluded at 8:05pm.

**COUNCIL MEETING – 27 FEBRUARY 2018**  
**REPORT OF THE RESOURCES COMMITTEE**

7 February 2018

Present: Councillors Partridge-Underwood, (Chairman), Allebone, Carr, Emerson, Francis, Graves, Hallam, Henley, L Lawman, Morrall, Simmons and Ward. (Councillor Griffiths and G Lawman joined the meeting later.)

Also present: Mrs L Elliott, (Managing Director), Mrs B Gamble, (Director), Miss J Thomas, (Director/Monitoring Officer), Miss K Denton, Mrs V Jessop, Mrs S Knowles and Mr A Piper (Assistant Directors), Mr R Watson, (Senior Revenue Officer) and Mrs C A Mundy, (Democratic Services Officer).

**1. APOLOGIES**

Apologies were received from Councillors Griffiths, G Lawman (who both joined the meeting later) and Scarborough.

**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, there were no declarations made.

**3. CONFIRMATION OF THE MINUTES OF THE RESOURCES COMMITTEE MEETING HELD ON 13 DECEMBER 2017**

The minutes of the resources committee of 13 December 2017 were received.

**RESOLVED** that the minutes of the resources committee held on 13 December 2017, be confirmed and signed.

**4. WELLINGBOROUGH HOMES – LAND**

The annexed circulated report and exempt appendix of the director was received to review the decisions made in 2007 in relation to the transfer of land within housing estates to Wellingborough Homes, with a request for an in-principle decision, to rationalise the current arrangement.

Since 2007 the council, Wellingborough Homes and Wellingborough Norse (who maintain the retained land) had reported on the frustrations experienced by those living on the three main estates of Kingsway, Queensway and Hemmingwell in regard to who was responsible for the various areas of land and who should be contacted to report issues or make complaints.

When the housing stock transfer took place in December 2007 pieces of land were retained by the council for reasons, which included land held as ransom strips, and land which had potential for future development.

There had been no explanation, in the report to the resources committee in 2007, as to why potential development land had not been transferred with “overage” conditions. The report explained that “overage” conditions meant that the council could have been entitled to receive a sum of money, after transfer, if a specified condition was satisfied, which raised the value of the land.

The report proposed that there be a transfer of all the land within the main estates to Wellingborough Homes; a map was appended as an example of the scattered locations of these areas of land. This gave an example of how a line could be drawn around the housing areas, with all retained land inside the line being transferred to Wellingborough Homes. The report also detailed the implications of transferring the land, including the provision of a better service to local residents and the considerations required in relation to the contractual land maintenance arrangements in place between Wellingborough Norse and the council.

Whilst it could be considered that Wellingborough Homes would be gaining an asset, there would be a significant liability for them in respect of day to day maintenance and longer term infrastructure costs. The aim of the potential transfer was to reach an agreement which was balanced, with neither side gaining from the arrangement.

The report also detailed the current contract with Wellingborough Norse and the way this could continue in the short to medium term should Wellingborough Homes take over the land; the details of this would be the subject of further discussion.

The exempt appendix further detailed the liability Wellingborough Homes would be taking on and the potential need for the council to set aside the “homes for land” agreement with Wellingborough Homes so that assets could be transferred to offset Wellingborough Homes’ future liabilities.

Members discussed the option before them and considered that this would be a good way forward. They had long been aware, from complaints received from ward residents, that there were anomalies and considerable confusion over who was responsible for the amenity land on the estates. Councillor Emerson asked what the financial impact would be on Wellingborough Norse and the current contract.

The director responded and confirmed that there would be no immediate impact. In reality the contract would continue and Wellingborough Homes would make a payment to the council for those services for a period of two years which may coincide with the end of the contract following that it would be reviewed.

Discussions between Wellingborough Homes and officers on the potential transfer had reached the point where a decision in principle was required. If this were to be agreed, a significant amount of further work would be required

to ensure that calculations and valuations supported the “no gain” premise, and a future report to committee would provide in terms of the impact on both the council and Wellingborough Homes.

**RESOLVED to:**

- (i) approve, in principle, the transfer of land on ex-council housing estates to Wellingborough Homes;
- (ii) receive a future report on the detailed transfers to be effected, to include the report of an independent valuer and a person qualified to verify the calculations provided;
- (iii) take no further action on the “land for homes” project until the proposed transfer was determined; and agree to the provision of a binding commitment to enable Wellingborough Homes to progress the developments proposed under the “land for homes” scheme relating to Milner Road, Finedon; Penrith Drive and Nest Farm Road, Wellingborough.

**5. PROPERTY MATTERS**

The annexed circulated report of the director was received in relation to progress on property matters reported previously to resources committee on 28 June 2017.

The chairman welcomed local resident Mr Howard who had requested to speak.

Mr Howard addressed the meeting in relation to the proposals within the report on Croyland Hall and Abbey, the management contract for the council's commercial property portfolio, the Tithe Barn office building and Doddington Road council car park. He also left a copy of a plan of his suggestions for the conversion of Croyland Hall and Abbey for circulation to members.

The chairman welcomed newly appointed Assistant Director, Adrian Piper to the meeting. His report detailed the progress on the following:

**Croyland Hall and Abbey:**

Listed building consent had been obtained in 2016 to refurbish and convert the buildings into 14 apartments. In the current market it was deemed that the high cost of conversion, together with the relative value of the completed scheme, would not be viable. Officers could continue to consider ways in which this, or an alternative scheme, could achieve a viable future for these historic buildings. In the meantime a bid for capital expenditure of £330k would be submitted to enable essential works to be carried out to stabilise and conserve the listed buildings.

**Management of the commercial property portfolio:**

The report detailed the income, of approximately £1.65m per annum, that the council's commercial property portfolio brought in to support the revenue expenditure.

The current property management contract, held by Underwoods, would end in May 2019. The report outlined the options available to the council, including the possibility of creating a wholly owned property company, but recommended that the formal procurement process for re-tendering the external contract be commenced. The tender documents would be prepared and assessed in consultation with the leader of the council and the leader of the opposition.

**Tithe Barn office building:**

The future use of the building was being considered, including the option to convert to residential accommodation. The revenue and benefits team had indicated that it would not require all of the area currently occupied in future. Part of the building was leased to Northamptonshire County Council with a six month notice to vacate clause; officers were aware that the county council may wish to serve notice during the next financial year.

**The Tithe Barn:**

The proposal to convert the building, in principle, had been approved by committee. Two voluntary sector organisations had expressed an interest in a joint proposal and were working, in partnership, to produce a business case to put to council. Further details would be presented to a future meeting.

**Doddington Road car park:**

A planning application would be submitted in the near future for the residential development of the site for private rented accommodation, with a view to this providing an income for the council.

**Property review:**

Officers were working on policy and strategy for the operational estate including a review of the commercial investment portfolio. A further report would be presented to committee in due course.

Mr Piper made particular reference to the creation of a wholly owned property company, and explained that his initial thoughts were that that there would be no immediate benefit to the council. He would, however, investigate whether the setting up of a housing company, for private rent, may be more viable. His recommendation was for a formal procurement process to be commenced for the re-tender of the contract for property management.

Members expressed their concern in regard to the above suggestion as they had given approval in December 2016 to the creation of a wholly owned property company to manage the council's portfolio.

The director and managing director confirmed that a considerable amount of work had been taking place over the last 15 months as part of the procurement process. There had been discussions with specialists in this field and the creation of a property company for the investment property portfolio; was not as straight forward nor as beneficial as was first thought. Consideration was still being given to setting up a property company, but for residential private lettings.

Members took the view that the committee, with the approval of council, had agreed that a wholly owned property company would be created and that a report had not been brought before the committee at any point to change this decision. The report under discussion did not provide enough detail for members to consider changing that decision.

The director explained that the current contract with Underwoods would expire in May 2019; this had previously been extended and, to comply with procurement regulations, could not be extended again. The suggestion that the contract be re-tendered had been made as she had concern over the timescale for the preparatory work needed for the tender process. She therefore asked if members would agree, in principle, to the commencement of the procurement process, subject to the provision of a more detailed report to the next committee.

Members sought clarity in regard to the viability over the retention or disposal of the Doddington Road car park site. Officers clarified that the process was to first apply for planning permission and if this was obtained a viability report would then be arranged.

Questions were also asked about whether there had been an indication from the county council when they would leave the Tithe Barn Office. The assistant director confirmed that some county council employees had moved out of the Tithe Barn to other accommodation, but some employees remained; currently a notice to vacate had not been received.

The assistant director was asked if there was a possibility that, in the future, the whole area encompassing Croyland Hall and Abbey, the Tithe Barn office building and Doddington Road car park could be looked at as one larger piece of work holistically. The assistant director confirmed that he would take this view into account.

Following the lengthy debate an amendment was suggested to the recommendation within the report at 4.2 as follows:

subject to a further report to this committee, agreement be given, in principle, to preparations being made for a potential tender process for the management of the council's investment properties, only to be used if this process is agreed, following such further report.

The chairman proposed this amendment and put this to the meeting. On being put to the vote this was declared carried and became the substantive motion.

This substantive motion was put to the vote, along with the other proposals contained in the recommendation, and all were declared carried.

**RESOLVED** that:

- (i) the future of Croyland Hall and Abbey would be reviewed, taking into consideration the viability of the previously agreed conversion and the requirement to preserve the listed building;
- (ii) subject to a further report to this committee, agreement be given, in principle, to preparations being made for a potential tender process for the management of the council's investment properties, only to be used if this process is agreed, following such further report;
- (iii) the position in relation to the review of the future use of the Tithe Barn office building be noted, and a report be submitted to a future meeting;
- (iv) the position with regard to the proposal to redevelop the Doddington Road car park be noted, and a report be submitted to a future meeting;
- (v) the position with regard to strategic property review activities be noted, and a report be submitted to a future meeting.

**6. ANNUAL BUSINESS PLAN 2018-19**

The annexed circulated report of the managing director was received to seek approval of the draft 2018-19 annual business plan, which was appended to the report.

The corporate plan had been agreed at the council meeting on 16 January 2018 and the annual business plan had been compiled from the priorities agreed by members at that meeting.

A request had been received from Mr Howard to address the meeting. He suggested that certain items should be included in the business plan, such as targets in relation to air quality; improvements to road structures to ensure a reduction in pollutants, particularly in the town centre; consideration to the introduction of parking charges and the management and replacement of trees following removal, to enhance air quality management.

Members discussed the business plan and the comments made by the speaker.

Cllr Carr confirmed that the local plan contained information in relation to air quality; the director also clarified that air quality was monitored at ten of the most congested locations around the borough, with none of the areas exceeding target levels; the monitoring results could be found on the council's website.

The managing director informed the committee that services committee had recently reviewed the tree policy; however, if members wished to consider funding the replacement of trees a report to resources committee would be required. She also highlighted that trees situated on the highway belonged to the county council not the borough council. Councillors agreed that trees also had a huge amenity value; there were around 100,000 trees in the borough.

Councillor L Lawman made reference to a recent study where researchers had found that hedging acted as a better barrier than trees by slowing down airflow and catching pollutants on the leaves. The recommendation from researchers was to install hedges on the edge of pavements, as they were closer to the level of most exhaust pipes and could therefore absorb damaging particles before they dispersed into the air.

The managing director thanked members for their comments and suggestions for the plan, and confirmed that she would update the document before publication.

**R1 RECOMMENDED** that approval be given to the Annual Business Plan 2018-19.

(Councillors Griffiths and G Lawman joined the meeting at 7.55pm).

## **7. CAPITAL PROGRAMME MEDIUM TERM FINANCIAL PLAN**

The annexed circulated report of the section 151 officer was received in relation to the available capital financing in the medium term along with a list of proposed capital schemes.

Appended to the report were the following:

- Appendix A - Summary of capital resources;
- Appendix B - List of proposed capital schemes 2018-19;
- Appendix C - List of capital schemes 2018-19 awaiting further information.

Councillor Henley spoke, making particular reference to appendix C and the content thereof. He proposed that reference to all items, other than the HMO project and the Private Sector Housing Grant for homelessness initiatives, be removed from the list of schemes as he considered they had been on the list for many years with little or no progress made.

The managing director explained that a number of the projects listed were currently being worked on and that she would prefer that the items, relating to street lighting upgrades, remained on the list. If members wished, reference to the public realm and the disabled facilities grants could be removed and brought forward as appropriate.

Other councillors considered that all the items listed in appendix C should remain, as they were being progressed.

Members asked questions of clarity on appendix A, to which the assistant director responded.

Councillor Henley proposed an amendment to appendix C, List of Capital schemes for 2018-19 awaiting further information, as follows:

That the items listed under the themes of 'invest to save' and 'CPO/property regeneration', referring to homelessness initiatives, remain on the list but that the items referred to under the themes of 'wellbeing and grants' and 'public realm' be removed from the list, until such time as further information became available which could be reviewed at a future meeting.

This was seconded by Councillor Emerson.

The chairman put the proposed amendment to the meeting and the amendment was declared lost with three votes in favour and 11 votes against.

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

The chairman put the proposals contained within the report to the committee and these were declared carried.

(Councillors Emerson, Francis and Henley asked that it be recorded that they abstained from voting on recommendation (iii) below.)

**R2 RECOMMENDED that:**

- (i) approval be given to the capital funding being made available for the financial years 2018-19 to 2022-23;
- (ii) the list of prioritised capital schemes, as detailed in appendix B, to the report, be released into the capital programme 2018-19 to 2022-23;
- (iii) the list of capital schemes awaiting information, as detailed in appendix C, be noted.

**8. REVENUE BUDGET 2018-19 AND THE MEDIUM TERM FINANCIAL STRATEGY PROJECTIONS**

The annexed circulated report of the section 151 officer was received in relation to detailed proposals for the revenue budget 2018-19 and to provide an updated forecast of the projected position for the subsequent financial years.

The report detailed the proposal in respect of council tax for 2018-19 in line with the draft budget position presented to the committee in December 2017, along with a recommendation for future years' council tax increases.

The following were appended to the report:

- Appendix 1 - 2018-19 budget analysis;
- Appendix 2 - Pressures and savings included as part of the 2018-19 budget;
- Appendix 3 - Medium term financial projections 2018-19 to 2021-22;
- Appendix 4 - Budget 2018-19 consultation response analysis;
- Appendix 5 - Fees and charges schedule;
- Appendix 6 - 2018-19 Efficiency Strategy;

- Appendix 7 - Section 25 report.

The report detailed the serious financial challenges facing the council if it wished to maintain current spending levels and provided future forecasts for funding. The report emphasised the current increase in demand for statutory services and the profound effect such demand would continue to have in the future on the revenue position.

The forecast financial position for the next four years had been estimated, and savings of approximately £456k in 2018-19 were required to give a fully funded position, after the use of ear marked reserves of £1.3m.

The initial budget assumption for 2018-19 had been to roll forward current budgets and to make adjustments for any known savings proposals. The council would again need to use reserves to fund its revenue budget. This was unsustainable and more robust and deliverable solutions needed to be developed and implemented and would be reported to a future committee

The Assistant Director, Mrs Knowles explained that details of the final financial settlement for 2018-19 had been received on 6 February and as a result of updated information from the valuation office agency, there had been a detrimental impact on the budget due to the level of income we were forecasting to receive from business rates, resulting in a reduction of £86,000. She suggested that the pressure should be funded from the business rates ear marked reserve, which would mean the forecast level of general fund reserves at 31 March 2019, would remain unchanged at £1.759m.

She also informed the committee that the report would be refreshed for the council meeting to include all up-to-date figures.

The leader referred to the settlement and the late notification of changes to business rates, which had created a detrimental impact on the budget process and which he found to be unacceptable. He proposed that a letter be written to the government to complain about the late notification of these changes. This was supported and seconded by Councillor Henley.

Members asked the managing director whether she could report on the financial issues being experienced by the county council. She explained that a Section 114 notice, preventing all new expenditure, had been issued by the county council's chief finance officer, giving the county council 21 days to come up with a rescue plan. A meeting of the full county council would take place on 22 February 2018 when it would set its budget for the coming year. She assured the committee that the issues at the county council would not affect the budget setting process for the borough council.

The managing director referred members to her Section 25 report under the Local Government Act 2003, which was appended.

She particularly drew members' attention to her concern in regard to the worsening financial position and the future financial sustainability and

sustainability of the council when considering the budgets for the coming year, and over the medium term.

It was her intention that workshops for both members and senior officers be undertaken as soon as possible in 2018-19 to identify options and recommendations for means of reducing the use of reserves for that and for future years. Such workshops would need to undertake a fundamental review of current service delivery methods and levels of all services the council provided.

She stressed that this would be the last year that the current strategy on reserves could be used. If proposals for future service delivery and efficiencies were not forthcoming the section 151 officer may not be in a position to positively comment on the robustness of the estimates or the adequacy of reserves. For the last four years she had informed members of the risks, with regard to depleting reserves, and during this time, whilst savings and service delivery efficiencies had been made, significant transformational changes had not been made.

The chairman put the recommendations in the report and the proposal to send a letter to the government about the concern over late notification of changes to business rates to the vote and these were declared carried.

**R3 RECOMMENDED** that:

- (i) approval be given to an increase in the council's average band D council tax in 2018-19 of £5.00 (4.73%), as allowed within the referendum levels announced;
- (ii) approval be given to the increases shown in the council's average band D council tax in 2019-20 to 2021-22, subject to the referendum criteria:
  - 2019-20: £5.00 (4.52%);
  - 2020-21: £2.30 (1.99%);
  - 2021-22: £2.35 (1.99%);
- (iii) approval be given to the revenue budget for 2018-19 and the financial plans, as appended to the report;
- (iv) approval be given to the fees and charges schedule, as appended to the report, to include the revised cemetery fees (as recommended at services committee on 23 January 2018);
- (v) approval be given to the Efficiency Strategy as appended to the report;
- (vi) approval be given to a letter being sent to the government in relation to the late notification of changes to business rates.

**9. PAY POLICY STATEMENT 2018-19**

The annexed circulated report of the director was received to seek approval to the council's Pay Policy Statement, as appended, to be published by 1 April 2018.

**R4 RECOMMENDED** that the Pay Policy Statement for 2018-19 be approved for publication.

## **10. IRRECOVERABLE COMMERCIAL DEBTS**

The annexed circulated report of the director was received in relation to the write-off of irrecoverable commercial rents.

Under the property management contract, Underwoods was responsible for rent collection and debt management, and provided a report on overall debt status to the council each month.

Details of the debts which had accrued were contained within the report. These had been thoroughly pursued, including via legal action where appropriate. Under delegated power, the section 151 officer could write off any debt below £2,000, or if a debtor was insolvent, she could write off any amount.

An additional debt of £20,331.85 needed to be written off by the committee and this was detailed within the report. The debt had been pursued and all reasonable action had been taken to obtain repayment. The property had been repossessed in March 2017.

**RESOLVED** that:

- (i) approval be given to the write off of the sum of £20,331.85 of irrecoverable debt in relation to rents for commercial properties;
- (ii) it be noted that the section 151 officer had authorised the write-off of irrecoverable debt amounting to £66,631.67 under delegated powers.

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

The annexed circulated report, and exempt appendices, of the Section 151 Officer were received in relation to the write off of irrecoverable debts.

The report detailed the irrecoverable council tax debts of £16,267.69 and sundry debts amounting to £10,807.94.

A member raised a query around the write-off of business rates and whether the council was compensated should a write-off be necessary. The assistant director explained the process, which was complex, around the collection of business rate debts and the implication on the collection process. It was suggested, and agreed, that a brief explanation for clarity on the effect to the borough be added to future reports.

**RESOLVED** that:

- (i) approval be given to the sum of £27,075.63 of irrecoverable council tax and sundry debts being written off;
- (ii) it be noted that the sum of £16,289.64 be written off under the delegated power of the Section 151 Officer.

Chairman

The meeting concluded at 8.40pm.

**COUNCIL MEETING – 27 FEBRUARY 2018**  
**REPORT OF THE STANDARDS COMMITTEE**

12 February 2018

**Present:** Councillor Allebone (Chairman), Councillor Maguire (Vice-Chairman) and Councillors Abram, Bone, Ekins, Graves, Harrington and Simmons.

**Officers present:** Miss J Thomas (Monitoring Officer) and Mrs C A Mundy (Democratic Services Officer).

**1. APOLOGIES FOR ABSENCE**

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

**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 interests were declared.

**3. EXCLUSION OF THE PUBLIC**

**4. PLANNING CODE OF CONDUCT AND LICENSING CODE OF PRACTICE**

The annexed circulated report of the monitoring officer was received to consider the adoption of a planning code of conduct and a licensing code of practice for incorporation within the review of the constitution.

The report made reference to the Nolan Committee's third report investigating standards in public life that had subsequently been followed by the Local Government Act 2000 which introduced a structure whereby local authorities would promote a high standard of conduct through a national code of conduct for members. In 2013 the Local Government Association provided updated guidance on "probity in planning"; and the Localism Act 2011 created a new Standards regime with a more local focus.

A nationally accepted planning code of practice existed, which had been adapted to reflect the specific circumstances within the council's planning procedures, particularly in respect of site viewing and the number of speakers permitted to address the planning committee. It was also proposed that the rules of procedure for the planning committee would be reviewed, along with site viewing and speaking at planning committee.

With regard to licensing there was no nationally accepted code of conduct, though there were a series of good practice guides. These had been reviewed to produce a licensing code of practice to specifically reflect the circumstances which existed within the council.

Members of both the planning and licensing committees had been consulted of the draft codes and any comments received had been incorporated in the appended documents.

Councillors asked questions particularly around the declaring of interests at planning committee and the definition of personal friendships. Members considered that as a councillor they would meet a considerable number of people and invitations were often extended to various events. They felt it was sometimes difficult to define a personal friendship rather than a personal acquaintance.

Clarification was also sought on when it would be appropriate to become involved in a residents' group; and whether officers should be invited to attend discussion groups regarding planning issues even if the councillors involved were not on the planning committee.

The monitoring officer clarified that personal friendships were classed as very close friendships, such as being invited into someone's home for dinner. In this instance it would be recommended that a councillor declare an interest and not participate in the discussion or voting thereon, if they were a member of the planning committee.

With regard to the involvement in certain groups, a councillor could participate but should be mindful of what was said and remain neutral at all time if they sat on a committee likely to be asked to make decisions which affected that group.

If a member of planning committee was invited to attend a discussion group around a planning issue the councillor could ask for an officer to be present; they should again be mindful and listen, but not comment or commit to anything and remain neutral; if a councillor was not accompanied by an officer, the meeting should be reported to a planning officer.

The chairman thanked members for their input and put the proposals to the vote; these were declared carried.

**R1 RECOMMEND** that:

- (i) the planning code of conduct be adopted for incorporation within the constitution;
- (ii) the licensing code of conduct be adopted for incorporation within the constitution.

**5. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES IS URGENT**

The chairman informed members that there would be training for all standards committee members in early March. Notification of this would be forwarded in due course.

The meeting closed at 11.24am.

Chairman