

COUNCIL MEETING – 20th JULY 2010

REPORT OF THE RESOURCES COMMITTEE

23rd June 2010

Present: Councillor Bailey (Chairman), Councillors Dholakia, Graves, Griffiths, Hollyman, G Lawman, Partridge-Underwood, Patel, Pursglove and Warwick.

Also present: Mrs L Martin-Bennison, Chief Executive, Mr J Hubbard, Deputy Chief Executive, Mr R Micklewright, Mr J Wilson and Mr T Wright, Corporate Directors, Mr M Hudson, Mrs V Jessop, Mr C Pittman, Mrs B Lawrence, Mr G Stoppani, Heads of Service, Mr N Robinson, Revenue Services Manager, Mr R Vaughan, Property Services Manager and Mrs C Mundy, Democratic Services Officer. Councillors Atkinson, Bass, Dean, Hawkes and L Lawman were also in attendance as observers.

1. APOLOGIES FOR ABSENCE

RESOLVED to note that apologies for absence were received from Councillors P Bell,(Vice-Chairman), Crofts and Waters.

2. DECLARATIONS OF INTEREST

Councillor	Minute	Title	Reason
Graves	7	Lettings for Not For Profit organisations.	Personal – he is employed by a Not For Profit Organisation.
G Lawman	5	Allocations Policy for Voluntary and Community Sector Grants – For Services provided under Service Level Agreements.	Personal – is a representative on the Victoria Centre.
	7	Lettings for Not For Profit organisations.	Personal – is a representative on the Wellingborough Volunteer Bureau who rent premises.
	15	Request for collaborative agreement to unlock urban extensions	Personal - aware of a previous objector to the scheme.
Partridge-Underwood	7	Lettings to Not For Profit Organisations	Personal – Vice-President of District Scouts.

Patel	5	Allocation policy for Voluntary and Community Sector Grants under Service Level Agreements.	Personal – County Council appointed member and trustee Victoria Centre. NREC – Borough Council nominated Board Member.
-------	---	---	---

3. CONFIRMATION OF MINUTES

RESOLVED that the minutes of the meeting held on 28/4/2010, be confirmed and signed.

4. MEMBERS' ALLOWANCE SCHEME PUBLICATION ARRANGEMENTS.

The annexed circulated report of the Deputy Chief Executive was received on the publications of allowances paid to Members.

The Local Authorities (Members' Allowances) (England) Regulations 2003 provide that as soon as practicable after the end of a year to which a scheme relates, local authorities must make arrangements for the publication in their area of the total sum paid by it to each member in respect of basic, special responsibility, travelling and subsistence, co-optees' and dependants' carers' allowances.

The report detailed the current arrangement of publicising a notice in a local newspaper along with inclusion in the Annual Statement of Accounts. Reference was made to the guidance of the Secretary of State which said that information should be publicised more widely, via the Council website and its own newspaper. The Members' Allowance Scheme was available on the website via a report to Council, giving details of the various allowances and the amounts applicable for the current scheme. A summary of payments received by Members was last published in The Link in 2004.

RESOLVED that after completion of the current year's scheme, details of allowances paid to Members would be published explicitly on the Council's website and within the next available edition of The Link.

5. ALLOCATIONS POLICY FOR VOLUNTARY AND COMMUNITY SECTOR GRANTS – FOR SERVICES PROVIDED UNDER SERVICE LEVEL AGREEMENTS. (Min 7 – 24/11/09)

The annexed circulated report of the Corporate Director was received on the requirement for a policy for voluntary sector grant allocations to align with the corporate priorities.

The Resources Committee of 24th November 2009 had requested officers to review the grant allocation procedures in line with the Corporate Plan 2010/11 objectives and to reconfigure grant budgets to better align with Council

priorities and to report on how the voluntary sector grant process could be better dealt with in future years and with more member involvement.

The report referred to services provided through grants awarded under Service Level Agreements, which represented 87% of the grants budget. The following services were provided by the voluntary sector through Service Level Agreements:

- Debt advice.
- Community transport.
- Community space and support for emergency services.
- Counselling and advice for victims of crime.
- Counselling provision for young people.
- Heritage.
- Voluntary sector organisational support and volunteering.
- Advice and support regarding equalities including hate crime.
- In previous years the Council had also supported services concerned with the support and aftercare of domestic abuse victims.

Most of the organisations had been grant funded by the Council for 10 or more years through such arrangements. Alternative ways of providing the services were considered as follows:

- To keep the allocation process as it stood.
- Cease the allocation and delete the budget.
- Bring the service in house.
- Invite other providers to bid to provide the service.
- Re-negotiate the terms of the existing arrangement.
- Seek public sector partners to share the costs of the service.

The report recommended the establishment of a Member Working Group to review service delivery alternatives for each service outcome and to develop a recommendation for each to be put to committee in time to influence the 2011/12 grants budget allocation.

RESOLVED that a Member Working Group of no more than 5 Members be established to review current service level agreement grant arrangements and report back to Resources Committee in the Autumn of 2010 with recommendations for future service delivery.

6. MARKET SUPPLEMENT POLICY

The annexed circulated report of the Head of Organisational Development was received on the revised Market Supplement Policy.

The revised Market Supplement Policy was appended and the amendments made thereto were detailed in the report.

RESOLVED that approval be given to the adoption of the revised Market Supplement Policy.

7. LETTINGS TO NOT FOR PROFIT ORGANISATIONS (Min 5 – 23/6/10)

The annexed circulated report of the Property Services Manger was received on the letting of premises to not for profit organisations.

The report detailed the current practice for lettings to not for profit organisations to charge the appropriate market rent. To ensure there was a uniform approach to each case a set of principles were required. A tenant of a not for profit organisation could apply for a grant to help it meet its operating costs, including any rent payable to the Council, it would be assessed applying the criteria for that purpose. This would ensure that all not for profit organisations were treated equally.

Appended to the report was a policy for letting premises to not for profit organisations.

RESOLVED that:

- (i) the proposals set out in the report be adopted for the management of the property portfolio;
- (ii) the potential effect of this policy be looked at by the Working Group established under the Allocations Policy for Voluntary and Community Sector Grants.

8. ANNUAL PERFORMANCE TARGET SETTING FOR SERVICES

The annexed circulated report of the Head of Performance was received on the key performance indicators for the year ending 31st March 2010.

Appended to the report were the targets for Exchequer, Revenue, Benefits, Human Resources, ICT and Property Services for 2010/11.

RESOLVED that the performance targets for 2010/11 be adopted.

9. CODE FOR SUSTAINABLE HOMES – SCALE OF CHARGES

The annexed circulated report and updated tabled report of the Head of Built Environment was received on the scale of charges for undertaking the assessment of Code for Sustainable Homes (CSH).

The Code had been introduced by the Department for Communities and Local Government (CLG) to drive a step change in sustainable home building practice. The Code was mandatory for Housing Associations who had to achieve Code Level 3 for a grant to be provided; private developers did not have to comply.

The Housing Strategy Section already had a Certified Officer able to advise developers in the private and Housing Association sectors on the Code requirements, thus enabling income to be generated. Appended to the report was a scale of charges.

RESOLVED that:

- (i) approval be given to the Council providing services for Code of Sustainable Homes Assessments to Housing Associations and Registered Social Landlords to the extent that the supply be authorised under the Local Authority Goods and Services Act 1970 or other statute within the borough;
- (ii) the scale of charges for the Code of Sustainable Homes Assessment Service be approved.

10. URGENT ACTION – SYWELL AERODROME

The annexed circulated report of the Chief Executive was received on the urgent action instigated on 12th May 2010 to commission an external independent investigation of the Council's handling of an approved planning application for a hard runway at Sywell Aerodrome and to advise on the handling of 3 formal complaints against a Councillor, and complaints made by a Councillor against 2 officers.

(Councillor Bass declared a personal and prejudicial interest in this item and exercised his right to address the meeting.)

As the content of Councillor Bass's address included exempt matters the Committee resolved to move this item to the exempt part of the Agenda.

RESOLVED that this item be discussed in the exempt part of the Agenda.

11. 2009/10 REVENUE OUTTURN – SUBJECT TO AUDIT

The annexed circulated report of the Head of Accountancy was received on the draft controllable revenue budget outturn.

The report highlighted the setting up of earmarked reserves for Planning Delivery Grant and Section 38 (Highway adoption grants) and under spends on Ward Support and Election postage which would be carried into earmarked reserves.

The report and verbal update of the Corporate Director detailed the overall under spend of £372,000 and gave the reasons as to why this had occurred.

Appended to the report was a reconciliation by service area from original budget to outturn as at 7th May 2010 and the revenue monitoring and comments on service area variances.

The Corporate Director also briefed the Committee on a breach of the Council's Treasury Management Policy that had recently come to his attention under which the Council's upper limit for exposure to any one financial institution (£5m) had been breached for a period not exceeding two days on each of two occasions in the last couple of months. The Director informed the Committee that this had occurred due to error rather than malpractice and that the Council had suffered no financial loss as a result. He further explained that he had instructed that controls in this area were to be tightened to ensure that there could be no repetition and that a full written report would be submitted to the next meeting of the Performance and Scrutiny Committee.

RESOLVED that approval be given to:

- (i) the 2009/10 revenue outturn being noted;
- (ii) the earmarked reserves for the under spent budgets for Ward Support (£11K) and Election Postage (£18k) be set up;
- (iii) the sum of £500k be moved in 2010/11 from General Fund balances to Transformation Reserve.

12. CAPITAL OUTTURN – SUBJECT TO AUDIT

The annexed circulated report of the Head of Financial Services was received on the draft capital budget outturn.

The report identified the spending on each capital scheme for 2009/10 against the Capital Programme for that year. Appendix A to the report gave a detailed analysis of the Capital monitoring of each individual scheme.

The capital outturn showed a projected £4m slippage in spending when compared to the approved budget of £8.2m. This was largely due to the freeze on spending introduced in November 2009. In addition a few schemes were overspent as detailed in the report.

The Director explained that it had not been possible to bring forward the evaluation of outstanding schemes to permit the allocation of the remaining balance of £350,000 for this meeting of the Committee but that it was planned to bring this to the extraordinary meeting of the Committee in July. He also pointed out that since funding had now been committed by the County Council and by Anglian Water in respect of proposed works on flood prevention in Isham, that the Committee could resolve to undertake this scheme if it was minded to.

Councillor Bailey suggested that due to the circumstances Members support the Isham Flood Prevention Scheme being brought forward with an expectation of £56K funding being required.

RESOLVED that:

- (i) the outturn and reasons for variations be noted;

- (ii) the allocation of resources in relation to the 2010/11 Programme relating to work on Isham Flood prevention be approved;
- (iii) the update on plans to improve the control environment to manage the capital programme budget be noted.

13. THE ROYAL ANGLIAN REGIMENT MUSEUM

The annexed circulated report of the Deputy Chief Executive was received on the public appeal by The Royal Anglian Regiment for a Regimental Memorial and museum enhancements to cover the Iraq and Afghanistan campaigns.

The Royal Anglian Regiment is the County Regiment for East Anglia and the East Midlands and is a holder of the Freedom of the Borough.

In 1996 the Regimental Museum was set up at The Imperial War Museum in Duxford. The Regiment had distinguished itself in Iraq and Afghanistan and had raised a considerable sum from serving and retired members to meet the cost of a Regimental Memorial to commemorate the 78 soldiers killed on duty in many campaigns over the last 50 years.

A public appeal has been made to raise the remaining sum of £80,000 towards the Memorial. The Regiment comprises a number of local people and will commemorate those local soldiers who have given their lives in Regimental campaigns.

- R1** **RECOMMENDED** that the Council support the Royal Anglian Regiment appeal for a Regimental Memorial and for Museum enhancements to cover the Iraq and Afghanistan campaigns and to make a donation of £1,000 in support of the commissioning and erection of a Regimental Memorial.

14. GRENDON SAPPHIRES FOOTBALL CLUB

The annexed circulated report of the Corporate Director Resources was received on the application for discretionary non-domestic rate relief from Grendon Sapphires Football Club.

As a not for profit sporting organisation, Grendon Sapphires, could apply for discretionary non-domestic rate relief on their properties provided they are used for the purposes of recreation and occupied by a club or society not established or conducted for profit. The Club automatically qualified for 80% Mandatory Relief on the premises and required a 20% top up of Discretionary Relief.

RESOLVED that approval be given to award 20% top up discretionary non-domestic rate relief to Grendon Sapphires Football Club from 7th May 2009.

15. REQUEST FOR COLLABORATIVE AGREEMENT TO UNLOCK URBAN EXTENSIONS

The annexed circulated report of the Corporate Director, Development was received on the release of land to enable the delivery of Wellingborough's two urban extensions.

Planning consent for Stanton Cross (WP/2004/0600/0) had been given in January 2008 and North Wellingborough (WP/2008/0150/OEIA) had been given consent by the Secretary of State following an appeal in February 2010.

Neither urban extension could progress because of land ownership issues.

A seminar entitled 'Unlocking Wellingborough East' had been held in March 2010 and discussions had been held regarding the relationship between Bovis Homes Ltd, Bee Bee Developments and the potential use of the Council's CPO powers. A collaborative agreement between all parties had been close to being signed but had never been actioned.

Further discussions on how a collaborative agreement would work had been held and NNDC had formally requested that a decision by the Borough Council be conveyed to both developers on whether a tripartite agreement could be entered into to resolve the land ownership issues for both urban extensions.

The report detailed the proposals as follows:

- (i) Bee Bee Developments would actively seek to finalise and enter into an agreement with Bovis so that Stanton Cross could be commenced. This would involve the transfer to Bovis of the land shown in Appendix A to the report and the corridor of land to put in the North/South roads from the station to Finedon Road on the western side of the railway track;
- (ii) Simultaneously with the above, Bee Bee would enter into an agreement to purchase Council land interests in North Wellingborough (either in part or whole) which would allow North Wellingborough to come forward as a development scheme.

A disposal of Council land would need to include a rigorous evaluation to secure Best Consideration as a requirement under government legislation. There was concern that current market conditions would not provide the best prevailing circumstances in which to achieve the best return on the assets and careful consideration would need to be given to this issue.

A debate ensued with Members raising concern over this action being taken.

It was proposed by Councillor Griffiths that a tripartite agreement not be entered into at this point in time. This was seconded by Councillor Pursglove. On being put to the vote the motion was carried.

RESOLVED that:

- (i) a tripartite agreement to unlock one or both of the consented sustainable urban extensions to the East and North of Wellingborough Town not be entered into at this point in time;
- (ii) that the Corporate Director in consultation with the Chairman and Vice-Chairman respond to the Board of the NNDC to this effect.

16. COMPULSORY PURCHASE ORDER – STANTON CROSS MIDLAND ROAD ACCESS (ROUTE 4)

The annexed circulated report of the Corporate Director, Development was received on the use of Compulsory Purchase Powers under Section 226(1) of the Town and Country Planning Act 1990 (as amended) to help facilitate the development of the Stanton Cross Midland Road Access (Route 4).

In 2004, Bovis Homes Ltd as the main developers for WEAST had submitted an outline planning application confirming the main accesses for the Stanton Cross development. In order for the development to proceed the main access routes needed to be completed. Bovis Homes had secured the land required for the southern access (route 2). Negotiations between Bovis and Wellmere Ltd. (an associate company of Bee Bee Developments Ltd) over an agreement for use of land for the Route 4 access had not concluded. A collaboration agreement had been negotiated by the two parties but had not been signed resulting in a delay in bringing forward the development. A request had been received from Bovis for the Council to use its CPO powers to assist in the delivery of Stanton Cross.

The report detailed the current guidance on compulsory purchase orders issued by The Office of the Deputy Prime Minister. The policy justification for Stanton Cross had been established through the Borough's Local Plan and subsequent Alteration adopted in 2004 and through more detailed guidance in the form of a development framework adopted as a Supplementary Planning Guidance in November 2003. The Consent for Stanton Cross had been given in January 2008.

RESOLVED that the use of the Council's compulsory purchase powers be refused at this stage.

17. MANAGEMENT REVIEW

The circulated annexed report of the Deputy Chief Executive was received on the current management structure of the Council.

The report proposed a review of the structure of the senior management team arrangements of the Council to enable savings to be delivered and to allow the potential for further improvements in the quality of services.

RESOLVED that the senior management arrangements of the Council be reviewed and a further report be submitted to the Resources Committee in September 2010.

18. EXCLUSION OF PRESS AND PUBLIC

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

Minute No.	Items	Paragraph of Schedule 12A
19	Urgent Action: Sywell Aerodrome	1, 2, 3 & 4
20	Mill Road	1 & 3
21	Irrecoverable Bad Debt Write Off	1 & 3
22	Irrecoverable Council Tax	3

19. URGENT ACTION: SYWELL AERODROME

The annexed circulated report of the Chief Executive had been received on the urgent Action taken to commission an independent investigation on the implementation of the planning application for a hard runway at Sywell Aerodrome.

(Councillors Atkinson, Dean, Graves, Hawkes and Patel left the meeting before discussion on this item.)

The Chairman allowed Councillor Bass to speak for 3 minutes highlighting his concerns over the action taken.

Members raised questions on the action taken by the Chairman and Chief Executive. The Chief Executive responded explaining the reasons for this action having to be taken.

Councillor Partridge-Underwood proposed that the Committee return to open session, to note the decision on this item. This was seconded by the Chairman.

RESOLVED that the press and public be re-admitted to the meeting for the decision on this item.

RESOLVED that the report be noted.

(Councillors Atkinson, Dean, Graves, Hawkes and Patel returned to the meeting.)

RESOLVED that the press and public be excluded from the meeting for the consideration of the remaining items on the agenda.

20. MILL ROAD

The annexed circulated exempt report of the Property Services Manager was received on the proposed disposal of a property asset in order to facilitate development of land east of Eastfield Road in accordance with policy U20 of the saved Wellingborough Local Plan.

The report detailed the wish by a developer to develop the site to construct 80 houses. The development was subject to a £2m KickStart grant application without which it would not proceed.

A current valuation of the site had been sought and the proposal was to sell the land at the current valuation subject to a covenant that the Council could repurchase the land had development not commenced within a 10 year period.

RESOLVED that the land identified be disposed of at best consideration on the terms detailed in the report.

21. IRRECOVERABLE BAD DEBT WRITE OFF

The annexed circulated exempt report of the Property Manager was received on the bad debts arising from non payment and other charges due from three former commercial property tenants.

The report detailed the debts, how they had arisen, the action taken to collect them and the reason why the debt was unable to be collected.

Members raised concern that the debt had been allowed to accrue and the Property Manager explained the procedures that were now in place to avoid this happening again. He would issue a Members Briefing note regarding the current position with rent arrears.

RESOLVED that the rent arrears totalling £31,731.56 be written off.

22. IRRECOVERABLE COUNCIL TAX

The annexed circulated exempt report of the Corporate Director Resources was received on the write-off of irrecoverable Council Tax.

The report detailed the Council Tax Payers whose debts were deemed to be irrecoverable.

RESOLVED that the sum of £9,561.01 be written off as irrecoverable Council Tax.

Chairman

The meeting concluded at 8.50 pm.