COUNCIL MEETING – 3 APRIL 2012

REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE

27 February 2012

Present: Councillor Pursglove (Chairman), Councillor Simmons (Vice-Chairman), Councillors Allebone, Blackwell, Carr, Elliott, Emerson, Hawkes, G Lawman, and Timms.

Also present: Mr J T Campbell (Chief Executive), Mr R Bowmer (Head of Finance), Mr S Wood (Head of Planning and Local Development), Mrs B Lawrence (Head of Resources), Mrs W Thundercliffe (Interim Accountant) and Mrs P Whitworth (Democratic Services Officer).

(Councillor Bell was also present as an observer.)

1. APOLOGIES FOR ABSENCE

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

2. DECLARATIONS OF INTEREST

RESOLVED to note that the following councillors declared their interest in the items specified in accordance with the code of conduct:

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Minute number</th>
<th>Subject</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allebone</td>
<td>6</td>
<td>Town and Country Planning Act section 106 agreements</td>
<td>Personal – Aircraft maintained at Sywell Aerodrome</td>
</tr>
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<td>Allebone</td>
<td>6</td>
<td>Town and Country Planning Act section 106 agreements</td>
<td>Personal – Board member of The Castle and wife is vice chairman of the Friends of The Castle Theatre</td>
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<tr>
<td>Blackwell</td>
<td>4</td>
<td>Presentation by Nene Valley Community Action</td>
<td>Personal – County Councillor and board member of Wellingborough Homes</td>
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<tr>
<td>Elliott</td>
<td>6</td>
<td>Town and Country Planning Act section 106 agreements</td>
<td>Personal – Irchester Parish Councillor</td>
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3. **RESOLVED** that the minutes of the meeting held on 16 January 2012 be confirmed and signed.

4. **PRESENTATION BY NENE VALLEY COMMUNITY ACTION**

   The Chairman welcomed Rosemary Hadaway, Chief Executive of Nene Valley Community Action (NVCA) and invited her to give a presentation about the work of the organisation.

   During the presentation, the following points were made:

   - Nene Valley Community Action supports Wellingborough’s voluntary and community sector (VCS) to enable the VCS to work within the community, to access opportunities, and to have a voice.

   - The support NVCA offers includes: producing information guides and weekly e-bulletins; a range of training options; governance support for organisations; a CRB checking service; and Charity Commission guidance.

   - NVCA also helps the VCS to access opportunities by: individual funding searches, volunteer brokerage, facilitating Community Consortium meetings, and joint consultation events.

   - NVCA’s new website went live on 7 November 2011 and is updated weekly. Up to the end of January the website had received 1,061 visits, 5,104 page views, and 788 unique visitors.

   - NVCA carries out local interviews three days a week, at the Citizens Advice Bureau and the borough council’s Tithe Barn Road offices, to identify volunteers in Wellingborough. Between April 2011 and January 2012, 215 people applied for volunteering positions.

   - NVCA brings the voluntary and community sector together through the Wellingborough Community Consortium, which is seen as an opportunity for the VCS to give their views and receive information, and for the borough and county councils to discuss proposed strategies. NVCA attracted 86 people to the first two Community Consortium meetings.

   - Other meetings facilitated by NVCA include: four events to ensure the VCS is fully informed about Support Wellingborough; several events to support the VCS in responding to the county council’s Prevention Strategy consultation; and managing the borough council’s Later Life Matters event on 19 April 2012.
In 2011-12 the council granted £25,000 to NVCA.

The Chairman invited Rosemary Hadaway to respond to questions raised by the committee, which included the following:

Q. Can you offer some support to parish councils to get youth groups up and running, for example advising on recruitment, leaders and fundraising?
A. Yes, and we can help identify funding sources and put a parish council in touch with youth experts. We can arrange for our development worker to visit the parish council.

Q. What service do you provide for CRB checks? What do you think of national reforms? Did you take part in the consultation?
A. We provide a county-wide CRB service, with very reasonable costs. We did take part in the reforms consultation and we agree that the process is too onerous at the moment but we do have to safeguard people. We strongly disagree that CRB checks should be scrapped for people that come into contact with children and vulnerable people, for example children’s readers, or plumbers and electricians working in schools.

Q. Is it difficult to get the VCS to work together and avoid duplication?
A. A few years ago the sector was told it must merge, and now that’s turning around. There can be duplication but we work hard around collaboration. There is less money now, so there are more partnerships.

Q. The council is having to make difficult decisions around the funding of different organisations, and believes that organisations should work together more. Do you offer support to organisations to help find other sources of funding?
A. Absolutely, that’s one of the main things we do. We need to persuade organisations that their funding will change and help them to manage against this context.

Councillor Lawman asked that it be recorded that council officers should be given every support to work with NVCA in respect of funding to ensure their strategies were successful in supporting residents.

The Chairman thanked Rosemary Hadaway for an interesting and informative presentation and for the excellent work carried out by Nene Valley Community Action.

RESOLVED that the presentation be noted.

5. CAPITAL PROGRAMME MONITORING 2011-12

The annexed circulated report of the Head of Finance was received to give members capital programme monitoring information for the nine months up to 31 December 2011, as well as proposed changes to the programme. The capital programme, including the amendments, had been agreed at the Resources Committee meeting of 22 February 2012 and was due to be
The capital programme monitoring report approved by the full council on 1 March. The capital programme monitoring report up to 31 December 2011 was appended to the report.

Each individual project had been assessed and projections matched against known facts and project plans where they were available. The method of traffic light reporting agreed at the Resources Committee of 8 September 2010 was outlined:

- Red – Urgent action required to bring the project back on track, or significant factors affecting the viability of the project.
- Amber – Resolvable issues if action is taken.
- Green – Project on track and no issues arising.

The capital monitoring report showed a total of 26 projects; 22 projects were green and 4 amber. The majority of amber projects were moving their budgets into future years, and this was due to the re-alignment of phasing of the original budgets. The current year capital programme had a current year budget of £3,921,700 and the forecast as per the report was £3,023,700.

The most significant changes in forecast were due to re-phasing; High Street Development Phase 3 (£470,000), High Street Development Strategic Acquisition (£335,000), and Nest Farm Road (£93,000).

The Chairman invited the committee to ask questions, but reminded members that it was an overview exercise, and questions shouldn't be purely about individual projects.

Members asked for clarification on the interaction between the finance team and service managers and asked what role the finance team played in ensuring projects remained on track.

The Head of Finance responded that the finance team brought expertise and objectivity to the capital programme and would make recommendations to members to ensure the council’s objectives were being met, but that the responsibility for ensuring the money was spent remained with service managers. It was explained that the motivation was there for managers to spend, as any unspent money could potentially be lost at year end. A monthly update report was monitored at the Resources Committee so any issues would normally be addressed in good time and remedial action taken.

**RESOLVED** that the progress of the 2011-12 capital programme be noted.

6. **TOWN AND COUNTRY PLANNING ACT SECTION 106 AGREEMENTS – PLANNING OBLIGATIONS**

The annexed circulated report of the Head of Planning and Local Development was received to provide the committee with the opportunity to examine the organisational processes in place to manage planning obligations.
The report explained that the council could enter into a section 106 agreement, otherwise known as a planning obligation, with a developer where it was necessary to provide contributions to offset negative impacts caused by construction and development. The council was responsible for establishing, by negotiation, the level of contribution a development should contribute.

Benefits would be secured either in kind, or via financial contributions, depending on what was required. The most common issues that arose were shown to be affordable housing, primary and secondary education, parks, amenities and open space, highway improvements and healthcare.

The report explained that the planning and local development service, with assistance from the finance department and legal services, monitors the process for the borough. Members were told that the service holds a database which has details of the amounts of contributions or affordable housing provision received or provided for, type of contribution, service area or originations benefitting from the contribution, and the total amount and when the contribution is required (referred to as a trigger).

The Head of Planning and Local Development explained that the council also consults annually with parish councils to establish a list of projects they would like to be delivered if, and when, developments are proposed in their area. Following approval by the Development Committee, the list is then used by planning officers when negotiating section 106 agreements with developers.

The committee was told that because planning obligations are deliverable once development has started, it could be a number of years before the obligation is delivered, so consequently the council has recently invested in a new monitoring system. The new system was demonstrated at the meeting.

Appended to the report was a list of section 106 agreements and their current status. The Chairman asked that any questions were about the process and not purely about specific projects. The Head of Planning and Local Development told the committee that he would be happy to talk to any member about specific projects outside of the meeting.

Members welcomed the new monitoring system as it gave information by income and ward, but expressed concern at the level of member involvement in the negotiating of section 106 agreements. Members felt very strongly that developer contributions should not be transferred out of wards, as residents would have been subjected to the inconvenience of a development, and should therefore benefit from the section 106 agreement.

It was acknowledged that it wouldn't always be possible for money to remain in a ward, but that member involvement would allow for flexibility in the negotiations.

The Head of Planning and Local Development told the committee that parish councils were currently consulted and plans were in place for the same level of consultation to take place on a ward basis. This would enable members to
draw up an approved list of projects they would like to see in their ward if and when planning obligations were available.

It was suggested that the following additional wording be added to the proposed action: A report be presented to the Development Committee to request that a policy be drafted on the negotiation and allocation of section 106 monies, taking into account timely member input and awareness.

This was proposed by Councillor Blackwell and seconded by Councillor Simmons and on being put to the vote was declared carried.

**RESOLVED** that:

(i) The report be noted;
(ii) A report be presented to the Development Committee to request that a policy be drafted on the negotiation and allocation of section 106 monies, taking into account timely member input and awareness.

The meeting closed at 9pm.