

POLICY & RESOURCES COMMITTEE

Date: 30 July 2012

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:-

Richard Lewis	(Chairman)
Glenvil Greenwood-Smith	(Vice-Chairman)
Stephen North	(Leader of the Council)

David Brackenbury	Roger Glithero JP
Wendy Brackenbury	Marika Hillson
John Farrar	Andy Mercer
Richard Gell	Rupert Reichhold

126. MINUTES

The minutes of the meeting held on 2 July 2012 were approved and signed by the chairman.

127. APOLOGIES FOR ABSENCE

Councillors Sue Homer, Glenn Harwood MBE, Dudley Hughes JP and Jeremy Taylor sent their apologies.

128. DECLARATIONS OF INTEREST

The following members and officers declared interests in the items as shown. Where discloseable pecuniary interest prejudicial interests were declared, the named members left the meeting for the consideration of, and voting on, the items.

Person	Agenda Item	Reason for Declaration	Discloseable Pecuniary Interest?	Other Interest?
Councillor Roger Glithero JP	9 – Nene Valley News Procurement of New Contract Update	Wife delivers Nene Valley News	No	Yes
Councillor John Farrar	9 – Nene Valley News Procurement of New Contract Update	Chairman of Spire Homes which uses Nene Valley News	No	Yes
Councillor Rupert Reichhold	10 – Northamptonshire County Council Electoral Review	Member of Northamptonshire County Council	No	Yes
Councillor	10 – Northamptonshire	Member of	No	Yes

Andy Mercer	County Council Electoral Review	Northamptonshire County Council		
Councillor John Farrar	11 – Variation of Section 106 Agreement	Chairman of Spire Homes	Yes	Yes
Councillor John Farrar	12 – Release of Personal Covenant	Chairman of Spire Homes	Yes	Yes
Councillor John Farrar	13 – Grounds Maintenance Contract	Chairman of Spire Homes	Yes	Yes
Councillor Marika Hillson	13 – Grounds Maintenance Contract	Member of Irthlingborough Town Council	No	Yes
Councillor John Farrar	14 – Staff Proposal SP7a	Active member of Unison	No	Yes
Neil Pritchard (Solicitor to the Council)	14 – Staff Proposal SP7a	Directly affected by proposal	No	Yes

129. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions.

130. MINUTES OF SUB-COMMITTEES & WORKING PARTIES

(a) Personnel Sub-Committee

The minutes of the meeting held on 24 July 2012 were received (see pages 165 to 167) and approved

(b) Welfare Reform Sub-Committee

The minutes of the meeting held on 17 July 2012 were received (see pages 168 - 172) and approved

It was

R.4 RESOLVED TO RECOMMEND

- (1) That the draft Terms of Reference be recommended to the Council for approval, subject to the additional term.
- (2) That the Terms of Reference be subject to future revisions if deemed necessary.

(c) Waste and Recycling Working Party

The minutes of the meeting held on 23 July 2012 were received (see pages 173 to 175) and subject to the addition of apologies for Councillor Wendy Brackenbury, were approved.

(c) Leisure Contracts Working Party

The minutes of the meetings held on 26 June 2012 and 12 July 2012 were received (see pages 176 to 186).

131. DRAFT STATEMENT OF ACCOUNTS 2011/12

Members considered a report from the Chief Finance Officer seeking endorsement of the draft Statement of Accounts for 2011/12 prior to the Audit Commission auditing the financial statements.

The committee was reminded that the draft accounts represented all the financial activity ENC had involvement with over the past year either directly or indirectly. Members were provided with a copy for the draft Statement of Accounts as an appendix to the report and noted that it was considered best practice for them to have sight of the financial statements in advance of the audit by the Audit Commission. The committee further noted that they would be required to approve the accounts at the meeting of Policy and Resources Committee on 27 September 2012 after the audit had concluded.

Members were advised that in line with statutory timescales the draft Statement of Accounts had been signed off by the Chief Finance Officer on 29 June 2012 and that the financial position of ENC at 31 March 2012 was accurately reflected in the draft document.

Members asked questions regarding the draft accounts and the Chief Finance Officer agreed to respond to two particular enquires outside of the meeting. Specifically, a query raised regarding a variance of £791k in expenditure on Cultural and Related Services, and confirmation as to whether Riverside Park in Higham Ferrers should be shown in the accounts as an asset as Councillor Gell believed that it had been purchased by Higham Ferrers Town Council.

RESOLVED:

That the committee endorse the draft Financial Statement of Account 2011/12.

(Reason – To provide members with a copy of the draft Statement.)

132. HOMELESSNESS GRANT - REQUEST FOR RELEASE OF FUNDS

The committee considered a report from the Housing Strategy Manager which sought the approval for the release of funds from the Homelessness Grant 2012/13 for East Northamptonshire Community Services (ENCS) (Full Gospel Church), which operates the Rushden Night Shelter and associated services.

Members noted that the night shelter was the only direct access rough sleeper accommodation in the district and that it also provided drop-in advisory services and individual housing-related support alongside the accommodation facilities. The committee was advised that approximately sixty individuals accessed the night shelter in 2011 and that over a hundred people a week rely on the shelter for support.

Members noted that ENCS had previously received £5,000 for the night shelter from the Homelessness Grant during 2011/12. Since opening in 2007, ENCS has received the £5,000

Homelessness Grant every year. It was further noted that there were sufficient funds available in the Homelessness Grant 2012/13 for another grant to be made.

The committee felt the Night Shelter offered very good value for money and was an important facility to have in the district.

RESOLVED:

That the release of £5,000 from the Homelessness Grant 2012/13 for the East Northamptonshire Community Services (ENCS) (Full Gospel Church) operation of Rushden Night Shelter be approved.

(To enable officers to administer the Homelessness Grant 2012/13.)

133. COUNCIL TAX DISCOUNTS

The committee considered a report from the Revenue Manager which sought to review the amount of Council Tax discount granted to owners of unfurnished empty homes.

Members were provided with the background to Council Tax discounts and noted that they had resolved to reduce the discount from 50% to 10% for owners of furnished unoccupied properties from 1 April 2010. However, unfurnished unoccupied properties attracted a discount of 50% after any available statutory discounts had expired. The committee were advised that ENC were the only remaining authority in Northamptonshire retaining the 50% discount, all other authorities had 0% discount for unfurnished unoccupied properties.

Members were advised that although ENC would retain less than 10% of any monies raised as a result of discount reduction, Northamptonshire County Council would set aside its share of the money received as a preceptor for the benefit of East Northamptonshire.

RESOLVED:

- 1) That the discount on unfurnished "long-term empty" dwellings be reduced to zero from 1 April 2013.
- 2) That negotiations take place with Northamptonshire County Council to retain the use for East Northamptonshire of any money set aside as a result of the discount reduction, preferably to help fund Disabled Facilities Grants.

(To generate additional Council Tax income)

134. NENE VALLEY NEWS PROCUREMENT OF NEW CONTRACT - UPDATE

The committee received a report which sought to provide members with new information regarding government plans for statutory regulation of council newspapers. Members were provided with three options in the light of the new information.

Following the approval of a new two-year contract for Nene Valley News (NVN) by the Policy and Resources Committee on 9 May 2012 (minute 510), a business plan for 2012-15 had been published by The Department for Communities and Local Government which aimed to put the Code of Recommended Practice on Local Authority Publicity on a statutory footing by April 2014, which would effectively make circulation of Nene Valley News unlawful beyond that date.

The three options presented to the committee were:

- Change the frequency of the NVN to quarterly in the same format, produced in-house, thereby meeting the requirements of the Code of Practice.
- Agree a one year extension to the current contract ending in March 2014, before new legislation comes into force in April 2014.
- Continue with the procurement process, subject to a clause in the contract stating it will end without compensation should NVN become unlawful due to a change in legislation.

Members registered their disappointment at the government's position as it was felt that NVN was a very useful and well regarded mechanism for reaching residents of the district. It was noted that the Evening Telegraph had fairly low coverage for the region and that printing of statutory notices may become problematic given its weekly print-run.

RESOLVED:

That the current contract be extended for one year from April 2013.

(Reason - To ensure that the decision taken in relation to the continuation of NVN has regard to the change in the legislative position)

135. NORTHAMPTONSHIRE COUNTY COUNCIL - ELECTORAL REVIEW

The committee considered a report in respect of draft recommendations made by the Local Government Boundary Commission for England (LGBCE) in terms of Northamptonshire County Council's electoral arrangements and implications for East Northamptonshire. Members were requested to provide a view on the recommendations by the consultation deadline of 13 August 2012.

Members were advised that in the event of the reduction in county council size from 73 to 57 members, the number of county councillors for East Northamptonshire would be reduced from nine to seven, resulting in a different pattern of electoral divisions. Members were reminded of a previous report on the subject which had been tabled at the meeting of the Policy and Resources Committee on 11 March 2012. The report had provided members with two options, and members chose not to express a preference at that juncture.

Alternative draft proposals had now been supplied to ENC, detailing proposed electoral divisions with the main implications being for Rushden. The LGBCE proposal would be for Rushden Town Council to return the same number of councillors as at present, but they would represent eight parish wards rather than the current five. Members were further advised that if the tabled proposals were not supported then a small group of members could be convened to work with officers to create an alternative. Councillor Steven North and Councillor Andy Mercer were nominated to as the members who would take part in any working group

RESOLVED:

That Councillor Andy Mercer and Councillor Steven North be nominated to work with officers and Rushden Town Council to develop alternative arrangements to those proposed by the Local Government Boundary Commission for England.

136. EXCLUSION OF THE PUBLIC

RESOLVED:

That the public and press be excluded from the meeting during the consideration of the following items of business because exempt information, as defined under paragraphs 1 and 2 of Part 1 of Schedule 12a of the Local Government Act 1972, may be disclosed.

137. VARIATION OF SECTION 106 AGREEMENT

The committee considered a report from the Head of Planning Services which sought member approval to vary a Section 106 financial contribution in respect of a specific development.

The report provided information in respect of the wording of the S106 agreement, secured as part of a development at Shirley Road in Rushden. Members noted that this contribution was intended to fund affordable housing on the Nippendale site in Rushden and took into account the risk management factors and potential legal implications.

RESOLVED:

That the proposed variation of S106 affordable housing contribution related to the completed residential development at Shirley Road, Rushden, be approved.

(To ensure the Council meets its commitment to provide funding for the Nippendale development in Rushden)

138. RELEASE OF A PERSONAL COVENANT

Members considered a report from the Solicitor to the Council seeking approval for the release of a restrictive personal covenant given by Spire Homes (LG) Limited to facilitate the release of restrictive covenants on a dwelling in Hargrave.

Having regard to legal advice and independent valuation advice received, the committee determined that the council would approve the amendment of the personal covenant to authorise the release of certain restrictive covenants to permit the implementation of previously granted planning permission following the payment of appropriate compensation.

Furthermore, members requested that officers draft and present to a future committee a policy that would cover the subject of release of covenants.

RESOLVED:

- (1) That the amendment of the personal covenant in respect of 1 Nags Head Lane, Hargrave be approved.

(Reason: To allow Spire to release the restrictive covenants necessary to permit the implementation of planning permission to construct a further two dwellings on the site.)

- (2) That authority be delegated to the Solicitor to the Council to complete the necessary deed of release in accordance with the valuation advice received and to seek the maximum level of compensation for the release of the restrictive covenants. The maximum compensation would therefore not involve entering into an arrangement to share the compensation received with Spire Homes.

(Reason: To expedite the business without recourse to a further report to and decision from the Committee, and to achieve the maximum amount of compensation for the authority.)

- (3) That Spire Homes be required to reimburse the legal costs incurred by the Council in this matter.

(Reason: To ensure that no excess costs are borne by the Council.)

- (4) That officers be tasked with drafting and presenting a Covenant Release policy to a future Policy and Resources Committee.

(Reason: To ensure that a consistent approach can be taken to such requests in future, and to avoid the need for each such request to come before the Committee)

139. GROUNDS MAINTENANCE CONTRACT

The Committee considered a paper from the Head of Resources and Organisational Development which provided details of the current grounds maintenance contract arrangements. The report also sought agreement regarding ENC's continued participation in the Grounds Maintenance Consortium (GMC) and the committee was asked to determine whether to extend the existing grounds maintenance contract or retender the ground maintenance services.

RESOLVED:

That the existing Grounds Maintenance Consortium contract should be extended for a maximum period of two years, subject to there being no increase in price.

(To ensure the Council has appropriate grounds maintenance arrangements beyond October 2013)

140. STAFF PROPOSAL SP7a

The Head of Resources and Organisational Development presented a report to the committee requesting approval for the restructure of a service area within the council.

RESOLVED:

- (1) That a formal Shared Legal Service be entered into with Northampton Borough Council, subject to the outcome of formal staff consultation.

(Reason: To provide the most efficient and effective solution to the future legal services needs of East Northamptonshire Council)

- (2) That authority be delegated to the Chief Executive, in consultation with the Chairman of the Personnel Sub-Committee, to agree compromise agreements with the affected staff, as required.

(Reason: To expedite the resolution of contractual matters with affected staff without recourse to a further committee decision).

Chairman



East
Northamptonshire
Council

Personnel Sub-Committee

Minutes of a meeting held on 24 July 2012 at East Northamptonshire House, Thrapston

Present:

Councillors

Roger Glithero JP (Chairman)
Glenn Harwood MBE
Steven North

David Oliver
Katy Everitt
Gareth Jones
Aime Armstrong
James McLaughlin

Chief Executive (DO)
Head of Resources and Organisational Development (KE)
Head of ICT (GJ)
Human Resources Manager (AA)
Democratic and Electoral Services Manager (JMCL)

Action

1.0 MINUTES

21 The minutes of the meeting held on 12 June 2012 were approved.

JMCL

2.0 APOLOGIES

2.1 Apologies were received from Councillor Wendy Brackenbury

3.0 DECLARATIONS OF INTEREST

3.1 David Oliver, Chief Executive, and James McLaughlin, Democratic and Electoral Services Manager, declared an interest in item 5b in view of their respective roles as Returning Officer and Deputy Returning Officer.

4.0 QUESTIONS

4.1 There were no questions.

5.0 DISCUSSION ITEMS – PAY AND REWARD STRATEGY AND RETURNING OFFICER'S FEES

5.1 KE referred to the previous decision of the Sub-Committee to appoint Councillors Wendy Brackenbury, Roger Glithero and Jeremy Taylor to work with officers in developing a Pay & Reward Strategy and reviewing the procedure for setting and level of the Returning Officer's fees for running elections. It was explained that it had not been possible to convene a meeting between members and officers to progress these two

projects. Consequently, it was recommended that the proposed terms of reference for the projects be forwarded to all members of the sub-committee for consideration in order to make progress during the summer recess.

RESOLVED:

That the proposed terms of reference in respect of the development of a Pay and Reward Strategy and the review of processes and remuneration associated with the Returning Officer's fees be forwarded to members of the sub-committee for consideration during the summer recess.

6.0 DATES OF FUTURE MEETINGS

6.1 The sub-committee considered the dates of its future meetings and determined to re-arrange the date of the meeting scheduled for Tuesday, 4 September 2012 to take place on Tuesday, 25 September 2012 at 2.00pm. This decision was taken in order to provide for a longer consultation period whilst still enabling the proposals to be considered at the Policy and Resources Committee scheduled for Thursday, 27 September 2012.

ALL

7.0 EXCLUSION OF PUBLIC

7.1 RESOLVED:

That the public and press be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972, may be disclosed.

8.0 STAFF PROPOSAL 14

8.1 The sub-committee considered a report submitted by GJ proposing a small scale restructure within a service area of the council.

RESOLVED:

- (1) That the proposed ICT Support Structure be approved.
- (2) That consultation and associated recruitment process in respect of the structure be commenced.
- (3) That the Chairman and Vice-Chairman be advised of the outcome of the consultation and recruitment process.

9.0 STAFF PROPOSAL 7a

9.1 The sub-committee received a verbal update from KE which provided an overview of a report which was to be considered by the Policy and Resources Committee on Monday, 30 July 2012. Discussions focused on the risks and financial implications associated with the proposal and members noted the complexities associated with the decision-making process which were to be reiterated to the Policy and Resources Committee where the matter was to be considered.

RESOLVED:

That the verbal update be noted.

Chairman



Welfare Reform Sub-Committee

Minutes of a meeting held on Tuesday 17 July 2012 at 2.00pm, Members Room, East Northamptonshire House, Thrapston

Present:

Councillors: Andy Mercer (Chairman)
 Glenvil Greenwood-Smith (Vice-Chairman)
 Richard Lewis
 Steven North
 Jeremy Taylor

Officers: Lisa Hyde (LJH)
 Glenn Hammons (GH)
 Richard Hadden (RH)
 Lucy Hogston (LH)
 David Pope (DP)

1.0 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

- 1.1 Councillor Andy Mercer was appointed Chairman of the Sub-Committee for the ensuing year.
- 1.2 Councillor Glenvil Greenwood-Smith was appointed as Vice-Chairman of the Sub-Committee for the ensuing year.

2.0 APOLOGIES

- 2.1 Councillor John Farrar gave his apologies.

3.0 DISCLOSURES OF INTEREST

- 3.1 There were no declarations of interest.

4.0 TERMS OF REFERENCE FOR THE WELFARE REFORM SUB-COMMITTEE

- 4.1 Members considered the draft Terms of Reference for the sub-committee which had been provided by LJH. Members noted that these would need to be recommended to Policy & Resources Committee and Council for adoption within the ENC Constitution.
- 4.2 Members agreed that the existing Terms of Reference were a good starting point but requested the addition of a further term of reference; for the sub-committee to liaise with neighbouring authorities on all aspects of Welfare Reform.

4.3 It was

RESOLVED TO RECOMMEND:

- (1) That the draft Terms of Reference be recommended to the Council for approval, subject to the additional term noted above.
- (2) That the Terms of Reference be subject to future revisions if deemed necessary.

6.0 PRESENTATIONS

6.1 LJH gave a presentation to members which outlined the implications of Welfare Reform, specifically the introduction of Universal Credit and the localisation of Council Tax benefit.

6.2 Universal Credit

The implications of Universal Credit were outlined to members and the inclusion of Housing Benefit within the scope of the changes was noted. The inevitable impact of the changes on ENC was detailed and members were advised that although Universal Credit would, by default, be delivered digitally to customers, district councils would still be responsible for providing face-to-face support for the vulnerable and those who required it.

6.3 The original implementation timetable for Universal Credit was provided which stated that delivery of Universal Credit was expected to commence to new claimants from October 2013 using existing resources. Caseload migration would commence in October 2014 and the anticipated completion date for this was October 2017.

6.4 Members noted that the Local Housing Allowance (LHA) used in Housing Benefit calculations would be linked to the Consumer Price Index (CPI) from April 2013, as opposed to local rent prices. Restrictions on benefit levels would apply to families occupying properties larger than their needs, and there would also be a benefit cap introduced which would be linked to national average earnings in 2013.

6.5 Members were advised that Discretionary Housing Payment (DHP) funding would be trebled nationally to a figure of £60m each year from 2012/13 to 2014/15 to help assist the transition.

6.6 The introduction of a single fraud service in association with the Department of Work and Pensions (DWP) was noted.

6.7 Local Support for Council Tax

GH provided members with the financial perspective of localisation of Council Tax Benefits. Members noted that the government required local authorities to make a 10% reduction in current benefit expenditure. However, with all pensioners and "vulnerable groups" having their benefits protected, the remaining claimants would have to bear the brunt of these reductions. Members were provided with figures which estimated the potential impact of a 10% Council Tax Benefit grant reduction, and noted that as 57% of East Northamptonshire claimants were protected as pensioners, the real reduction figure on the remaining claimants was likely to be above 23%. Members were advised that they would be responsible for deciding the qualifications for "vulnerable groups".

6.8 Members were then presented with various solutions including:

- Maintaining benefits at current level
- Other service savings / budget cuts.
- Reduction of Council Tax benefits
- Reduction of Council Tax discounts: (Uninhabitable, repossessed, unoccupied/unfurnished)

6.9 A timeline of action for the Welfare Reform Sub-Committee was presented as follows:

- To agree the key principles for East Northamptonshire Council Tax Support Scheme for Year 1.
- Define "Vulnerability"
- Determine the Draft Local Scheme model
- Consultation with interested parties
- Amendments according to consultation responses
- Approval of the final model by November/December Council
- Inform the DCLG by 31 January 2013 (a Default Penalty scheme will be applied if no local scheme approved by that point)

Members were advised of the current positions of neighbouring councils, and it was noted that four London councils had already commenced the consultation stage.

6.11 It was

RESOLVED:

- (1) That option 7 be removed on the basis that it is considered to be unworkable.
- (2) That figures be supplied in respect of options 10, 12 and 13 at the next meeting.
- (3) That all other options listed be retained for consideration at the next meeting.

7.0 FUTURE MEETING DATES

Given that a considerable volume of follow-up data had been requested for presentation at the next meeting of the sub-committee, Members considered that a period longer than three weeks would be required in order to collate this information.

It was

RESOLVED:

That the next meeting of the Welfare Reform Sub-Committee would be held on Tuesday 28 August 2012 at 2pm, with subsequent meetings to be held every three weeks thereafter.

8.0 QUESTIONS RECEIVED FROM MEMBERS UNDER COUNCIL PROCEDURE
RULE 10.3

8.1 There were no questions received.

Chairman

Welfare Reform Sub Committee - Terms of Reference

The Welfare Reform Sub Committee is a standing sub committee comprising members of the Council's Policy & Resources Committee established to manage the impact of the implications of Welfare Reform on the Council It will meet at least monthly , with additional meetings as and when required.

Terms of Reference:

1. To monitor the Welfare Reform programme of projects and report to the Policy and Resources Committee accordingly.
2. To contribute to the development of the local policies on all aspects of Welfare Reform
3. To develop and recommend an East Northamptonshire Local Council Tax Support scheme to Council.
4. To ensure that the Council fulfills the consultation requirements as outlined by Central government when developing and approving a Local Council Tax Scheme for East Northamptonshire.
5. To monitor the phased development of Universal Credit and the transfer of benefit caseload to the Department of Work & Pension (DWP).
6. To consider and make recommendations to the Policy and Resources Committee on the financial aspects of all of the above
7. To liaise with neighbouring authorities on all aspects of Welfare Reform.

Waste & Recycling Working Party

MINUTES

Held on:	23 July 2012
Time:	11.30am
Place:	Room CHG2, East Northamptonshire Council, Thrapston
Present:	<p>Councillors: Glenn Harwood (Chairman) (GH), David Bateman (DB), Steven North (SN), Tony Boto (TB), Eloise Lucille (EL), Sylvia Hobbs (SH), Richard Lewis (RL) and Pam Whiting (PM)</p> <p>Officers: Mike Deacon (MD) Head of Environmental Services, Charlotte Tompkins (CT) Waste Manager, Mike Bailey (MB) Waste Officer and Zena Ireland (ZI) Administration Officer</p>

Action

- 1.0 Apologies for absence**
MD opened the meeting in the absence of an appointed Chairman. ZI confirmed that she received no apologies for the meeting.
- 2.0 Appoint Chair of Waste & Recycling Working Party**
- 2.1 MD asked for nominations for a Chairman for the Working Party. EL nominated GH and SN seconded this.
- 2.2 **RESOLVED:**
That Councillor Glenn Harwood be appointed Chairman of the Waste and Recycling Working Party.
- 2.3 GH proposed that RL be the Deputy Chairman; agreed by the Working Party.
- 3.0 Minutes of meeting held on 25 April 2012**
- 3.1 SH asked if any visits had been arranged for the Kier Chelveston Depot to see the IT equipment working; CT confirmed that once the systems were up and running this would be organised. MD asked if there were any Councillors on the Working Party are interested in visiting the Pure Recycling Plant; SH and EL confirmed that they were.
- 3.2 There were no amendments to the minutes; they were held as a true and accurate record of the meeting held on 25 April 2012.
- 4.0 Update of bid for Support for Weekly Collections fund**
- 4.1 CT mentioned that she is part of the project team working on a Countywide

application for the government funding; Wellingborough Council have opted out. The aim is for the partnership to secure funding and East Northamptonshire Council to use their portion for the promotion and education of weekly food collections. The deadline for the submission is 17 August 2012.

5.0 Waste contract performance update

5.1 MB provided the Working Party with a handout showing the performance against targets of the contract from April to June 2012. He went through the report explaining various matters in further detail, which were discussed by the meeting. The Waste Team investigations relating to fly tipping are resulting in various types of enforcement action e.g. the issue of a Fixed Penalty Notice (FPN), Warning Notices or Informal Warnings.

5.2 GH stated that it would be interesting to see where East Northamptonshire Council (ENC) came in the official ranking in terms of recycling rate now that the new waste contract has been in place for nearly 12 months. CT stated that the main statistic that the government look at are percentage of household waste sent to landfill; which in the case of ENC has significantly dropped.

6.0 Northamptonshire Waste Partnership (NWP) update by MD

6.1 MD mentioned that the NWP is currently looking at the County contract for disposal of residual waste. He confirmed that the draft document of the [Service Level Agreement](#) relating to residual waste collection and disposal in Northamptonshire went to Policy & Resources Committee on 2 July 2012. MD reminded the Working Party that if any 'material changes' relating to waste disposal are made consultation with the NWP is required; although as ENC had a new waste contract last year this is unlikely to apply.

6.2 As a result of the NWP Workshop that took place on Thursday 31 May 2012 to look at the future direction of the group an action plan is being produced; MD will bring this document to a future meeting for comments.

6.3 The Northamptonshire Joint Municipal Waste Management Strategy (NJMWMS) document will be going out for consultation shortly. MD confirmed that there will be a link to this on the ENC website; a copy of the strategy was circulated at the W&RWP meeting held on 25 April 2012.

6.4 Pete Hackett is covering the Executive Officer role for the NWP as Vanessa Kelly is currently on maternity leave.

6.5 The [Domestic Waste Storage and Collection Supplementary Planning Document](#) is going to Planning Policy Committee for adoption of the policy. ENC have received interest for this piece of work from across the County as the first Council to have this guidance.

6.6 The meeting discussed the various projects. GH reminded everyone that the Service Level Agreement for disposal of residual waste as mentioned in 6.1 of these minutes is still in draft format and comments on the document can still be made.

7.0 Garden Waste Service (GWS) update

7.1 CT confirmed that we have approximately 1300 residents signed up to the Council's GWS. Promotion of the service is ongoing and the Kier have posters promoting the service on the side their vehicles.

7.2 The meeting discussed how successful the new GWS has been and the future direction for the service. CT provided the meeting with a report outlining the background to the collection service and the details of current customers.

8.0 Proposal for the kerbside collection of textiles

8.1 When CT and GH visited the Pure Recycling Plant they noticed that there were a lot of residents putting textiles in the recycling wheeled bin. CT provided the meeting with a report on the potential of this service.

8.2 A pilot maybe carried out in the district to gauge views from residents on the service and whether it would be successful. CT is in discussions with Kier to see how this could work and the resources that would be required. GH stated that it was early days and was only being looked into at present; the meeting talked about how a service could work. DB suggested an educational article in Nene Valley News (NVN) might be a good idea.

9.0 Proposal for the kerbside collection of batteries

9.1 GH reported that he attended a meeting with RL where another Council mentioned they had success running a kerbside collection service for batteries. CT had prepared a report for the meeting outlining the basics of providing a service to the district.

9.2 The meeting discussed the report; TB asked about the possibility of residents placing the used batteries in small bags in the top of the refuse wheeled bins; CT confirmed that anything in a refuse bin goes straight to landfill and no sort takes place. The outcome of the report was the cost to the Council of running a kerbside collection service for old batteries derives minimal significant benefits. CT said that this could be looked at again in the future.

10.0 Proposal for commercial recycling collections

10.1 CT provided the meeting with a verbal update on this project. It is in the initial stages and discussions are taking place with Kier with regards to cost and resources that would be required to run this service. CT will bring a report to a future the Working Party when more details are known.

11.0 Update on 'where we are' with Clinical Waste

11.1 CT confirmed that a [Members Briefing](#) was issued on this subject in June 2012 outlining the changes to the current system. From 1 August low grade clinical waste will be going into the refuse wheeled bins. The Waste Team have written to approximately 100 residents affected by the change to advise them and offer larger capacity wheeled bins where appropriate.

11.2 The Waste Team will also be contacting the Health Care Professionals in the district advising how to request a clinical waste collection if required.

12.0 Any other business

12.1 CT stated that collection dates for Christmas 2012 are being looked at; a proposal of dates will be sent out with the minutes and any comments or suggestions should be fed back to CT.

12.2 The date of the next meeting will be Wednesday 24 October 2012 at 2pm.

Leisure Contracts Working Group (LCWG)

**Minutes of a meeting held on Tuesday 26 June 2012
at 4pm at East Northamptonshire House, Cedar Drive, Thrapston**

Present:

Councillors:	Cllr Phil Stearn (Chairman)	PS
	Cllr Tony Boto	TB
	Cllr David Jenney	DJ
	Cllr Brian Northall	BN
	Cllr Sylvia Hughes (late)	SH
Officers:	Lisa Hyde, Head of Customer & Community Services	LJH
	Katy Everitt, Head of Resources & Organisational Development	KE
	Richard Hankins, Amenities Manager	RH

Other Attendees (for agenda item 3 only)

Phil Morgan, GSS Architecture PM

Minutes: Sharon Prior, Executive Support Officer SP

ACTION

1. **Apologies**

1.1. Cllr PS confirmed apologies had been received from:-

- David Oliver
- Cllr Sarah Peacock

2. **Minutes from meeting held on 12 April 2012**

2.1. Cllr PS expressed his concern that a number of comments made at the last meeting had not been incorporated into the minutes of the 12 April 2012. Cllr PS requested that the minutes from this meeting of the Working Group (26 June 2012) include all elements of discussion under each item; SP to note.

SP

Matters Arising

2.2. **Minute 4.3.4 – Business Plan**

DJ enquired if CCP had submitted their 2012-13 Business Plan to date. LJH confirmed that this was currently work in progress.

LJH

2.3. Following no further comments on the minutes being raised, the minutes of the previous meeting held on 12 April 2012, as approved by Policy & Resources Committee on 9 May 2012, were noted.

3. **Welcome and Introductions**

3.1. Cllr PS introduced and welcomed PM to the meeting. It was noted that PM

was attending the meeting for discussion under agenda item 3 only – The Nene Centre (Cllr update).

4. **The Nene Centre – Councillor update**

4.1. ***Mansell draft programme of work and project costs***

4.1.1. **Meeting with Mansells – 25 June 2012**

KE confirmed she had met with Mansells the previous afternoon, who had provided the draft project costs and project programme for the Nene Centre roof and improvement works project. KE advised, due to only receiving the draft costs the previous day, there had been no opportunity for officers to review the information in detail, and therefore only high level information would be provided at this meeting. Cllr PS suggested that the Working Group would not need to be involved in the minutiae of this information, but noted that the Vice-Chair of the Working Group, Cllr Jenney, may like to review the costs with officers at some point. Cllr Jenney agreed to this suggestion.

Cllr DJ

4.1.2. **Policy & Resources Committee – previous decisions**

KE outlined the decisions previously made by Policy & Resources Committee in respect of funding for the roof replacement and leisure improvement works:-

Policy & Resources Committee – 12 September 2011

Minute 155 - Nene Centre Roof Update

The committee received an update on the Nene Centre roof and debated whether to carry out repairs and to continue legal action against the building contractor and others to recover costs.

RESOLVED:

- (1) That the repair of the roof commence in March/April 2012.
- (2) That the legal claims against the contractor and architect be pursued.
- (3) That authority be given to officers and nominated councillors to incur expenditure which will be subject to continual review of the likely success of the legal claim.
- (4) That further reports be made to the Policy and Resources Committee to identify any significant increased risk of the council not recovering costs.

R.9 RESOLVED TO RECOMMEND:

- (1) That provision of £600k be made in the council's capital programme to pay for the repairs.
- (2) That a provision of £550k be made in the council's revenue budget with a view to recovery of the costs being delivered from the legal case.

(Reason – to decide whether to proceed with the replacement of the roof and to pursue legal action against the contractor and architect, and to make financial provision for the committee's decision.)

Policy & Resources Committee – 29 September 2011

Minute 203 – Options for Leisure Facilities Management

R.13 RESOLVED TO RECOMMEND:

- (1) That £2.2 million be allocated in the capital programme for

- Improvements to the Nene Centre and Pemberton Centre;
- (2) That the investment be funded by using the balance of capital reserves plus an element of the earmarked asset management repairs and renewals revenue reserve.
 - (3) That the financial impact that will be built into the 2013/14 budget and the Medium Term Financial Strategy as a result of the investment be noted.
 - (4) That a Leisure Contract Member Working Group be set up with delegated powers to -
 - Determine the precise timing of the investment in the centres
 - Determine the most appropriate procurement option for management of leisure facilities, and
 - Oversee:-
 - (a) the competitive process to procure a specialist leisure construction company and related professional services to undertake the improvements to the facilities identified above; and
 - (b) the leisure facilities management procurement process.

(Reason: To take advantage of an 'invest to save' opportunity to generate significant returns from enhancing two of our leisure centres and to begin the process to put in place management arrangements beyond the expiry date of the current contract with CCP)

A summary of the funding previously approved by Policy & Resources Committee was noted:-

Nene Centre Roof replacement	£1.1m
Leisure improvements (Nene & Pemberton Centres)	£2.2m
Split down:-	
<i>Nene Centre improvements</i> (£500,000 for improvements, £200,000 for equipment)	£0.7m
<i>Pemberton Centre improvements</i>	£1.5m

4.1.3. **Nene Centre leisure improvements – proposals**

KE outlined the details of the leisure improvements, and a plan of what was included was presented to Members. It was noted that the improvements would include:-

- Bigger gym with 60 workstations instead of the current 35.
- New sauna, steam & relaxation area.
- Improved wet side and new dry side changing facilities.
- 2 new multi use studios.
- Upgrades to communal areas.

KE confirmed she and LJH had met with CCP representatives to discuss the designs/requirements for the building.

4.1.4. **Draft programme of works and project costs**

KE outlined a summary of the information received from Mansells at their meeting the previous day:-

ACTION

Draft project costs

Roof replacement	£1.2m (current budget £1.1m)
Leisure improvements	£650,000 (current budget £500,000)
Overall draft costs for Nene	£1.85m (current budget £1.6m – for works only, figures not include £200,000 for equipment)

Draft programme

Start on site	3 September 2012
Works duration period	42 weeks (10 months)
Roof to be completed by	mid-February 2013
Overall completion	1 July 2013

The meeting noted that the draft costs were currently over the allocated budget agreed by Policy & Resources Committee.

PM confirmed that these costs were draft target costs initially, and ENC would pay the actual costs of the works. Cllr DJ enquired if a profit share was included as part of these costs; PM confirmed a 50:50 share was included. PM also noted a 5% risk factor (£80,000) was also included. PM agreed to review the contract to determine who would be liable for the impact if the risk factor was exceeded.

PM

Further additional costs

KE noted further costs for the following would also need to be included in the overall cost:-

- Replacement of gym equipment
- Project Management costs (Pick Everard)
- Quantity Survey advice (PM)
- CCP costs

Potential project costs

KE confirmed the potential project costs for the roof replacement and the leisure improvement works at the Nene Centre could be up to £2m.

Original funding approved by Policy & Resources Committee meetings

Cllr PS reiterated the funding approved by Policy & Resources Committee meetings on 12 and 29 September 2011 for the works would need to remain, until such time as the Leisure Contracts Working Party made further recommendations to either Policy & Resources Committee or Full Council.

4.1.5. **Next Steps**

KE confirmed, following receipt of the draft costs from Mansells, the next steps were:-

- PM to undertake a review of the draft costs prepared by Mansells, for any savings that could be achieved.
- Glenn Hammons, the Council's Chief Finance Officer/S151 Officer, to review financial information associated with the whole project, including the legal case, for inclusion in the report for Council 16 July 2012.
- KE/LJH to prepare draft report for Council 16 July 2012.

PM

GHammons

4.1.6. Questions/comments from Members

Members noted the following questions and comments:-

- Cllr DJ noted we have an extremely strong legal case against the original contractor in terms of recoup costs, but one issue is the details of the contractor's own case is not yet known.
- Cllr PS enquired if there were any elements of the improvement works that could be claimed back through the legal case. KE confirmed some replacement equipment may be able to be claimed back, which may have been damaged as a result of the leaking roof. Two separate lists of costs would be prepared – costs that could be claimed back, and those that couldn't. Cllr PS requested a copy of these lists be available for discussion at the next meeting of the Working Group when considering the Council report; KE to follow up.

Cllr PS/KE

4.2. Status of roof replacement planning application

- 4.2.1. KE confirmed the planning application for the roof replacement would be considered at Development Control Committee on 11 July 2012.

4.3. Mobilisation Plan

4.3.1. CCP staff

KE advised the HR team had provided support to CCP for letters to their staff placing them at risk of redundancy. Cllr PS offered the Working Party's support for CCP staff in terms of the closure of the Centre; LJH to advise CCP.

LJH

4.3.2. Enquiries from customers/members of the public

LJH outlined comments received to date from customers and members of the public regarding the closure of the centre, particularly regarding the swim school.

4.3.3. Alternative service provision

LJH outlined proposals being prepared with CCP for alternative service provision for customers of the Centre:-

- The timetable at the Splash Pool may be able to be extended to accommodate some swimming lessons.
- All clubs currently using the centre have been advised of the temporary closure, and CCP staff are working with these clubs to identify possible alternative locations for their classes.
- A proposal to provide a temporary gym within the Members' Room (subject to planning permission for a change of use) is being investigated.

4.3.4. Site area for works

KE reported Mansells had advised of the site area required for the works to the Nene Centre, which would include:-

- First parking bay to be used for contractor's site huts, which will mean loss of car parking spaces.
- Bus turning circle will also be unavailable

ACTION

- A one-way system will be put in place for the car park
- 4.4. **Communication Plan**
- 4.4.1. **Member Briefings**
LJH noted two Member Briefings had previously been issued on the project, which are attached as appendices to these minutes. The Working Group noted their
- 4.4.2. **Communications during the works**
LJH advised Member Briefings and press releases would be issued through the works period, to ensure customers and Members were kept up-to-date.
- 4.4.3. **Ward Members - Communication**
Cllr PS agreed to discuss the involvement of communications surrounding the project via Thrapston Ward Members, at a future Conservative Group meeting. **Cllr PS**
- 4.5. **Report to Full Council on 16 July 2012**
- 4.5.1. KE advised a progress report on the Nene Centre roof and leisure improvement works at both Centres would be prepared by Full Council on 16 July 2012. This report would be confidential (pink paper).
- 4.5.2. The deadline for dispatch of this report was 6 July 2012. A further meeting of the Working Group would be arranged for w/c 9 July 2012 to review the report in detail before it was considered at Committee; KE/SP to arrange. **KE/SP**
- 4.6. **Summary of actions agreed under Section 4: Nene Centre**
- 4.6.1. The Working Group agreed the following actions under Section 4:-
- Cllr DJ to arrange to meet with officers to review draft costs received from Mansells, if required. **Cllr DJ**
 - PM to undertake a review of the draft costs prepared by Mansells, for any savings that could be achieved. **PM**
 - PM to review the draft contract with Mansells, in terms of risks/penalties. **PM**
 - Glenn Hammons, the Council's Chief Finance Officer/S151 Officer, to review financial information associated with the whole project, including the legal case, for inclusion in the report for Council 16 July 2012. **GHammons**
 - KE/LJH to prepare progress report for Full Council 16 July 2012.
 - KE/LJH to arrange next meeting of the Working Group for early July 2012 (w/c 9 July 2012), to consider the review of costs undertaken by PM and financial information on the legal case, to be prepared by Glenn Hammons. **KE/LJH**
KE/LJH
 - Cllr PS requested a copy of these lists be available for discussion at the next meeting of the Working Group when considering the Council report; KE to follow up. **Cllr PS**
 - Cllr PS offered the Working Party's support for CCP staff in terms of the closure of the Centre; LJH to advise CCP.
 - Cllr PS to discuss communications to members of the public during the works period (via Thrapston Ward Members) at the next Conservative Group meeting. **Cllr PS**
 - KE/SP to arrange next meeting of the Leisure Contracts Working Group **Cllr PS**

(LCWG) would need to be arranged for w/c 9 July 2012, to enable the Working Group to review the report to Full Council on 16 July 2012, before the meeting.

PM left the meeting at 4.53pm

5. **The Pemberton Centre – Councillor update**

5.1. **Kier appointment and current status of project**

KE provided an update on the leisure improvements project for the Pemberton Centre:-

- A formal meeting had now been held with Kier to discuss the improvement works, following a delay in contact of 4 weeks.
- Kier's Project Manager now appointed – Matthew Davis.
- Kier would now prepare a detailed proposal for the project, deadline for response was 6 weeks (16 July 2012).
- KE confirmed she had reiterated to Kier that the architect they appoint must have previously been involved in leisure improvement projects.

KE confirmed once the proposal from Kier had been received, this would be considered by a future meeting of the Working Group.

5.2. **Start date**

5.2.1. **Timetable for improvement works at both Centres**

KE confirmed Kier have advised they would be able to start on site as early as September 2012. KE and LJH both noted their concerns with this start date, as this would mean both projects could start at the time. Cllr PS, on behalf of the Working Group, confirmed he was happy for officers to agree start dates for both projects and advise the Working Group once agreed.

LJH also noted that CCP had advised they would have concerns with starting both projects at the same time, as Nene Centre customers had been advised that alternative service provision would be available at the Pemberton Centre during the closure. KE advised Kier would aim to keep the Pemberton Centre open during the works, but that there may be a period when the Centre could be closed, for a period of 4 weeks. Kier had agreed to discuss arrangements to close the Centre would be discussed with CCP in detail.

5.2.2. **Project update meetings with Kier**

LJH confirmed project update meetings would be held with Kier every two weeks to discuss progress/resolve any issues.

5.2.4. **Contract period**

Cllr DJ enquired on Kier's contract period. LJH confirmed this was proposed at 1 September 2012 until 14 January 2013, but that this may be subject to change.

6. **Appointment of Pick Everard – Councillor update**

6.1. KE reported back from a meeting with Pick Everard to discuss project management arrangements for the works over both Centres. Their

ACTION

proposal included:-

Pemberton Centre

Project Manager	c£26k
Quantity Surveyor costs	c£13k
CDM	c£6k

Nene Centre

Project Manager	c£27k (inclusive of CDM)
Quantity Surveyor costs	c£20k

- 6.2. Pick Everard (PE) would provide a fortnightly update to KE/LJH on progress with both projects. PE's project manager would also attend future LCWG meetings; KE/SP to note for future meeting invites.

KE/SP

7. Future meetings and update

7.1. **Proposed format**

KE enquired with Members, once work starts on the Nene Centre in September 2012, how often they would like to meet to receive updates. LJH suggested the same meeting format used by Saturn for the Stanwick Lakes Visitor Centre project be used. LCWG agreed to use this format for future meetings. Items for discussion at these meetings would include – timeline (budget/timetable/issues), communication plan, etc.

LCWG agreed to hold future meetings only a monthly basis as a standard arrangement, with additional meetings being added if required. These would be a joint meeting, covering both projects.

Cllr DJ suggested minutes from Project Manager/Contractor meetings be considered at the month LCWG meetings. It was suggested that the Project Manager/Contractor meetings be held a week before the LCWG meetings; KE/LJH/SP to note for timings/meeting arrangements.

KE/LJH/SP

7.2. **Attendance by CCP**

LJH confirmed CCP were now very involved with the project, and had requested to feed any issues that may arise during the works to the LCWG meeting. The meeting **agreed** CCP be invited to attend future LCWG meetings, but that these would be split into two parts, and CCP would be able to attend the first part to discuss operational matters. LJH/KE/SP to note for future meeting requests.

LJH/KE/SP

8. Date of Next Meeting

- 9.1. The next meeting of the Leisure Contracts Working Group would be arranged for w/c 9 July 2012, to consider the confidential report to Policy & Resources Committee on 30 July 2012; KE/SP to arrange.

KE/SP

- 9.2. Cllr DJ suggested he meet with PM to review the costs received from Mansells, before the report for Council is prepared. KE to arrange for DJ to meet with PM – suggestion 4 July 2012.

**KE/Cllr
DJ/PM**

ACTION

The meeting closed at 5.21pm.

LJH/KE/SP 3.7.12
Mins agreed 12.7.12

Leisure Contracts Working Group (LCWG)

**Minutes of a meeting held on Thursday 12 July 2012
at 5pm at East Northamptonshire House, Cedar Drive, Thrapston**

Present:

Councillors:	Cllr Phil Stearn (Chairman)	PS
	Cllr David Jenney	DJ
	Cllr Brian Northall	BN
Officers:	David Oliver, Chief Executive	DO
	Sharn Matthews, Executive Director	SM
	Lisa Hyde, Head of Customer & Community Services	LJH
	Katy Everitt, Head of Resources & Organisational Development	KE

ACTION

1. Apologies

- 1.1. Apologies had been received from:-
Cllr Sarah Peacock, Cllr Tony Boto and Cllr Sylvia Hughes

2. Minutes from meeting held on 26 June 2012

- 2.1. The minutes of the previous meeting were approved as a true record of the meeting.

Matters Arising

- 2.2. It was noted that the planning application for the roof replacement had been approved at Development Control Committee on 11 July 2012.
- 2.3. It was noted that change of use for the Members Room would be considered in September.

3. Report for Council 16 July 2012

- 3.1. KE to present the Leisure report to Council and Councillor Phil Stearn would speak first for the Councillors. KE would start by highlighting that most of the report is an update and decision would be required.
- 3.2. KE talked through the report – key purpose is to deal with financial implications of the latest implications which is section 5. KE clarified that target cost were the contractor's estimate. The additional required future budget to be agreed by Council is target cost plus client contingency (5%), as outlined in recommendation b) which represented additional costs for both the roof replacement

ACTION

and leisure improvements.

- 3.3 It was noted that the previous figures had been based on the estimates for roof repair rather than replacement. Also that the underspend splits were part of the SCAPE framework.
- 3.4 The additional time to achieve pay back on the investment in improved leisure facilities was noted and the fact that the rate of pay-back was based on the original leisure consultant's report
- 3.5 LH talked through the dialogue on costs with CCP regarding the closure and re-opening costs that were not going to cost ENC any more during this period - Cllr PS asked that point be highlighted to Council on Monday.
- 3.6 Section 5.6 of the report covered the legal and expert fees, covering the worst, likely and best scenario to give idea of possible positions - based on latest likely indications from legal advisor but would be subject to challenge by the contractor. Cllr DJ noted that we should have final figures for the legal claim before we got to court.
- 3.7 It was agreed KE would introduce the report at the Council meeting and highlight the key points. GH to follow up with financial aspects.
- 3.8 KE agreed to verify that the liquidated and ascertained damages are included in the contract to cover if the contractor doesn't perform.

Post-meeting update: KE confirmed that liquidated and ascertained damages would be included, but details would need to be negotiated with the contractor.

- 3.9 LH noted that some additional open swim sessions would be held at Splash - majority of complaints are regarding the swim schools. CCP are offering season users choice of suspending membership, seeking refund or transferring use to Pemberton Centre. CCP had customer communication plan.

4. **Date of next meeting**

SP to note

Wednesday 15 August 2012 at 4pm at The Pemberton Centre, Rushden. CCP to be invited to attend.

The following meeting would be held at Splash in advance of October P&R meeting.

SM 17.7.12