

POLICY & RESOURCES COMMITTEE

Date: 12 October 2009

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:-

Robin Underwood (Chairman)
Wendy Brackenbury (Vice-Chairman)
Andy Mercer (Leader of the Council)

David Brackenbury	Sylvia Hughes
Pauline Bradberry JP	Richard Lewis
Albert Campbell	Steven North
Roger Glithero JP	Anna Sauntson
Glenn Harwood MBE	

Also Present (for Agenda items 10 and 12):

Richard Smith, MACE Group
Steve McIntyre, FaulknerBrowns Architects
Nick Worley, FaulknerBrowns Architects
Peter Williams, Chief Executive, Cultural Community Partnerships

PART A ITEMS

171. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 14 September 2009 were approved and signed by the Chairman.

172. APOLOGIES

Councillors Philip Hardcastle and John Richardson MBE sent their apologies.

173. DECLARATIONS OF INTEREST

The following Councillors declared a personal and prejudicial interest in the agenda items indicated and were not present during the discussion and voting on the items:-

Councillor	Item(s)	Nature of Interest
Richard Lewis	6	Trustee, Rushden MIND
Richard Lewis, Andy Mercer, Steven North, Robin Underwood	10 and 12	Rushden Town Councillors

The following Councillors declared a personal interest in the agenda items indicated but remained in the meeting during the discussion and voting thereon:

Councillor	Item(s)	Nature of Interest
Robin Underwood	6	Mother-in-law uses the Nene & Ouse Community Transport scheme (report only mentions NOCT)
Glenn Harwood and Richard Lewis	9	Members of Rushden Historical Transport Society

174. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions.

175. PERSONNEL SUB-COMMITTEE - MINUTES

The minutes of the meeting of the Personnel Sub-Committee, held on 8 September 2009, were received. (These are set out on pages 250 to 251 and form part of this minute).

176. PROPOSED MODEL FOR FUNDING THE VOLUNTARY SECTOR IN EAST NORTHAMPTONSHIRE

The Committee considered a report from the Community Development Manager on how the Council could commission services from the voluntary sector in the light of the current and forecasted economic situation. It was noted that the County Council Review on better ways of working with the voluntary sector had not progressed to the original timeframe and that NCC would be rolling over its Service Level Agreements (SLAs) for one year into 2010/11 with no financial increase.

It was proposed, that, in future, the following approach be adopted by East Northamptonshire Council in relation to grants over £3,000 –

- SLAs to focus on outcomes rather than outputs and quantitative targets.
- The themes influencing funding should be:
 - Access to basic financial legal and other advice
 - Transport schemes which meet people's need to access basic services, at an affordable price
 - Access to information and support for residents affected by specific issues
- The process to cover (a) drafting specifications/SLA; (b) informing the voluntary sector of the process; (c) bidding by organisations; (d) decision making against published criteria and transparent scoring mechanism; (e) award of grant; (f) monitoring; and (g) governance (reporting to Members).

The Committee considered the timeframe for the above approach and the following options for 2010/11:-

- 1: Roll over existing SLAs for one year but with reduction in grant of 10% across the board (budget of £100,000)
- 2: Roll over existing SLAs for one year (budget of £111,049).

RESOLVED:

- (1) That Option 1 be approved and that the grants to the ten organisations set out in Table 1 of the report be rolled over in 2010/11 with a reduction of 10% across the board.
- (2) That the new grants approach outlined above be implemented from April 2011.
- (3) That the Council continues to investigate opportunities for joint working on grants processes within Northamptonshire.

177. LAND CHARGES FEES

Further to minute 412 (16 March 2009), Members received an update on performance of the Council's Land Charges service against income targets following the adoption of a cost recovery approach to fee setting involving the purchase of "bundled packages" of questions under four categories.

The take up by the personal search companies of the "packages" had been low, and as a result income was currently £45,000 against an anticipated full year income of £140,000. The majority of the personal search companies were not purchasing any of the data, and a few were purchasing only the Building Control Package.

Additionally, the Information Commissioner had issued guidance that a significant proportion of property search data could be environmental information which search companies could access free of charge under the Environmental Information Regulations 2004. However, the Local Government Association was challenging the position and had sought Counsel's opinion. If the Information Commissioner's guidance was upheld, it would have a significant impact on future income levels.

RESOLVED:

- (1) That the current position in relation to the Information Commissioner's decision and the potential implications of this decision, be noted.
- (2) That current search fees and the "bundled packages" approach to the supply of information be maintained for the present time.
- (3) That a further report be presented to this Committee upon the receipt of the Counsel's opinion.

178. PRIVATE SECTOR HOUSING FUNDING 2009/10

Consideration was given to a report on current expenditure on mandatory grants for disabled facilities in 2009/10 (DFG's). The current spend was £377,000 with an additional £174,000 approved awaiting completion and payment, giving a total predicted spend to date of £551,000. There were further applications awaiting final approval amounting to an estimated £150,000, some of which could be paid in this financial year.

Grants were being funded by the Council (£250,000) less a Department of Communities and Local Government (DCLG) allocation of £150,000, and supplemented by a 'Decent Homes'

contribution (£309,000) provided by the Government Office East Midlands (GOEM). An additional £126,000 was being provided by GOEM to fund a partnership 'Handyman' scheme in Wellingborough and East Northamptonshire.

Three options were put forward:-

- 1: Revise the budget to reflect the value of applications awaiting final approval and then impose a moratorium on further DFG applications in 2009/10
- 2: Revise the budget as in Option 1 but add a further £75,000 for further applications likely to be completed this year
- 3: Retain the level of funding and make no further payments for approved applications this year.

Options 1 and 2 would require amendment to the Council's approved Capital Programme.

RESOLVED:

- (1) That Option 2 above be adopted, subject to the Finance Sub-Committee, at its next meeting, amending the Capital Programme to take account of the additional £225,000 allocated in 2009/10 for Disabled Facilities Grants.
- (2) That the establishment of a prioritisation and deferred payment scheme for DFGs be approved.
- (3) That any savings from the 'Handyman' scheme be used to meet the cost of mandatory DFGs in 2009/10.
- (4) That a further report on the funding of Private Sector Housing Grants for 2010/11 and beyond, be considered once the Council's allocation from DCLG is known.

179. EAST NORTHAMPTONSHIRE GREENWAY PROJECT

Further to minute 312 (19 January 2009). The Committee received and noted an update on progress with the East Northamptonshire Greenway Project.

The Council had been successful in securing £750,000 under "Links to Schools" for the part of the Project linking Higham Ferrers and Rushden, and once an acceptance letter and Memorandum of Understanding had been received, the construction element of the Project could proceed. Funding for the Irthlingborough section would be sought through other funding streams.

Members noted the potential match funding to deliver the whole project. It was also noted that the Northamptonshire County Council would engage a main contractor via its Highways Contract and Officers were asked to clarify the extent of the land in County Council ownership and explore, with the County Council, ways of ensuring that the work was undertaken at the lowest possible cost.

RESOLVED:

That the construction element of the Greenway Project proceed following the award of "Links to Schools" funding.

180. CHANGE IN THE ORDER OF PROCEEDINGS & URGENT ITEM

The Chairman reported that he intended to take item 11 next and also drew attention to the need to consider an urgent item under section 100B (4) (b) of the Local Government Act 1972 relating to a House to House collection because the timing of the proposed collection was planned for a date before the next meeting of the Committee.

RESOLVED:

That agenda item 11 (Homelessness Grant and New Burdens Grant – Request for Delegated Powers) be taken next in the proceedings, followed by the Urgent item.

181. HOMELESSNESS GRANT AND NEW BURDENS GRANT– REQUEST FOR DELEGATED POWERS

The Committee was informed that homelessness grant had been paid to all Councils since 2003, had subsequently been incorporated into the Homelessness Budget and the current value was £30,000 per year. Since its introduction, Officers had sought to spend the grant on worthwhile projects, which contributed to tackling homelessness whilst also delivering value for money; details of these projects were outlined to the Committee and it was recognised that some of these projects had been approved by the Committee but not others. No specific authority had been granted by the Council to Officers to utilise and administer the remaining funding.

Members also noted that The New Burdens (Habitats Regulations Assessments and Climate Change Planning Policy Statement) Grant Determination 2009 entitled the Council to receive a new grant of £15,000 in 2009. Formal delegation was sought to enable officers to administer it.

RESOLVED:

- (1) That the Housing Strategy Manager and Head of Planning Services, in consultation with the Lead Member for Planning Services, be authorised to administer the annual CLG Homelessness Grant in 2009/10.
- (2) That, in future years, the approach to be adopted be based on similar principles to those which now apply to grants for voluntary organisations, taking into account any ringfencing and the administrative burden on organisations seeking grants below £3,000.
- (3) That, before deciding on delegation to administer the New Burdens Grant Determination 2009, a further report be submitted with additional information.

182. URGENT ITEM – HOUSE TO HOUSE COLLECTION

It was reported that the Committee had the power, under the Delegation Scheme, to determine applications for House to House collections where the Officers were minded to

refuse. It was appropriate for a small number of Members to look at the application in a similar way to Licensing and Taxi Panels to ensure that natural justice considerations applied.

RESOLVED:

That a Panel comprising Councillors Glenn Harwood, Andy Mercer and Anna Sauntson be appointed to determine the application under the House to House Collections Act 1939.

183. RUSHDEN REGENERATION – PROGRESS REPORT

Councillor Wendy Brackenbury was in the Chair for this item in the absence of Councillor Robin Underwood, following his declaration of a prejudicial interest

The Chief Executive reported on the considerable progress made on the Manor Park Leisure Centre project since the last report on 15 June 2009 (minute 37 refers). The project formed the first phase of the planned regeneration of Rushden. The Committee was invited to proceed to the next stage of the project.

The report addressed four key issues which had arisen during the project -

- The need for Splash and Pemberton to be replaced
- The level of facilities proposed at the new Centre
- The impact of the proposals on Rushden & Higham Rugby Club (R & HRC)
- The affordability of the proposals.

The public consultation had shown that many people felt that the proposed design lacked many of the facilities that they valued in the two existing centres, and also did not cater as well for people with disabilities. Changes had therefore been made to the designs to incorporate improved or additional facilities and the revisions were set out in Appendix B to the report.

The issues relating to R & HRC had still to be resolved but the Project Board favoured an option which required this Council to commit an amount equal to the cost of the new pitch towards relocating the club to a new site where the club would have room to expand. The Rushden Town Councillors on the Project Board had indicated that the Town Council may also be prepared to provide some funds towards that relocation. The Project Board was committed to working with the Town Council and the club to finding the best solution for all parties. The representatives from Faulkner Browns indicated that they were attempting to arrange a further meeting with the Rugby Club towards the end of October/early November but a firm date had still to be confirmed. It was hoped that Sport England would be able to adopt the role of "honest broker" at that meeting.

The affordability of the proposals was acknowledged by the Committee as well as the points detailed in the Chief Executive's report regarding the desirability of proceeding with the project now:-

- Nearly £3m of government funding was available now and was unlikely to be available after 31 March 2011.
- The Council was getting minimal interest on its reserves and the costs of borrowing were at an all-time low, so financing the project would be relatively cheap

- The construction industry was suffering from lack of business at the moment, so very competitive prices for the building work were expected.
- Significant cuts in local government funding were inevitable in the future, and the Council was unlikely to be able to afford the new Centre in a few years.
- The maintenance costs required to keep the existing facilities open for more than just a few years were considerable, with the costs of maintaining Splash alone estimated to be of the order of £3-4million, with no perceptible improvement from customers' perspective.
- The savings in running costs and the opportunity to increase income, primarily through health and fitness memberships, would be significant, and
- The likelihood that if the Manor Park Leisure Centre was not built now there would be no leisure facilities at all when the current ones reached the end of their lives.

The strategic context of the development was also strongly emphasised, and note was taken of the assessment of risk undertaken by the Audit & Risk Management Committee on both (a) proceeding with the project and (b) not proceeding at this stage (minute 141 refers).

The Committee considered the report at some length. The following points emerged during the discussion and in response to questions:-

- Some members of the public had concerns about the location of the facility outside the town, and accessibility. However, a travel plan and traffic measures were being drawn up, and accessibility to and knowledge of the location of, the current Pemberton Centre was not ideal.
- The cost of replacing filtration and air handling equipment, improving facilities and possibly the fabric of the building at the Splash Pool would be prohibitive.
- It was recognised that the plans for redeveloping the Splash Pool and Pemberton Centre sites were not known and once more information was forthcoming, it should assist public understanding
- It was not an ideal time to be committing £millions, because of the financial uncertainty around future levels of government funding, but it was the best ever time to borrow money as interest rates were very low. Members had also known for some time the likely cost of the Project
- The main benefits of combining wet and dry facilities on one site were greatly reduced operating costs and the opportunity of offering much improved facilities (eg different pool temperatures)
- Delay in submitting a planning application for the new Leisure Centre would add to costs
- The Council had to balance the interests of the general public with assistance given to a private club.

The Committee was minded to remove specific mention of R&HRC in the recommendations and refer instead only to replacing the pitch at Manor Park or providing replacement pitches elsewhere. However, in view of the forthcoming meeting with R&HRC, Members concluded that a decision should await one further attempt to address concerns, and it was

RESOLVED:

That a decision to proceed with the project be deferred to a Special meeting of the Committee at the end of October/beginning of November to enable a further meeting to be held with the Rugby Club in an attempt to resolve outstanding concerns

184. PROCEDURE RULE 8 – CONTINUATION OF MEETING

During discussion on the above item, just prior to 9.30pm, it was

RESOLVED:

That the remaining business on the agenda be completed.

185. EXCLUSION OF PUBLIC

It was

RESOLVED

That the public and press (with the exception of the Chief Executive of Cultural Community Partnerships, representatives of FaulknerBrowns architects and the MACE Group) be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, may be disclosed.

186. RUSHDEN REGENERATION – FINANCIAL ISSUES

Councillor Wendy Brackenbury was in the Chair for this item in the absence of Councillor Robin Underwood, following his declaration of a prejudicial interest

With reference to minute 183 (above), a report giving full financial information was considered by the Committee. It covered the funding position, the project budget, anticipated building costs, estimated operating deficit, overall financial implications, alternatives (with likely costs and pros and cons), risks and the strategic context.

The Chief Executive submitted revisions to some of the figures in the report. In view of the decision made under minute 183 (above) it was

RESOLVED:

That further consideration of the report be deferred to the Special Meeting of the Committee to be arranged.

Chairman

SPECIAL POLICY & RESOURCES COMMITTEE

Date: 26 October 2009

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:-

Wendy Brackenbury (Vice-Chairman – in the Chair)

David Brackenbury	Glenn Harwood MBE
Pauline Bradberry JP	Sylvia Hughes
Albert Campbell	John Richardson MBE
Roger Glithero JP	Anna Sauntson
Philip Hardcastle (from 7.20pm)	

Also Present:

Steve McIntyre, Faulkner Browns

Richard Smith, MACE Group

Peter Williams, Chief Executive, Cultural Community Partnerships

PART A ITEMS

193. PUBLIC SPEAKERS

The following people spoke on item 4 (Rushden Regeneration – Leisure Project):-

Adrian Dale – Chelveston
Councillor Dudley Hughes.

194. APOLOGIES

Councillor Lisa Costello sent her apologies. By virtue of their prejudicial interests, Councillors Robin Underwood (Chairman), Andy Mercer (Leader of the Council), Richard Lewis and Steven North were not present.

195. DECLARATIONS OF INTEREST

There were no declarations.

196. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions.

197. RUSHDEN REGENERATION: LEISURE PROJECT

Further to minute 183 (12 October 2009), the Committee continued its consideration of the report of the Chief Executive, and, in particular, whether the Council should proceed to the next stage of the project.

Richard Smith of the MACE Group reported on the meeting with the Rushden and Higham Rugby Club (R&H RC) on 21 October. The representatives of the Club had agreed in principle to a new layout of smaller pitches at Manor Park but had not yet released this response to the public.

The following points emerged in the further discussion:-

- The Manor Park site had been chosen after considering the disadvantages of the other alternative sites for a combination of “wet” and “dry” facilities. It was designed for the south of the District – not just Rushden – and the site was accessible from Higham Ferrers and Irthlingborough without customers having to travel through Rushden Town Centre
- The revised layout took account of the main points raised in the consultation and it now appeared that the objections of R & H RC had been overcome
- The future of leisure provision was dependent on the project going ahead and although it was not a statutory duty, people in the District deserved to have good, cost effective, leisure provision
- If the SPLASH site were to be considered seriously for a rebuilt or refurbished facility, it would have to close for the work to be undertaken and there were doubts about whether the site was large enough to accommodate both “wet” and “dry” facilities
- If the Manor Park development did not proceed, the Council would not be able to access the £2.9 million Government grants currently available.

On the other hand, Members appreciated that –

- The project would draw heavily on the Council’s financial reserves
- The Council would be removing facilities from Rushden Town Centre at a time when there was a real need to attract more custom to the town, and there did not appear to be certainty about the future use of the SPLASH and Pemberton sites if Manor Park was developed
- The financial climate had changed from the time the project was first mooted; in particular, less Government grant funding was available
- The Council was sending out mixed messages; it was looking to make savings but would be committing itself to a 40 year loan
- If planning permission were to be granted for Manor Park, it would automatically be referred to the Government Office.

The Committee noted that a decision to proceed with Manor Park could be taken under the Committee’s delegated powers but a conclusion not to proceed would require a recommendation to full Council as it would effectively be a departure from the budget and policy framework. However, a number of Members felt that the Council meeting should have the opportunity to debate the issues in full.

It was

RESOLVED:

That the Committee notes –

- (a) The strategic context for the development
- (b) The significant changes to the plans for the proposed Manor Park Leisure Centre as a result of the consultation feedback
- (c) The design changes to accommodate rugby pitches on the Manor Park site, and
- (d) The recommendation of the Project Board to continue with the existing shortlisted contractors for the construction phase of the contract.

198. EXCLUSION OF PUBLIC

It was

RESOLVED:

- (1) That the public and press be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, may be disclosed, but that the Chief Executive of Cultural Community Partnerships (CCP), and the representatives of the MACE Group and FaulknerBrowns be permitted to remain in the meeting to provide advice.
- (2) That the representatives from CCP, FaulknerBrowns and The Mace Group leave the meeting once the Committee is ready to make a decision.

199. RUSHDEN REGENERATION: LEISURE PROJECT - FINANCIAL ISSUES

With reference to minute 186 (12 October 2009), the Committee gave further consideration to the report giving full financial information on the Manor Park Leisure Project, covering the funding position, the project budget, anticipated building costs, estimated operating deficit, overall financial implications, alternatives (with likely costs and pros and cons), risks and the strategic context.

The Chief Executive drew particular attention to:-

- the risks of proceeding (and not proceeding)
- the advantages of proceeding now rather than at a later date – as outlined in on pages 247 and 248 of minute 183 of the last meeting (12 October 2009)
- the other options, with the arguments for and against, with particular reference to the probable absence of external funding as it would not be linked to Rushden regeneration.

Members asked a number of questions, which were answered by the representatives from CCP, the MACE Group and FaulknerBrowns, as well as the Council's Officers. Members believed that other Members of the Council should have the opportunity of considering this important issue and it was noted that both reports had already been circulated to all Members of the Council.

RESOLVED:

That decisions on the recommendations contained in the confidential report of the Chief Executive (to incorporate any outstanding recommendations made in the open report of the Chief Executive) be made by the full Council at its meeting on 2 November 2009.

Chairman