

COUNCIL MEETING

Date: 10 April 2017

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors:-

Rupert Reichhold	(Chairman of the Council)
Colin Wright	(Vice-Chairman of the Council)
Steven North	(Leader of the Council)
Glenn Harwood MBE	(Deputy Leader of the Council)

Rosalie Beattie	David Jenney
Tony Boto	Richard Lewis
David Brackenbury	Dorothy Maxwell
Wendy Brackenbury	Andy Mercer
Val Carter	Gill Mercer
John Farrar	Sarah Peacock
Richard Gell	Ron Pinnock
Roger Glithero JP	Anna Sauntson
Glenvil Greenwood-Smith	Geoff Shacklock
Helen Harrison	Alex Smith
Marian Hollomon	Phillip Stearn
Helen Howell	Robin Underwood
Dudley Hughes JP	Peter Wathen
Sylvia Hughes	Pam Whiting
Barbara Jenney	

504. MINUTE'S SILENCE

The Chairman proposed that the Council hold a minute's silence in memory of Peter MacGovern, a former Member of the Council, who had died recently.

Councillor MacGovern had been elected to East Northamptonshire Council in 1991, 1995 and 2007, originally representing the Stanwick Ward and later the Thrapston Market Ward and played an active role in the life of the local community through his work as a Councillor, including serving as a member of the Audit and Risk Committee, the Licensing Committee and later on the waste services transformation project.

The Council stood in silent tribute to former Councillor MacGovern.

505. PUBLIC SPEAKERS

In accordance with Council Procedure Rule 9, the following speakers addressed the meeting:

Mr Prangley – concerning the democratic processes involved in the Council determining the planning application relating to Warth Park at the Planning Management Committee meeting held on 29 March 2017.

Councillor Dave Munday (Stanwick Parish Council) - concerning the processes involved in the Council determining the planning application relating to Warth Park at the Planning Management Committee meeting held on 29 March 2017, particularly the consideration and weight given to the Stanwick Neighbourhood Plan..

506. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Marika Hillson, Sylvia Hobbs, Janet Pinnock, Roger Powell and Jake Vowles.

507. MINUTES OF PREVIOUS MEETING

The minutes of the Council meeting held on 1 March 2017 were agreed as a true and correct record of the proceedings.

508. DECLARATIONS OF INTEREST

No declarations of interest were made.

509. ANNOUNCEMENTS BY THE CHAIRMAN AND CHIEF EXECUTIVE

The Chairman made the following address to the meeting:

On 11th March, I was the guest of the Mayor of Peterborough at Peterborough Cathedral for Peterborough's "Last night of the Proms" which the Mayor sponsored in support of his Charities. The music was provided by the bands of the Royal Anglian Regiment and the Royal Army Medical Corps. Peterborough Cathedral was the right venue for this occasion: the history of the Cathedral goes back a long way.

On 18th March, the Chief Executive, Mrs Oliver and I were among the guests of the British - American Committee at the Stukeley Club at Alconbury RAF Station. Colonels Cullen & Yu, USAF, respectively Wing and Group Commanders are transferring out to other posts and took this opportunity to say farewell to our local communities. As the only Chairman or Mayor who elected to make a speech I wished the Colonels well in their future careers and to emphasise that we value the visiting American forces personnel and their families as good neighbours. This is a valuable underpinning of Britain's alliance with the USA which goes back to the War years and is very relevant in present challenging times.

On 29th March, at the invitation of the Rockingham Forest Trust I attended a photo shoot to celebrate and publicise the opening of a new children's play fort at Stanwick Lakes. This will add to the amenities available at Stanwick Lakes which is a positive and welcome asset in our East Northamptonshire community. Children, with their parents, will enjoy playing at grand strategy in general and the defence and capture of fixed positions.

On 1st April the Leader and I attended a photo-shoot at the Nene Centre to mark the coming into operation of our Council's contract with Freedom Leisure for the management of the Nene Centre and the encouragement of healthy living. I was impressed by the competence and confidence of our contractors' personnel.

The Chief Executive had no announcements to make.

510. LEADER'S ADDRESS

The Leader of the Council had no address to make.

511. REPORTS OF COMMITTEES

(a) Scrutiny Committee – 6 March 2017

The report of the above Committee, presented by the Vice-Chairman, Councillor David Jenney, was received.

(b) Planning Management Committee – 8 March, 29 March and 5 April 2017

The reports of the above Committee, presented by the Chairman, Councillor Phillip Stearn, were received.

After highlighting a number of concerns about the consistency of processes in relation to the recent determination of planning applications, including weighting to be given to public opinion, Neighbourhood Plans, consideration of possible appeal costs and availability of background information, in accordance with Council Procedure Rule 12.1 (d) (to refer something to an appropriate body or individual) Councillor Dudley Hughes proposed the following resolution:

“That the processes by which planning applications are determined by the Planning Management Committee be reviewed.”

The resolution was duly seconded by Councillor Helen Howell.

In response to issues raised concerning the planning application in respect of Warth Park, which had been determined at the Planning Management Committee meeting held on 29 March 2017, it was confirmed by the Council's Monitoring Officer that the Council had no powers to change the decision it had already made on the application.

On being put to the vote, 10 Members voted in favour of the resolution; 8 voted against the resolution and 9 Members indicated their abstention.

RESOLVED:

That the processes by which planning applications are determined by the Planning Management Committee be reviewed.

(c) Policy and Resources Committee – 13 March 2017

The report of the above Committee, presented by the Chairman, Councillor Richard Lewis, was received.

RESOLVED:

That the recommendation in the following minute be approved:

- 462** That, subject to the identified typographical amendments being made, the Food Safety and Health & Safety Service Plan 2017/18 be approved (pages 380 to 408).

(Reason: To ensure compliance with legislation.)

(d) Governance and Audit Committee – 20 March 2017

The report of the above Committee, presented by the Vice-Chairman, Councillor Colin Wright, was received.

RESOLVED:

That the recommendation in the following minute be approved:

- 473** That the changes to Part 4.3 Paragraph 5.49 of the Constitution to make additional provision for write off of debts as set out below be approved:

Excusal of debts due to the Council shall require the following authorisation:

Type of Debt	Revenues Manager or Benefits Manager	Any Member of the Corporate Management Team	Chief Finance Officer or Deputy S151 Officer	Relevant Committee
Business Rates/National Non Domestic Rates	Up to £100	Up to £1,500	Up to £25,000	Above £25,000
All other debts (including Council Tax & Housing Benefit)	Up to £100	Up to £1,500	Up to £25,000	Above £25,000

(Reason: To implement the recommendations of Internal Audit in relation to debt write off).

(e) Joint Standards Complaints Committee – 22 March 2017

The report of the above Committee, presented by the Chairman, Councillor Andy Mercer, was received.

(f) Planning Policy Committee – 3 April 2017

The report of the above Committee, presented by the Chairman, Councillor David Brackenbury, was received.

512. MOTIONS

It was reported that no Notice of Motions had been received under Procedure Rule 11.

513. QUESTIONS

The following two questions were submitted by Councillor Dudley Hughes under Council Procedure Rule 10.2:

Question 1

Concerning decisions at Planning Management meetings am I correct in assuming that all decisions should be made on the basis of Planning Regulations and not with regard to business rates or potential costs of an appeal and I request that these considerations should not be discussed in future at planning meetings as they detract from the basis of making decisions based on planning regulations only. There is a grave reputational risk to the Council if the public feel that decisions are made solely or partly on the basis there may be an appeal?

The Chairman of Council gave the following reply:

At the ENC Planning Management Committee, all decisions are made on the basis of the relevant material planning considerations. A process of checks and balances is in place to ensure that the committee members have the information they require to make sound and lawful decisions on the planning applications before them.

The Planning Management Committee's debates at committee are underpinned by clear presentations by officers based on detailed committee reports. The council's appointed legal officer is present at the committee to respond to questions from councillors as they arise. On occasion, when deemed necessary, the council's Monitoring Officer may also be present to answer appropriate questions that may arise from the committee members.

Where necessary, committee reports are supported by specialist consultancy and legal advice on specific issues. These, and a wide range of other planning issues, are weighed in the planning balance in the officer's recommendations to the committee. The committee is at liberty, as the decision-makers on the planning applications before them, to either agree or disagree with the officer's recommendations, or to defer their decision in order to seek further information or clarification.

It would not be right for decisions to be made solely 'on the basis that there may be an appeal'. However, it is legitimate as part of a debate for committee members to seek clarification, should they be considering refusing the application against the officer recommendation, of the likelihood of success at appeal and potential costs related to that process. It would be unusual for a local planning authority to disallow the consideration of such matters as part of the consideration of the wider planning balance on any particular planning application.

Supplementary question:

Councillor Hughes asked the following supplementary question:

Members have been trained in planning matters to only consider the planning issues involved. Is this now no longer the case?

The Chief Executive referred to the answer given by the Council Chairman and reiterated that consideration of the likelihood of success at appeal and potential costs were *part of* the balance of evidence considered in reaching a decision.

Question 2

When a planning decision has been made based on incorrect and misleading information what steps can the public and councillors take to rectify it?.

The Chairman of Council gave the following reply:

In such cases there are two potential routes for the public and councillors.

The first route is to make a formal complaint through the council's 'Customer Feedback and Complaints Policy'. If the complainant is not satisfied with the outcome of that process, a further case can be made to the Local Government Ombudsman.

The second route is through the formal Judicial Review process, related directly to the way in which the particular planning application was considered. There is a period of 6 weeks from the date of the decision for aggrieved parties to lodge a case for the Judicial Review of any particular decision.

The following question was submitted by Councillor Dorothy Maxwell under Council Procedure Rule 10.2:

Why was the environment report not available at the Planning meeting for Warth Park and also not available to the public?

The Chairman of Council gave the following reply:

The Head of Planning Services contacted Councillor Maxwell (by a telephone call at 12.15pm on Monday 10th April 2017) to clarify which 'environment report' she was referring to. Councillor Maxwell could not say for certain, but she thought it may have had something to do with wildlife. If this is the case, the Planning Management Committee report covered issues related to the Nene Valley Nature Improvement Area, and the Stanwick Lakes Special Protection Area and Site of Special Scientific Interest. The comments of Natural England were also reported.

Supplementary question:

Councillor Maxwell stated that the report she referred to in her question was not one of those mentioned, but one she thought related to light emissions and/or air quality.

The Chief Executive informed Councillor Maxwell that he would ask the Head of Planning Services to provide her with a written response after the meeting.

514. PROPOSAL TO CHANGE THE COUNCIL'S CONSTITUTION

The Monitoring Officer reported that consideration had been given by the Governance & Audit and Joint Standards Complaints Committees to proposed changes to the procedures for considering complaints made under the standards framework contained in Part 9 of the Council's Constitution (minutes 473 and 481 refer).

Both Committees had supported the removal of the right of appeal against referral of a complaint for investigation at the Initial Assessment stage of the process and the Council's approval to amend the Constitution was now sought.

RESOLVED:

That the removal of the right to appeal an Initial Assessment decision to refer a complaint for further investigation be approved and the Monitoring Officer be authorised to make appropriate changes to the Constitution.

(Reason: This proposal would assist in decreasing the length of time to complete investigations of complaints of alleged breach of the Code of Conduct for Councillors)

515. URGENT ITEM OF BUSINESS

The following item of business was added to the published Agenda with the consent of the Chairman in accordance with Section 100B(4)(b) of the Local Government Act 1972 in order to implement changes to Committee membership for the next cycle of meetings.

516. CHANGES TO COMMITTEE MEMBERSHIP

The Monitoring Officer reported that following the resignation of a Member from the Conservative Group on the Council and receipt of notification that the Member had joined the Independent Group, the entitlement to seats on Committees had been recalculated in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

The revised entitlements were circulated to Members.

RESOLVED:

That the revised entitlements to seats on Committees be noted.

517. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following items of business as it was likely that exempt information, as defined under paragraph 3 of Schedule 12A of the Local Government Act 1972 may be disclosed.

518. COMMERCIAL INVESTMENT OPPORTUNITY

The Chief Finance Officer presented a report seeking Council approval for the acquisition of a property in order to generate investment income.

At its meeting held on 19 December 2016, the Finance Sub-Committee had been made aware of a potential investment opportunity in a strategic location in Rushden. Acquisition of the site could generate a significant new income stream for the Council which would help create future financial sustainability, which was a key outcome in the Corporate Plan. Furthermore, this was a key strategic site within the District.

The Council had appointed a commercial property agent to provide advice and their report was submitted for consideration, together with details of the terms for the purchase of the site,

RESOLVED: That

- i) the acquisition of 1-6 Eaton Walk and 103 High Street, Rushden for the sum of £3.9m be approved
- ii) the Chief Executive and Chief Finance Officer, in consultation with the Leader of the Council and the Chairman of the Policy & Resources Committee, be authorised to finalise the terms of the contract for the purchase of the site, to complete and execute the purchase when all the due diligence has been completed and outstanding risks have been mitigated satisfactorily.
- iii) the sum of up to £3.9m be included in the Approved Capital Programme for 2017/18 to be funded by reserves as set out in paragraph 7.6 of the report.

(Reason: To secure significantly improved investment returns for the Council)

Chairman

PLANNING MANAGEMENT COMMITTEE

Date: 19 April 2017

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present: Councillors: Phillip Stearn

Chairman

Roger Glithero JP
Marika Hillson
Helen Howell
Dudley Hughes JP
Barbara Jenney

Ron Pinnock
Alex Smith
Robin Underwood
Pam Whiting

519. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Richard Gell, Helen Harrison, Lance Jones, Andy Mercer, Gill Mercer, Anna Sauntson, Geoff Shacklock and Peter Wathen.

520. MINUTES

(i) 29 March 2017

Two Members raised objections to the approval of the minutes as they did not believe that they fully reflected the discussion at the meeting due to the omission of a number of points made during the debate, including the number of public in attendance, the arrangements for the organisation of the site visit, the lack of weight given to the Stanwick Neighbourhood Plan, the lack of expertise available in relation to noise and air pollution and references to possible reasons for refusal.

It was moved and seconded that the minutes of the 29 March 2017 meeting be approved. On being put to the vote there were seven votes for, two against and no abstentions. Therefore, the minutes of the meeting held on 29 March 2017 were approved as a true and correct record of proceedings.

(ii) 5 April 2017

The minutes of the meeting held on 5 April 2017 were approved as a true and correct record of proceedings.

521. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Declarations of Interest

No declarations of interest were made.

(b) Informal Site Visits

No declarations of informal site visits were made.

522. QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

523. DELEGATIONS TO HEAD OF PLANNING SERVICES

The Committee received a report which provided an update on applications where actions had been delegated to the Head of Planning Services.

The Planning Development Manager advised that the draft conditions for application 15/00119/VAR Priors Hall were still in progress and the application 16/01662/FUL Rushden Lakes had been referred to the Secretary of State.

RESOLVED:

That the report be noted.

524. PUBLIC SPEAKERS

The following people spoke on the items as indicated:

- **Mr D Prichard** - 6/02336/FUL - Former Factory Site, Church Street, Irthlingborough (Agent for the Applicant)
- **Councillor D Maxwell** – 17/00319/REM – 3 Northampton Road, Rushden (Ward Member) and 17/00446/VAR – 65 Northampton Road, Rushden (Ward Member)
- **Mrs L Russell** – 17/00319/REM – 3 Northampton Road, Rushden (Objector)
- **Mr J Sidey** – 17/00319/REM – 3 Northampton Road, Rushden (Agent for the Applicant) and 17/00446/VAR – 65 Northampton Road, Rushden (Agent for the Applicant)

525. PLANNING APPLICATIONS

The Committee considered the planning applications report, with updated information on a number of the applications, and representations made by public speakers at the meeting.

(i) 16/02336/FUL – Former Factory Site, Church Street, Rushden

The Committee considered an application for the erection of two retail units (one Class A1 retail unit of 930 square metres, subdivided into 3 units and one mixed use class A1/A3 unit of 103.55 square metres) and twenty two storey dwellings with associated access, parking and landscaping. The application had been brought before the Committee in accordance with the Scheme of Delegation as it was deemed to be a major application and because of the history.

Members noted that three representations had been received from nearby residents. Irthlingborough Town Council had stated that there was currently no S106 money being offered by the developers against the proposed development and had requested that permission be withheld against the application until S106 money was made available and agreed. ENC Housing Strategy had objected that the application did not comply with Policy 30 of the Joint Core Strategy as it did not provide any affordable housing and the scheme exceeded the threshold of fifteen units which required 30% of the total dwellings to be affordable. Northamptonshire Highways had no objection to the application providing the same conditions as 15/00990/FUL were imposed.

Members noted that from the open-book assessment carried out by the applicant, a clear case had been made which demonstrated that the development could not support any S106 contributions and to insist on S106 contributions would further undermine the viability and deliverability of the scheme.

During debate on the application, Members requested that the words “traditional style roof tiles” be added to condition 5.

It was moved and seconded that the application be granted. On being put to the vote, the Committee **agreed to grant** the application, subject to the conditions detailed in the officer’s report, update sheet and the addition of the words “traditional style roof tiles” to condition 5.

(ii) 17/00319/REM – 3 Northampton Road, Rushden

The Committee considered a reserved matters application for the appearance, landscaping and layout pursuant to planning permission 16/00469/OUT. The previous application had granted the demolition of the existing building and outbuildings and permission for up to nine residential dwellings. The application had been brought before the Committee as the previous application had been determined by the Committee.

Members noted that Rushden Town Council had objected to the application and that several letters objecting to the application had been received from nearby residents. Northamptonshire Highways had no objection to the application.

During debate on the application, Members acknowledged that permission had already been granted for the number of dwellings on the site; however they were concerned that the site would be cramped and lack amenity space. Members were also concerned at the proposed removal of a fence between the site and a neighbouring property and requested that officers ensure that the fence was replaced as part of condition 2. Due to the proposed lack of amenity space, Members requested that if permission was granted, an additional condition be added to remove permitted development rights.

It was moved and seconded that the application be granted. On being put to the vote, there were eight votes for the motion, one against and no abstentions.

The Committee **agreed to grant** the application, subject to the conditions detailed in the officer’s report, update sheet and the addition of a condition to remove permitted development rights.

(iii) 17/00446/VAR – 65 Northampton Road, Rushden

The Committee considered an application to vary Condition 10 (shared access driveway) and Condition 20 (approved plans) pursuant to 15/01828/FUL. The application had been brought before the Committee due to its planning history.

Members noted that one letter objecting to the application had been received from a nearby resident and further noted that one letter of support for the application had also been received from a prospective purchaser. Northamptonshire Highways had no objection to the application.

It was moved and seconded that the application be granted. On being put to the vote, the Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report and update sheet.

(iv) 16/02318/FUL – Site 1020 Former Quarry, Old Kettering Road, Twywell

The Committee considered an application for the erection of new farm buildings which included cattle building, machinery store and hay and straw store. The application had been brought before the Committee in accordance with the Scheme of Delegation.

Members noted that three letters in support of the application had been received from nearby residents. Northamptonshire Highways had no objection to the application subject to the use of a drainage condition to prevent surface water draining onto the highway.

It was moved and seconded that the application be granted. On being put to the vote, the Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report.

526. APPEAL DECISION MONITORING REPORT

The Committee received a report which provided an update on the planning appeals determined by the Planning Inspectorate from 20 February 2017 to 31 March 2017.

RESOLVED:

That the report be noted.

527. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following item 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.

528. SECTION 106 AGREEMENTS – UPDATE

The Planning Development Manager submitted an update report detailing progress with regard to the drafting of S106 Agreements in respect of matters where the Committee had previously resolved to grant planning permission, subject to the prior finalisation of such an agreement.

Members considered a request by the Planning Development Manager for an extension of time in respect of application 15/01976/VAR Grensons, Queen Street, Rushden until 30 April 2017.

RESOLVED: That

- i) the report be noted.
- ii) the extension in respect of application 15/01976/VAR Grensons, Queen Street, Rushden be approved.

Members also considered a proposed variation to a S106 agreement:

- i) 08/00595/FUL – Former Garage Site, Station Road, Rushden

Following the meeting of the Planning Management Committee on 26 October 2016, where Members had felt that the proposed decrease in contributions was not acceptable, officers had arranged for another independent viability assessment to be undertaken. In the interests of securing a development on the site, it was now recommended that the S106 contributions be apportioned as follows:

- Delete the affordable housing requirement
- £0 to the Greenway as the most relevant stretch had already been completed
- £52,700 to public open space (full amount)
- £14,058 to education (full amount)
- £6,882 to libraries (full amount)

It was moved and seconded that the proposed variation to the S106 be approved. On being put to the vote, eight Members voted for the motion, none against and one abstention.

The Committee **agreed** that the proposed variation to the S106 be approved.

Chairman

POLICY AND RESOURCES COMMITTEE

Date: 24 April 2017

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: Richard Lewis (Chairman)
Glenvil Greenwood-Smith (Vice Chairman)
Steven North (Leader of the Council)
Glenn Harwood MBE (Deputy Leader of the Council)

Tony Boto Roger Glithero JP
David Brackenbury Andy Mercer
Wendy Brackenbury Sarah Peacock
Val Carter Phillip Stearn

529. WELCOME

The Chairman welcomed Greg Macdonald, the new Head of Economic and Commercial Development, to his first meeting of the Committee.

530. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Marika Hillson and Dudley Hughes JP.

531. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 13 March 2017 were approved and signed by the Chairman.

532. DECLARATIONS OF INTEREST

No declarations of interest were made.

533. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions submitted under Procedure Rule 10.3.

534. MINUTES OF SUB-COMMITTEES AND WORKING PARTIES

a) Housing Policy Working Party – 1 March 2017

The minutes of the meeting of the Housing Policy Working Party held on 1 March 2017 were received (see pages 447 to 450).

b) Personnel Sub-Committee – 20 March 2017

The minutes of the meeting of the Personnel Sub-Committee held on 20 March 2017 were received (see pages 451 to 453).

c) Homelessness Prevention Grant Panel – 29 March 2017

The minutes of the meeting of the Homelessness Prevention Grant Panel held on 29 March 2017 were received (see pages 454 to 456).

RESOLVED:

To award grant funding totalling £43,994 to the following applications:

Application	Award Given
Midland Heart – Shoemaker Court	£11,247
Midland Heart – High Street South	£11,247
ENCS – Night Shelter running costs, counselling and support*	£10,000
ENCS – Recovery House**	£5,000
Internal Homelessness Support Services including Severe Weather Emergency Protocol (SWEP) provision	£6,500
Total to be awarded	£43,994

*The Panel noted their concerns about the standard of accommodation at the Night Shelter and the grant was awarded in the expectation of a plan being put in place during 2017/18 to improve the facilities, together with improved accounting procedures.

**The Panel noted that the Recovery House was now showing a potential for substantial surpluses and would be expected to be self-financing in future years.

d) Finance Sub-Committee – 5 April 2017

The minutes of the meeting of the Finance Sub-Committee held on 5 April 2017 were received (see pages 457 to 459).

535. ECONOMIC GROWTH, TOURISM AND REGENERATION STRATEGY

The Executive Director presented the report which informed the Committee on the outcome of the consultation on the Draft Economic Growth, Tourism and Regeneration Strategy 2017-2020 and presented a revised version for adoption. The consultation draft had been publicised on the Council's website, via Destination Nene Valley Stakeholders and county Economic Development Officers.

The most significant number of changes had been proposed by the new Head of Economic and Commercial Development. His input had strengthened the business focus of the document and had expanded the overall vision. He had also sharpened the titles of the five thematic priorities.

Omissions noted in the responses related to the lack of public transport connectivity around the district, particularly north to south, and a lack of recognition of the role that arts festivals and other cultural activities played in the visitor economy. The strategy had been amended to reflect these comments.

Members welcomed the Strategy and the continued support for the Government's proposals for the dualling of the A45 between Stanwick and Thrapston, which was a key route in the district.

RESOLVED:

That the Economic Growth, Tourism and Regeneration Strategy be approved.

(Reason: To enable the effective implementation of the related outcomes in the Corporate Plan.)

536. CHARGING POLICY FRAMEWORK

The Finance Manager presented the report, which sought approval for the revised Charging Policy Framework. The Framework had been implemented in 2010 in recognition of the need to have a robust policy for charging of services and to ensure that fees and charges were set in a fair and consistent manner across the organisation.

To provide assurance on the implementation of the Framework, an audit had been carried out by Internal Audit, who recognised that there were still some actions that could improve the process. Following the audit, a number of changes had now been included in the document.

During discussion on the Framework, it was highlighted that paragraphs 3.1 and 10.3 of the document appeared to contradict each other. In response, the Finance Manager agreed to amend the wording of paragraph 10.3 to provide clarity.

RESOLVED:

That the revised Charging Policy Framework be approved, subject to the wording of paragraph 10.3 of the Framework being amended to provide clarity.

(Reason: To ensure the Council has in place a properly considered, consistent and informed approach when reviewing fees and charges it makes for its services.)

537. HOUSING WHITE PAPER AND BUILD TO RENT CONSULTATIONS

The Housing Strategy and Delivery Manager presented the report, which provided a summary of the Government's Housing White Paper and of the Build to Rent consultation document, which had both been issued by DCLG in February 2017.

The Housing White Paper set out a programme of reforms to tackle the long-standing national problems in the housing market and to ensure that more homes were built in the right places. It also outlined changes proposed to planning policy and legislation required to implement the proposals and set out some wider changes to national planning policy in relation to the definition of affordable housing, sustainable development and the environment.

The Government believed local authorities should consider the potential of the Build to Rent sector to help meet housing needs and it wished to revise the National Planning Policy Framework to support Build to Rent.

A revised response to the Housing White Paper consultation was tabled following consideration by the Housing Policy Working Party.

During discussion, Members raised a number of concerns with the proposals contained within the White Paper, including the additional burdens which would be placed on planning authorities and how these would be funded; the number of affordable housing units built in rural areas; land banking by developers; and that design should still be available as a valid reason to refuse a planning application. Planning in East Northamptonshire was working well and it was clear that the White Paper was aimed at those authorities who were not in our position. The issues within the housing market were not just planning related but also economic.

RESOLVED:

- (i) That the key measures proposed through the Housing White Paper and Build to Rent consultations be noted; and
- (ii) That the final responses to the consultations be delegated to officers, in consultation with the Chairman and Vice Chairman of the Policy and Resources Committee, with any comments raised to be referred back to the relevant Member if not clear.

(Reason: To inform the development of planning policy and housing strategy through providing consultation responses to the Government's Housing White Paper and Build to Rent proposals.)

538. HEALTHY AND ACTIVE LIFESTYLES STRATEGY

The Head of Customer and Community Services presented the report which looked to adopt the new Healthy and Active Lifestyles Strategy.

The Strategy had been developed to help build healthier and more active communities through participation in sport, physical activity and active recreation. The Strategy had been subject to an external consultation process involving First for Wellbeing, NSport, Freedom Leisure, Kings Cliffe Active and the NHS. With the development of the Strategy we had been able to link the healthy and active lifestyles programme to the Community Facilities Fund. We now ask that where we have given over £5,000 worth of funding to a facility they allowed us to use it for two hours a week, to help provide a variety of venues for the new outreach service.

During discussion, Members asked how any policy to restrict fast food outlets near schools could fit in with this Strategy. In response, officers advised that the developing local Neighbourhood Plans would be the most appropriate forum but it was accepted that not all areas of the district would be covered, so reference in the developing Local Plan Part 2 would also be appropriate.

RESOLVED:

- (i) To approve the Healthy and Active Lifestyles Strategy for public consultation; and
- (ii) That following satisfactory consultation, to delegate authority to the Head of Customer and Community Services, in consultation with the Chairman of the Policy and Resources Committee, to adopt the Healthy and Active Lifestyles Strategy.

(Reason: To encourage healthy and active lifestyles across East Northamptonshire.)

539. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following item of business as it was likely that exempt information, as defined under paragraph 3 of Schedule 12A of the Local Government Act 1972 may be disclosed.

540. STANWICK LAKES LEASE

The Head of Customer and Community Services presented the report which sought Members agreement to sign a revised lease for Stanwick Lakes.

The land on which Stanwick Lakes sits was owned by ENC and was subject to a 125 year lease between ENC and Rockingham Forest Trust (RFT). In consultation with RFT, via the Stanwick Lakes Management Board, it was agreed that the lease should be updated to reflect current working arrangements.

RESOLVED:

To delegate authority to the Head of Customer and Community Services, in consultation with the Chairman of the Policy and Resources Committee, to sign the revised lease for Stanwick Lakes.

(Reason: To encourage health and active lifestyles across East Northamptonshire.)

541. CHAIRMAN'S THANKS

The Chairman thanked all Members and officers for their support during the municipal year, especially the Vice Chairman, Councillor Greenwood-Smith.

Chairman



**Housing Policy Working Party
Minutes of meeting held on Wednesday 1st March
2017 at 2pm in the Kasen Room**

Present

Councillors	Tony Boto (Chair)	CllrTB
	Helen Harrison	CllrHH
	Richard Lewis	CllrRL
	Sarah Peacock	CllrSP
	Steven North	CllrSN

Also in attendance

Executive Director	Sharn Matthews	SM
Planning Policy and Conservation Manager	Richard Palmer	RP
Housing Strategy and Delivery Manager	Carol Conway	CC
Housing Services Officer	Louise Bagley	LB
Environmental Protection Manager	Jenny Walker	JW
Housing Officer	Aine Cooper	AC

Present for item 1

Consultant	Richard Turkington	RT
Consultant	Jon Watson	JWt

Present for item 2

Community Partnerships Manager	Mike Greenway	MG
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		<u>ACTION</u>
1.	Housing Mix Project – Presentation by Consultants Richard Turkington and Jon Watson	
1.1	The difference between housing need and demand was noted, with need defined as meeting the basic requirements of households and demand meeting people’s aspirations and preferences. Stage 1 – baseline report has 3 key aspects: <ul style="list-style-type: none"> • Practice review • Policy review 	

	<ul style="list-style-type: none"> Market review <p><u>Practice review</u> – the economic impact of housing can be assessed:</p> <ul style="list-style-type: none"> In relation to the construction of housing The impact on an area of new occupiers <p><u>Policy review</u> - Policy 30 encourages attractive housing opportunities to allow households to downsize. East Northamptonshire is one of the most affordable places within an hour of London, making the area well placed to develop larger homes. Transport links are key due to the large number of commuters.</p> <p><u>Market review</u> – this highlighted the need to provide suitable properties to provide options for people to downsize, as currently only 10% of older people downsize (not including those that need supported accommodation). Average sale price of a detached house is in the region of £315k. New builds account for 15% of all sales. It was noted there is a compressed market with little difference in value between 2 and 4 bedroom properties meaning it isn't worth selling due to poor return. Must ensure local need is met at right kind of cost.</p>	
1.2	<p>It is hoped the Rushden Lakes development will lead to much localised employment and aid in the retention of localised spend.</p> <p>It was agreed that the Chair or Vice Chair and RP will meet with consultants to discuss part 2 of the project, potentially progress an employers study and report back to the WP in April.</p> <p>The scope for premium self/custom build will depend on location.</p> <p>The presentation will be circulated via email to members of the Working Party.</p>	<p>RP/TB</p> <p>RP/CC</p>
2	Domestic Violence – Provision of Services Update	
2.1	<p>MG provided an update on the provision of services for victims of domestic violence. £590k has been secured for the county from the DCLG funding stream for the next financial year but there is no funding for future years.</p> <p>Services for abuse victims are to be put on a more sustainable footing. Changes need to be made to refuges as they are not safe places and can pose a risk to victims who may let perpetrators know where they are located. Secured within the bid is a support worker based in each district for the next twelve months. They will look at how services should change and at move-on arrangements. Northampton Women's Aid is currently looking into setting up a male refuge. There is also to be more emphasis on target hardening to provide extra security measures for victim's properties.</p>	
3.	Apologies	
3.1	Apologies were received from Paul Bland.	
4	Minutes of the Meeting of 18th January 2017	

4.1	<ul style="list-style-type: none"> It was noted that the Homelessness Grants Panels had its initial meeting, and after visiting some projects will make their recommendations following a meeting next week. JW is arranging transfer of funds from ENC to LGSS to exchange and complete next week on two property purchases. The Carnegie St compulsory purchase has been completed and is due to be processed. <p>The minutes were approved and signed by the Chairman.</p>	
5	Matters arising	
5.1	There were no matters arising not covered on the agenda	
6	Updates	
6.1	Housing	
6.1.1	No updates not covered on the agenda	
6.2	Welfare Reform	
6.2.1	No updates to note	
7	Housing White Paper	
7.1	<p>CC had prepared a presentation outlining the details of the White Paper.</p> <p>It was noted that a report would be going to Planning Policy Committee on 15th March, and that the WP would want to include comments on the housing related questions. It was agreed that these questions would be circulated to the WP, and any comments could be added before a combined draft response goes to P&R in April.</p>	
8	Clawback Policy	
8.1	<p>CC gave an overview of previous discussions of the clawback policy. There has been no further guidance from the government in respect of the VRTB. More pilots are to be carried out but it will not be rolled out until 2018 at the earliest.</p> <p>It was agreed that as clawback requests were usually complex and different circumstances they should continue to be taken to P&R until clarification regarding VRTB is received from the government, at which point the position will be reviewed.</p>	
9	Work Plan Update	
9.1	Updates to the work plan were noted.	
10	Risk Review	
10.1	Risk 4 – The Homelessness Reduction Bill will increase duties on the	

	council, particularly in respect of non priority homeless people, leading to an increase in homelessness applications. It was therefore agreed that the 'Likelihood' element of the risk should be increased to level 4 i.e. 'very high', resulting in a total risk score of 8.	
11	AOB	
11.1	There was no other business.	
12	Next and future meetings	
12.1	<ul style="list-style-type: none"> • 12th April 2017 • 17th May 2017 • 5th July 2017 	
	The meeting concluded at 15.48pm.	



Personnel Sub-Committee

Minutes of a Meeting held on Monday 20 March 2017 at 10.30am, East Northamptonshire House, Thrapston

Present: Councillors: Roger Glithero (Chairman)
Wendy Brackenbury
Glenn Harwood MBE
Steven North
Sarah Peacock

Officers: David Oliver Chief Executive
Katy Everitt Head of Resources and Organisational
Development
Aime Armstrong Human Resources Manager
Paul Bland Head of Planning Services (for item 7)
Lucy Hogston Benefits Manager (for item 6)
Michelle Drewery Finance Manager

1.0 APOLOGIES FOR ABSENCE

1.1 No apologies for absence had been received.

2.0 MINUTES

2.1 The minutes of the meeting of the Personnel Sub-Committee held on 23 January 2017 were approved and signed by the Chairman.

3.0 DECLARATIONS OF INTEREST

3.1 No declarations of interest were made.

4.0 QUESTIONS UNDER PROCEDURE RULE 10.3

4.1 There were no questions submitted under Procedure Rule 10.3.

5.0 WORKFORCE STATISTICS

5.1 The Sub-Committee reviewed data concerning staff sickness, turnover and the number of staff employed, particularly the impact of long-term absences on the overall sickness levels.

RESOLVED: That the report be noted.

6.0 PROCESSING HOUSING BENEFIT & COUNCIL TAX SUPPORT CLAIMS ON BEHALF OF THE BOROUGH COUNCIL OF WELLINGBOROUGH

- 6.1 The Benefits Manager presented a report setting out arrangements in place for ENC processing Housing Benefit and Council Tax Support claims on behalf of the Borough Council of Wellingborough. This included the contents of a Memorandum of Understanding which had been entered into by both Councils and which governed the basis on which the arrangement would operate.

RESOLVED :

That the report be noted.

URGENT ITEM OF BUSINESS

The following item of business was added to the Agenda with the consent of the Chairman in order that recruitment to the post could be commenced without unnecessary delay.

7.0 WASTE CONTRACT PROJECT ADMINISTRATOR POST

- 7.1 The Head of Resources and Organisational Development presented a verbal report regarding the proposed recruitment to the above post.
- 7.2 The post would be for a fixed-term contract of 18 months and the cost would be met from the £200k earmarked reserve for procurement in relation to the waste and leisure contracts. Notwithstanding this provision, there was some uncertainty as to whether the recruitment could commence without the approval of the Sub-Committee as it was a new post on the Authority's establishment. As a consequence of the issues raised by this case, the recruitment procedures in this respect would be reviewed and clarified in due course.
- 7.3 The Sub-Committee were of the view that the post was necessary and should be filled as soon as possible.

RESOLVED:

That approval be granted to recruit to the post.

(Reason: To ensure that adequate resources are in place for the duration of the procurement process so that the Council gets best value for money from the new contract)

8.0 EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following item of business because exempt information, as defined under paragraphs 3 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972, may be disclosed.

9.0 COUNCIL-WIDE ROLL-OUT OF PAPERLESS WORKING

- 9.1 The Business Transformation Manager presented a report reviewing the progress made following the introduction of paperless working in the Council's Development Management team; setting out the high level plans for rolling paperless working out to the rest of the Council and requesting that funds be made available from the Council's MTFS/Efficiency Plan Reserve to allow this work to continue.
- 9.2 The Leader of the Council questioned the use of reserves to fund the two temporary posts proposed. The savings identified in the report and the work to be carried out were within the same service area and these savings ought to be used directly to fund the continuation of the paperless working project rather than drawing from reserve funds.
- 9.3 The process of transferring savings achieved into reserves was outlined and it was acknowledged that these funds and the subsequent use of them to fund work to achieve further savings would benefit from improved identification and recording in the Authority's accounts. This would be examined for the future.

RESOLVED: That

- i) the sum of up to £14,000 be made available from the Council's MTFS/Efficiency Plan Reserve to fund an agency worker to take on the 'Co-ordinator' role in the Planning Data Project.
- ii) the sum of up to £12,500 be made available from the Council's MTFS/Efficiency Plan Reserve to fund the Revenue Support team to continue the preparation work required before the remaining planning files are sent for scanning.

(Reason: To enable this successful project to proceed in other areas of the council to deliver further efficiency savings)

10.0 LONG TERM SICKNESS ABSENCE

- 10.1 Following the Sub-Committee's last review of sickness absence data at the meeting held in November 2016, the Head of Resources and Organisational Development presented a report outlining current cases of long term sickness absence and action being taken to manage them.

RESOLVED:

That the report be noted.

(Reason: To note that long term sickness absence is being managed in accordance with legislation and the Council's Sickness Absence Policy and Procedures)

Chairman

Homelessness Prevention Grant Panel Meeting

Minutes of the meeting of Wednesday 29th March 2017 at 9.30am In the Member's Room, East Northamptonshire House

Present:

Councillors: Councillor Glenvil Greenwood Smith (Chair)
Councillor Tony Boto
Councillor Val Carter

Officers: Michelle Drewery, Finance Manager
Mike Greenway, Community Partnerships Manager
Carol Conway, Housing Strategy and Delivery Manager
Louise Bagley, Housing Services Officer

1.0	Apologies
1.1	There were no apologies.
2.0	Minutes of meeting of 9th March 2017
2.1	The Minutes of the meeting of 9th March 2017 were agreed as a true record and signed by the Chairman.
3.0	Recommendations to Policy and Resources Committee
3.1	Following visits to the projects, panel members had been impressed by the standard of accommodation and by the good support services offered to residents at Shoemaker Court and High Street South. It was considered these projects offered continuing good value for money. Panel members were satisfied that the bids from Midland Heart in respect of both Shoemaker Court and High Street South should be met in full.
3.2	Panel members had found the ENCS accounts confusing and had requested Michelle Drewery, Finance Manager, to look at them. Michelle had requested further information from ENCS and had studied the accounts in detail to ascertain the levels of grant requested compared with income and expenditure, together with reserves held. She explained her findings to the panel.
3.3	East Northants Community Services who had bid for both the Night Shelter and the Recovery House were noted to have moved from a position in 2015 of expenditure exceeding income, to forecasting surpluses in 2017. In addition, reserves in 2015 were minimal but a substantial reserve pot was anticipated for 2017. The Recovery House in particular was seen to be in surplus, with considerable payments of Housing Benefit received.
3.4	It was noted that the organisation had gone through a transitional period as a result of their partnership with Green Pastures, a Social Enterprise Company, and the

	acquisition of the Recovery House and several move-on properties. It was further noted that the build up of reserves was in line with Charity Commission recommendations.																							
3.5	Mike Greenway, Community Partnerships Manager, reported that East Northamptonshire Council had commissioned Voluntary Impact Northamptonshire to identify issues charitable organisations were facing and to look at the financial stability of them. This follows the closure of Wellingborough & East Northants Women's Aid (WENWA) and the impacts it had on East Northamptonshire residents. The council had concerns about some charities operating with extremely low reserves making them vulnerable to failure and leading to the loss of services in the district.																							
3.6	The panel felt there was potential to improve ENCS's accounting procedures. Michelle Drewery and Mike Greenway would be willing to help the organisation in this regard.																							
3.7	Concern was also raised, following a visit to the Night Shelter, about the standard of the accommodation. The panel considered that rather than concentrating on such a rapid build up of reserves, some of the surpluses should be diverted to improving or replacing the accommodation offered at the Night Shelter, potentially in partnership with a Registered Provider. The panel considered that the Night Shelter was providing good value for money but that it would need to ensure it continued to do so. If the council was providing funding to an organisation it should ensure the limited funds available were allocated appropriately to provide a good standard of service and promote best practice. It was accepted that improvements would take time to be delivered but it was anticipated that the newly appointed Operations Manager at ENCS would be able to set out a plan for moving forward.																							
3.8	It was agreed by the panel that they would award the grants to ENCS as requested for 2017/18 but that in future years they would expect the following: <ul style="list-style-type: none"> • Improved accounting procedures • Recovery House to become self-financing • Plans and a timetable to be put in place for the improvement of the accommodation at the Night Shelter. 																							
3.9	The panel therefore considered and agreed their decision on each of the applications as follows:																							
3.10	<table border="1"> <thead> <tr> <th>Application</th> <th>Decision</th> <th>Award Given</th> </tr> </thead> <tbody> <tr> <td>Midland Heart – Shoemaker Court</td> <td>Approved</td> <td>£11,247</td> </tr> <tr> <td>Midland Heart – High St South</td> <td>Approved</td> <td>£11,247</td> </tr> <tr> <td>ENCS - Night Shelter running costs, counselling and support*</td> <td>Approved</td> <td>£10,000</td> </tr> <tr> <td>ENCS – Recovery House**</td> <td>Approved</td> <td>£ 5,000</td> </tr> <tr> <td>Internal Homelessness Support Services including Severe Weather Emergency Protocol (SWEP) provision</td> <td>Approved</td> <td>£ 6,500</td> </tr> <tr> <td>Total to be awarded</td> <td></td> <td>£43,994</td> </tr> </tbody> </table> <p>*The Panel noted their concerns about the standard of accommodation at the Night Shelter and the grant was awarded in the expectation of a plan being put in place during 2017/18 to improve the facilities, together with improved accounting procedures.</p>			Application	Decision	Award Given	Midland Heart – Shoemaker Court	Approved	£11,247	Midland Heart – High St South	Approved	£11,247	ENCS - Night Shelter running costs, counselling and support*	Approved	£10,000	ENCS – Recovery House**	Approved	£ 5,000	Internal Homelessness Support Services including Severe Weather Emergency Protocol (SWEP) provision	Approved	£ 6,500	Total to be awarded		£43,994
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ENCS – Recovery House**	Approved	£ 5,000																						
Internal Homelessness Support Services including Severe Weather Emergency Protocol (SWEP) provision	Approved	£ 6,500																						
Total to be awarded		£43,994																						

	**The Panel noted that the Recovery House was now showing a potential for substantial surpluses and would be expected to be self-financing in future years.
3.11	The Panel expressed their thanks to Michelle Drewery for her assistance.
4.0	Consideration of future homelessness prevention funding requirements
4.1	A report on the future funding requirements for homelessness prevention would be brought to a future meeting of the Policy and Resources Committee.
5.0	Confirmation of recommendations to Policy and Resources Committee
5.1	The Panel Resolved to Recommend to the Policy and Resources Committee on 24 April 2017 the award of grant funding totalling £43,994 to the projects as outlined in 3.8 above.
6.0	Date of next meeting
6.1	It was agreed that a date for the next meeting of the panel would be scheduled for late April/early May to review the future funding requirements.
	The meeting concluded at 10.25am.



Finance Sub-Committee

Minutes of a meeting held on Wednesday 5 April 2017 at 7.00pm, East Northamptonshire House, Thrapston

Present: Councillors: Steven North (Chairman)
David Brackenbury
Val Carter
Roger Glithero JP
Glenvil Greenwood-Smith
Glenn Harwood MBE
Richard Lewis

Officers: David Oliver (Chief Executive)
Glenn Hammons (Chief Finance Officer)
Michelle Drewery (Finance Manager)

1.0 APOLOGIES FOR ABSENCE

1.1 No apologies for absence had been received.

2.0 MINUTES

2.1 The minutes of the meeting of the Finance Sub-Committee held on 6 February 2017 were approved and signed by the Chairman.

3.0 DECLARATIONS OF INTEREST

3.1 No interests were declared.

4.0 QUESTIONS UNDER PROCEDURE RULE 10.3

4.1 There were no questions submitted under Procedure Rule 10.3.

5.0 BUDGET MONITORING TO 28 FEBRUARY 2017 (HIGH RISK REVIEW ONLY)

5.1 The Finance Manager provided an update on the revenue and capital positions against the approved budgets for the period ended 28 February 2017.

5.2 Since the budget had been approved in February 2016, the total budget had been revised to £9,167,706. The decrease in budget related to net interest receivable and carry forwards from 2015/16 totalling £32,321 (net) approved during the year. The estimated outturn for services for the year was an underspend of approximately £174,000.

- 5.3 A summary of the expenditure to date against budget and the estimated outturn for the year and variance against budget for each service area was submitted. Where there was a significant variance, the Sub-Committee requested that explanatory notes be included in future reports.
- 5.4 The Council had recently completed a procurement exercise and Freedom Leisure had been selected as the new provider of leisure and outreach services across the district. This contract had commenced on 1 April 2017 for a period of 10 years and included provision for investment at each of the sites totalling £846,000, of which ENC had committed to provide £140,000 of capital funding in support of works that had been identified in building surveys carried out in 2016.
- 5.5 The Sub-Committee was requested to approve the transfer of £140,000 from the Development Pool to the Approved Capital Programme so that this funding could be made available for Freedom Leisure. It was also considered prudent to approve the carry forward of funding into the 2017/18 financial year so as not to cause any delay to the programme of works being carried out.
- 5.6 It was noted that the anticipated underspend for the year would be transferred to Reserves. Should Members wish to use some of these funds for specific purposes, earmarked Reserves could be created to designate these funds for identified purposes.
- 5.7 It was noted that there were currently 223 Business Rates appeals outstanding and the estimated impact on ENC was £700,000. Provision had been set aside in Reserves to meet this.
- 5.8 Performance data on a number of financial activities was submitted for the Sub-Committee's information, including debt write-off. A report would be submitted to a future meeting regarding the Council's debt write-off policy, which the Sub-Committee considered was in need of review, together with details of debts written off. The Sub-Committee also considered that the Governance and Audit Committee should review the processes used in writing off debts owed to the Council.

RESOLVED: That

- i) the latest revenue, capital and reserves positions for 2016/17 be noted.

(Reason: This is for information / monitoring purposes)

- ii) the transfer of £140,000 from the Development Pool to the Approved Capital Programme be approved and this funding be carried forward into 2017/18 to support the programme of works being carried out by Freedom Leisure (as set out in paragraph 4.7 of the report)

(Reason: To follow the formal process for approval of the amendment to the Capital Programme Budget for 2016/17)

- iii) the collection and write off performance for sundry debtors, local taxation and benefit overpayments as set out in Appendix 3 of the report be noted.

(Reason: This is for information / monitoring purposes)

- iv) with regard to debt recovery performance measures, the Governance and Audit Committee be recommended to review the Council's debt write-off processes

(Reason: To provide assurance that debt recovery procedures are effective)

6.0 TREASURY MANAGEMENT REPORT TO 28 FEBRUARY 2017

- 6.1 The Chief Finance Officer presented a report outlining the Treasury Management position for the period ended 28 February 2017.

RESOLVED:

That the Treasury Management performance for the period to 28 February 2017 be noted.

(Reason: In accordance with CIPFA guidance and best practice in Treasury Management)

Chairman

GOVERNANCE AND AUDIT COMMITTEE

Date: 26 April 2017

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: Colin Wright (Chairman)
Peter Wathen (Vice-Chairman)

Robin Underwood

External attendee:

Rachel Ashley-Caunt (Head of Internal Audit)

542. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Alex Smith.

543. MINUTES

That subject to "if" being amended to "of" in minute 467, the minutes of the meeting held on 20 March 2017 were approved and signed by the Chairman.

544. DECLARATIONS OF INTEREST

No declarations of interest were made.

545. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

546. FUTURE OF INTERNAL AUDIT

The Chief Finance Officer presented a verbal report on the current position regarding the internal audit service. Staff had transferred to LGSS on TUPE arrangements on 1 April 2017 and the audit team were operating as before and clients would not notice any appreciable difference in their audit arrangements.

Now that the new arrangements were in place, it would no longer be necessary to have the future of Internal Audit as a standing Agenda item.

RESOLVED:

That the report be noted.

547. INTERNAL AUDIT PROGRESS AND PERFORMANCE

The Head of Internal Audit provided Members with information on the progress made by the Consortium on the delivery of the Annual Internal Audit Plan for 2016/17 and associated measures of performance.

It was confirmed that since the Committee report had been prepared, all assignments had been completed and reports issued. No significant control weaknesses or issues of concern had been identified.

With reference to the Debtors function report, the Committee noted that an annual report on debt write-off was submitted to the Policy and Resources Committee and quarterly reports were submitted to the Finance Sub-Committee as part of the budget monitoring reports.

The Committee expressed concern at the period of time some of the overdue actions arising from Internal Audit recommendations had over-run their completion date, particularly in relation to the Data Management report which was originally due for completion on 31 August 2014 and now had a revised completion date of 31 March 2017. It was agreed that a report on progress on this item would be submitted to the next meeting of the Committee.

RESOLVED:

That the progress and performance of the Consortium and the key findings from audits delivered during the period be noted.

(Reason: To review the performance of Internal Audit against the agreed plan and any key findings regarding the Council's risk management and control arrangements in accordance with the Public Sector Internal Audit Standards)

548. NATIONAL SCHEME FOR APPOINTMENT OF EXTERNAL AUDITORS – UPDATE

The Finance Manager reported that on 12 December 2016 the Council had decided to opt into the Public Sector Auditor Appointments (PSAA) national scheme for the appointment of external auditors following a recommendation from this Committee.

The period for applications to join the PSAA national scheme for auditor appointments had closed in early March 2017 and 483 eligible bodies (over 98%) had opted to become members of the scheme. As a result, PSAA had confirmed their commitment to put in place arrangements to assure the provision of quality audit services by qualified suppliers at affordable fee scales.

A number of critical next steps would be taken by PSAA which were outlined to the Committee. In view of the ongoing developments, it was considered that this should form a standing item on future Agenda for the Committee.

It was noted that from 2018/19 there would be no provision in legislation for PSAA to make arrangements for housing benefit subsidy certification work on behalf of the Department for Work and Pensions. PSAA would assist the Department to develop appropriate successor arrangements and the Committee would be kept informed of these developments.

RESOLVED:

That the update be noted.

(Reason: To provide assurance that the Council has appropriate arrangements in place and can satisfy its obligations in appointing an external auditor in accordance with the deadline of 31 December 2017).

549. PROGRESS ON EXTERNAL AUDIT

The Chief Finance Officer presented a letter which had been received from the Council's External Auditors, KPMG, outlining progress made with their audit. No significant issues had been identified for the current year and the final ISA260 report would be submitted to the Committee in July 2017.

RESOLVED:

That the content of the letter be noted.

550. ANNUAL REPORT OF GOVERNANCE AND AUDIT COMMITTEE

The Finance Manager reported that Chartered Institute of Public Finance and Accountancy (CIPFA) in their guidance note 'Audit Committees – Practical Guidance for Local Authorities', recommended that an Audit Committee should undertake an annual review of its effectiveness and produce an annual report on its activity. The Committee had not undertaken these tasks previously, but had agreed that it would be useful to do so.

The effectiveness review had been undertaken using a self-assessment checklist produced by CIPFA and the results were included within the draft annual report covering the Committee's activities during 2016/17.

RESOLVED:

That subject to the necessary grammatical amendments being made, the annual report of the Governance and Audit Committee attached at Appendix A, be approved.

(Reason: To ensure the Governance & Audit Committee are following good practice guidelines on performance and effectiveness)

551. RISK MONITORING UPDATE - QUARTER 4 (2016/17)

The Finance Manager presented a report setting out the Council's risk scores for the period ended 31 March 2017. There were currently no overdue actions arising from the Risk Register.

In response to issues raised by the Committee regarding ENC, rather than its contractors, not complying with Health and Safety legislation for which there was not an item included in the risk report, the Finance Manager undertook to provide Members with a response after consulting the Head of Environmental Services.

RESOLVED:

That the current status of risks included in the report for period to March 2017 be noted.

(Reason: To ensure the Council has an up to date and effective risk reporting process in place)

552. CHAIRMAN'S ANNOUNCEMENT

The Chairman announced that this would be his last meeting as Chairman of the Committee before taking office as Chairman of the Council. Councillor Wright thanked those Members who had served on the Committee, together with officers, for their support since the Committee had been established in 2014.

Chairman

ANNUAL REPORT OF THE GOVERNANCE AND AUDIT COMMITTEE

1. Background

The purpose of the Governance and Audit Committee is to oversee and provide independent assurance of the adequacy of the risk management framework and control environment, scrutiny of the authority's financial and non-financial performance in that context, and oversee the financial reporting process, including:

- To review summary internal audit reports and actions arising from them
- To consider reports of external audit and inspection agencies and monitor action arising from them
- To monitor the effective development and operation of risk management and corporate governance
- To monitor the effectiveness of the whistleblowing and anti-fraud and anti-corruption policies
- To approve the annual governance statement
- To approve the annual statement of accounts for publication

The Terms of Reference can be found in the Constitution.

This report, in line with best practice, sets out the committee's work and performance during the year, including how it has met its terms of reference.

2. Membership of the Committee and meetings

The Committee comprises 7 members which are appointed by the Council at its Annual Meeting each year. The following Councillors were appointed for the municipal year 2016/17:

- Cllr C Wright (Chairman)
- Cllr P Wathen (Vice-Chairman)
- Cllr J Farrar
- Cllr L Jones
- Cllr V Raven-Hill
- Cllr A Smith
- Cllr R Underwood

The Committee met on the following dates:

- April 18th 2016
- July 6th 2016
- Sept 7th 2016
- Nov 30th 2016
- Feb 1st 2017
- Mar 20th 2017

Senior Officers from the Council are also present, including the Monitoring Officer, Section 151 Officer, Finance Manager, Internal Audit Manager and, where appropriate, the External Auditor (KPMG) will also attend. The Chair and Vice Chair of the Committee also meets in private with Internal Audit and the Finance Manager on a regular basis.

3. Governance and Audit Committee business

During the year the Committee conducted the following business:

- Received the annual internal audit report for 2015/16
- Approved the internal audit plan for 2016/17
- Received internal audit updates of progress against the audit plan for 2016/17
- Monitored the implementation of actions recommended by internal audit
- Received limited assurance reports across a number of areas and requested follow up work to assess the implementation of agreed actions
- Considered proposals for the internal audit plan for 2017/18
- Considered and recommended the arrangement for future delivery of Internal Audit service
- Received the external audit plan for 2015/16
- Reviewed and contributed to a draft of the Annual Governance Statement
- Approved the Statement of Accounts for 2015/16
- Received the external auditors Annual Governance Report (ISA260)
- Received technical updates from external auditors
- Considered and approved the future appointment of External Auditors
- Considered its training requirements
- Received and scrutinised the risk register
- Received the annual letter from the Local Government Ombudsman
- Completed an assessment of its own effectiveness

4. The Committee's main achievements

The Committee believes its key achievements during the year were:

- Effective challenge and questioning of officers in respect of audit reports
- Development of a process for follow up on specific audit reports to provide further assurance that control weaknesses are being addressed
- Improving its knowledge base through attendance at various training sessions throughout the year (as detailed in section 5)
- Review of Risk Register in order to seek assurance that key risks are being appropriately mitigated. Thereby, providing additional assurance through a process of independent review
- Satisfying itself that appropriate investigation was undertaken and action taken in relation to the Health and Safety audit
- Satisfying itself that appropriate investigation was undertaken and action taken in relation to purchase order process
- Scrutinising the Statement of Accounts prior to approval
- Review of Code of Conduct and Constitution

5. Training events

The Committee have received training on the following during the last year:

Assurance and the Assurance Framework
The Statement of Accounts 2015/16

6. Result of Audit Committee effectiveness review

The Committee completed an effectiveness review based on CIPFA guidance. The conclusion of the review is that the Committee is effective in its role but the following action points were noted:

- In order to ensure the role and purpose of the Committee is understood across the authority, an Annual Report of the Governance and Audit Committee will be presented to Council each year
- The Committee will review its terms of reference to ensure they are still fit for purpose
- The Committee will carry out an annual evaluation to assess whether it is fulfilling its terms of reference and consideration is being given across all core areas
- The Annual Report will include an action plan to address any areas of weakness highlighted in the annual evaluation
- Whilst the Committee has not formally completed a skills assessment, the Chair is satisfied that the individual experience and knowledge of Committee members allows the Committee to adequately discharge its duties
- The Committee will continue to work with the Joint Standards Complaints Committee to support ethical values and review the Code of Conduct and the Constitution to achieve those values

7. Conclusion

The Committee was able to confirm:

- That the system of internal control, governance and risk management in the authority was adequate in identifying risks and allowing the authority to undertake the appropriate management of these risks
- That there were no areas of significant duplication or omission in the systems of internal control, governance and risk management that had come to the Committee's attention, that had not been adequately resolved or were in the process of being resolved.

The Committee's conclusion is based on assurance gained from its own work and the work of Internal Audit and External Audit.

LICENSING COMMITTEE

Date: 27 April 2017

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:- Glenvil Greenwood-Smith (Chairman)

Tony Boto	Geoff Shacklock
Richard Gell	Peter Wathen
Dorothy Maxwell	Pam Whiting
Gill Mercer	

553. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Roger Glithero JP, Barbara Jenney and Andy Mercer.

554. MINUTES

The minutes of the meeting held on 18 January 2017 were approved and signed by the Chairman as a correct record.

555. DECLARATIONS OF INTEREST

There were no declarations of interest.

556. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

Councillor Dorothy Maxwell asked the following questions under Procedure Rule 10.3. The Chairman of the Committee provided answers to each question as shown in italics beneath.

1. How are members selected to sit on the Licence Panel Meetings?

Members of Licensing Panel hearings are drawn from the trained members of the Licensing Committee. They are randomly selected based on who is available on the proposed date for the hearing.

2. Would it be useful to notify ALL committee members of Panel meetings?

The dates of Licensing Panel hearings are listed on the Weekly Meetings Schedule which is sent to Members. It is a matter for the Committee to decide if it wished Democratic Services to notify all committee members of the details of Panel hearings. However, in respect of Taxi Panel hearings, officers would be restricted in what information could be provided due to the sensitive personal nature of some of the information.

3. Given that I put forward 3 years ago that a Data Base should be set up to record licensees who have lost their licence, since this has now been taken up by a House of Commons select committee, could ENDC initiate the data base?

The notion of a nationwide licensing database has been the preferred option by all agencies involved in licensing almost since the Act was introduced. The current position is that the House of Lords Select Committee on the Licensing Act 2003 has recently published its report, 'The Licensing Act 2003: post-legislative scrutiny'.

Regarding the matter of a National Database, at clause 594, page 146, the report states:

"We believe the enforcement of section 128 and 132A of the Licensing Act 2003 would be facilitated by a national database of personal licence holders, against which to check those who are convicted of relevant offences. We recommend the creation of a national database of personal licence holders for use by courts and licensing authorities, linked to the Police National Database."

The report has yet to be considered by the Government, and until it is adopted and given the resources to permit its implementation, for any organisation to commit to creating a version of a national database in isolation may be counter-productive both locally and on a wider scale. ENC already fully supports the principle of the development and use of such a national database, and given the opportunity to contribute towards its development, the Licensing Service of this Council would be keen to help.

557. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following item of business because exempt information, as defined under paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972 may be disclosed.

558. LICENSING ACTIVITY AND UPDATE REPORT

The Health Protection Manager presented a report which detailed developments under the Licensing Act 2003 and other licensing associated legislation and of the licensing activity undertaken by ENC and the Central Licensing Administration Unit since the last meeting of the Committee in January 2017.

The Immigration Act 2016 introduced a number of requirements for Licensing Authorities, including that the Immigration Service would now be a consultee on all new premises licence applications. Applicants for personal licences would also now be required to prove that they had the right to work in the UK.

The Policing and Crime Act 2017 also introduced new powers in relation to the policing of the provision of alcohol and late night refreshment. There was now a new definition of alcohol, which had been extended to include alcohol "in all states", including as a powder, tablets, vapour and iced. Licensing authorities would now be able to seek the suspension or revocation of personal licences upon the conviction of the licence holder for any relevant offence, where previously this could only be done by Magistrates. The new Act amended

some of the previous section 182 guidance and new copies of the guidance would be provided to Committee members after the Annual Meeting.

The Committee received an update on recent Panel hearings.

In response to a question from Members, officers advised that they would make enquires as to whether they would be able to include in future reports the number of visits made to licenced premises.

RESOLVED:

That the licensing activity and update report be noted.

Chairman