

COUNCIL MEETING

Date: 23 July 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors:-

Wendy Brackenbury	(Chairman of the Council)
Helen Howell	(Vice-Chairman of the Council)
Steven North	(Leader of the Council)
Rosalie Beattie	Richard Lewis
David Brackenbury	Dorothy Maxwell
Val Carter	Andy Mercer
John Farrar	Gill Mercer
Roger Glithero JP	Harriet Pentland
Glenvil Greenwood-Smith	Janet Pinnock
Helen Harrison	Ronald Pinnock
Marika Hillson	Rupert Reichhold
Sylvia Hobbs	Alex Smith
Marian Hollomon	Phillip Stearn
Dudley Hughes JP	Robin Underwood
Sylvia Hughes	Peter Wathen
Barbara Jenney	Pam Whiting
David Jenney	

110. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Tony Boto, Annabel de Capell Brooke, Richard Gell, Sarah Peacock, Roger Powell, Anna Sauntson, Geoff Shacklock, Colin Wright, Jake Vowles, and the Chief Executive David Oliver.

111. MINUTES OF PREVIOUS ORDINARY MEETING

The minutes of the Annual Council meeting held on 16 May 2018 were agreed as a true and correct record of the proceedings.

112. DECLARATIONS OF INTEREST

The Chairman invited those who wished to do so to declare any interests in respect of items on the agenda.

No declarations were made.

113. ANNOUNCEMENTS BY THE CHAIRMAN AND CHIEF EXECUTIVE

The Chairman made the following announcements to the meeting:

Members, I would like to say a big thankyou to Councillor Glenvill Greenwood-Smith for organising the motorsport exhibition held at East Northamptonshire House from 20-22 July in support of the Chairman's Charity. I would also like to thank all those who helped him in making the event such a success.

I have held numerous events since becoming Chairman in May 2018 including civic services, the resigning of the Armed Forces Covenant, start of Stage 2 of the Women's Cycling Tour in Rushden, Long Service Awards to Staff and the Annual Forces Service.

I would also like to announce that my Chairman's civic service will be held on Sunday 16 September 2018 at St James Church, Thrapston.

The Chief Executive, having passed on his apologies for the meeting, had no announcements to make.

114. LEADER'S ADDRESS

The Leader of the Council wished to thank all those members who had attended the PricewaterhouseCoopers (pwc) and Opinion Research Services (ORS) presentation held the previous week.

115. REPORTS OF COMMITTEES

(a) Planning Policy – 4 June 2018

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

(b) Policy and Resources – 11 June and 9 July 2018

The reports of the above Committee, presented by the Chairman, Councillor Richard Lewis, were received.

RESOLVED:

That the recommendations in the following minutes be approved:

Food Safety and Health and Safety Service Plans

36 That the Food Safety and Health and Safety Service Plan 2018/19, attached as Appendix A, be approved.

(Reason: To accord with legislation and the constitution of the Council)

Finance Sub-Committee – 30 April 2018 Review of Capital Programme and Development Pool

7 That the following scheme within the Development Pool be amended as follows:

- £50,000 be brought forward and released into the Approved Capital Programme to support earlier delivery of the office accommodation project as set out in paragraph 3.25 of the report.

(Reason: To follow correct approval process for amendments to the Capital programme and Development Pool)

(c) Planning Management – 13 June and 11 July 2018

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

(d) Governance and Audit – 20 June 2018

The report of the above Committee, presented by the Chairman, Councillor Peter Wathen, was received.

RESOLVED:

That the recommendations in the following minutes be approved:

Licensing Protocol

62 That the revised Licensing Protocol attached at Appendix B be adopted and incorporated into the Council's Constitution.

(Reason: To ensure the continued relevance and appropriateness of the council's policies and procedures)

(e) Transformation – 2 July 2018

The report of the above Committee, presented by the Chairman, Councillor Helen Howell, was received.

RESOLVED:

That the recommendation in the following minute be approved:

Terms of Reference for the Committee

67 That the draft Terms of Reference of the Transformation Committee be approved.

(Reason – To provide clear information on the function and authority of this Committee within the Council's Constitution)

(f) Licensing – 16 July 2018

The report of the above Committee, presented by the Chairman, Councillor Barbara Jenney, was received.

(g) Joint Standards Complaints – 18 July 2018

The report of the above Committee, presented by the Monitoring Officer, was received.

Appointment of Deputy Monitoring Officer

The Monitoring Officer reported that Ben Smith had been appointed to act as Deputy Monitoring Officer of the Council.

116. MOTIONS

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

117. QUESTIONS

The following questions were submitted by Councillor Dorothy Maxwell under Procedure Rule 10.2:

- 1. What was the final cost of the report from Deloitte LLP on Unitary Authority? If the invoice has not yet been received, when is receipt expected? This report was published in April 2018.**

The Executive Director (Resources and Commercial) replied:-

The report was commissioned jointly by the District and Borough Councils. This council has received an invoice for £4,500 which has been paid. We expect a further invoice for £8,640 in this financial year.

- 2. East Northants Council purchased a shop in the High Street, Rushden, as part of Wilkinson estate. Why is it not open and generating rent and business rates for the community? There is not a 'to let' notice displayed on the building.**

The Executive Director (Resources and Commercial) replied:-

The Council is still considering options for the future of the High Street shop site in Rushden.

- 3. Will the refuse disposal contract and cost of the service be published for the public to see?**

The Executive Director (Resources and Commercial) replied:-

A Contract Award Notice has been published which includes the total contract value of £20m over the next seven years, the name of the successful bidder and the terms of the contract. The contract itself is commercially sensitive and will not be published. This information was provided in a press release by the council on 31st May 2018. A copy of the Contract Award Notice will be provided to Cllr Maxwell following the meeting.

118. REPORT ON THE BUSINESS OF OUTSIDE BODIES

Councillor Rupert Reichold presented a report on a number of outside bodies at which he represented the Council, these included:-

SPARSE
Volunteer Action/SERVE
Community Law Service

Cllr Reichold also reported on a meeting he had attended of the East Midlands Consortium: Summit Meeting on Resettlement of Refugees and Countering Modern Slavery.

RESOLVED:

That the report be noted.

119. COMMUNITY GOVERNANCE REVIEW – DUDDINGTON WITH FINESHADE

The Democratic Services Manager presented draft recommendations for parish arrangements in the parish of Duddington with Fineshade following the conclusion of the first stage of public consultation of the Community Governance Review.

This Review had previously been considered at meetings of Council on 29 January and 26 February 2018 following a request petition signed by 86% of electors in a proposed new parish area within Fineshade. Following the first stage of consultation which included letters to all households of the Parish, the Parish Council, neighbouring parishes and councils, local councillor and MP, the report provided for consideration of the proposals, with draft recommendations for further consultation.

As part of Stage 1 of the consultation submissions had been received from the Parish Council, the petitioners, six other Fineshade residents and two Duddington residents.

Members considered the proposals in favour of the petition, as detailed in paragraph 3.1 of the report which were supplementary to the original petitioners' request summarised on the second page of Appendix B, terms of reference.

Proposals not in favour of the petition were also considered, for no change, as outlined in paragraphs 4.2, 4.3 and 4.4 of the report.

It was noted that statutory guidance issued by the Government directs the Council to take into account a number of criteria in considering the pros and cons of the request petition and consultation responses, principally:-

- That community governance is reflective of the identities and interests of local communities;
- That community governance is effective and convenient;
- The impact on community cohesion of community governance arrangements;
- Size, population and boundaries of a local community or parish.

Of the four principal criteria, members considered the following considerations to be most compelling in this case:-

- Whilst taking into account the wishes of the petitioners, a number of residents within the current Fineshade and wider Duddington area had expressed their views that they did not wish for their community to be split in two, as did the Parish Council which was a representative body of the wider community.

- Concerns for the future viability of Duddington as a parish that would fall below the 150 electors threshold and that a parish meeting formed of only 14 electors would have the ability to support itself in provision of necessary services.

On that basis, Councillors considered that changes to the current boundaries and arrangements within the parish area would have a detrimental impact on residents within the existing parish arrangements' ability to deliver local services and the cohesiveness of the wider community.

RESOLVED:

- (1) That this Council considers that no changes should be made to the parish arrangements for Duddington with Fineshade and that this proposal is consulted upon during Stage Three of the Community Governance Review;
- (2) That the revised timetable for the review be approved.

(Reason: To fulfil the Council's responsibility to undertake a community governance review.)

120. UPDATES TO THE CONSTITUTION

With the consent of Council, this item was withdrawn, to be considered at a future meeting.

121. LEGAL SHARED SERVICES

With the consent of Council, this item was withdrawn, to be considered at a future meeting.

122. TO APPOINT MEMBERS OF COMMITTEES

RESOLVED:

That Councillor Rupert Reichold serves on the Policy and Resources Committee for the remainder of the 2018/19 municipal year, in accordance with the political balance rules of the council.

123. REVISED CALENDAR OF MEETINGS 2018/19

The Democratic Services Manager presented a revised calendar of meetings for 2018/19 to reflect the changes in committee structure agreed at the Annual Meeting of the Council.

RESOLVED:

That the revised calendar of meetings for 2018/19 be approved.

124. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following items of business in accordance with Section 100A of the Local Government Act 1972, because exempt information may be disclosed:

- Joint Working with Borough Council of Wellingborough
- East Northants Enterprise Centre

125. JOINT WORKING WITH BOROUGH COUNCIL OF WELLINGBOROUGH

The Executive Director (Resources and Commercial) presented a set of joint working principles and a range of services to work jointly on with the Borough Council of Wellingborough. The report was not for publication by virtue of paragraph 4 of part 1 of Schedule 12A of the Local Government Act 1972.

RESOLVED:

- (1) That the Principles for joint working with the Borough Council of Wellingborough, as set out in paragraph 2.1 of the report, be approved
- (2) That the proposal to jointly work with the Borough Council of Wellingborough on the seven services, as set out in paragraph 3.2 of the report, be approved.

(Reason – To place the Council in the best position possible during a significant period of transformation and change.)

126. EAST NORTHANTS ENTERPRISE CENTRE

The Executive Director (Resources and Commercial) and Head of Economic and Commercial Development presented a business case for seeking funding support from the Council to develop and deliver the East Northants Enterprise Centre. The report was not for publication by virtue of paragraph 3 of part 1 of Schedule 12A of the Local Government Act 1972.

The motion was put, seconded and carried, 25 voting for the motion, with 0 voting against and 5 abstentions.

RESOLVED: That

- (1) the updates to the Terms of Reference for the ENC Enterprise Centre Working Party set out in Appendix 2 be approved;
- (2) subject to the revisions to the Capital Programme Development Pool being agreed, authority be given to proceed with the purchase of the land for the site of the Enterprise Centre from reserves.
- (3) the following revisions to the Council's Capital Programme Development Pool for the budgeted build costs be approved:

Total: £6,302,000, split as follows:

- 2018/19 - £2,000,000
- 2019/20 - £4,302,000

- (4) the following revised funding package for the Capital Programme Development Pool be approved:

Council reserves of at least £5,415,000, and

Borrowing, if sufficient reserves are not available, of £2,670,000.

- (5) the Executive Director (Resources & Commercial) develops the required documentation in relation to the potential borrowing for approval by Full Council prior to a contractor being appointed.

(Reason – To drive forward delivery of the project)

Chairman



East
Northamptonshire
Council

Appendix A

Food Safety and Health and Safety Service Plan



2018/19

Document Version Control

Author (Post holder title)	Health Protection Manager
Type of document (strategy/policy/procedure)	Food Safety and Health and Safety Performance Plan
Version Number	1
Document File Name	Food and Health and Safety Service Plan 2018-19
Issue date	June 2018
Approval date and by who (SMT / committee)	Policy and Resources
Document held by (name/section)	Samantha Edmunds
For internal publication only or external also?	internal and external
Document stored on Council website or Eunice?	Eunice / Website
Next review date	03/2019

Change History

Issue	Date	Comments
0.1	21.5.2018	

NB: Draft versions 0.1 - final published versions 1.0

Consultees

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)
Environmental Services	
CMT	
Policy and Resources	

Distribution List

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)

Links to other documents

Document	Link
Environmental Services Service Plan 2018-19	http://intranetsrv.east-northamptonshire.gov.uk/downloads/file/893/env_1718_service_plan
Corporate plan	https://www.east-northamptonshire.gov.uk/downloads/file/9012/corporate_plan_2015-19

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Executive Summary

The food and health and safety functions play a vital role in ensuring the health of those that live, work and visit our district. We do this through ensuring safe food is produced, workplaces are safe and by supporting businesses. We are key to ensuring regulation is supportive of growth and can help businesses in our district thrive.

We do this through a range of different interventions from advice, coaching and more rarely using enforcement activity.

The plan explains the background to the food safety and health and safety regulatory services and identifies the scope of the service and resources that have been allocated to meet the services requirements.

The Council is committed to improving health and safety and food safety outcomes from the interventions that it undertakes. We target these interventions on those stakeholders and duty holders that can most influence the reduction of health and safety and food safety risks with an emphasis on stopping those who seek to take economic advantage from non compliance with legislation. At all times we will give priority to those activities giving rise to the most serious risk and where the risks are most poorly controlled.

We also seek to engage with a variety of partners in the public and private sector in order to deliver this plan.

This document is approved by CMT and Councillors and demonstrates our commitment to improving health and safety and food safety outcomes.

1. Overview of Key Service Challenges in 2018-19

- 1.1 The aim is to ensure a risk-based, proportionate and targeted approach to regulatory inspection and enforcement, whilst supporting businesses.
- 1.2. This year will continue to see a food safety focus on those poorly performing premises that are not broadly compliant.
- 1.3. The team will continue to develop its food sampling programme and its successful environmental sampling initiative to highlight problem premises and focus on improving their food safety standards through coaching and business support.
- 1.4. The team will continue to support businesses especially at start up and growth to encourage development.

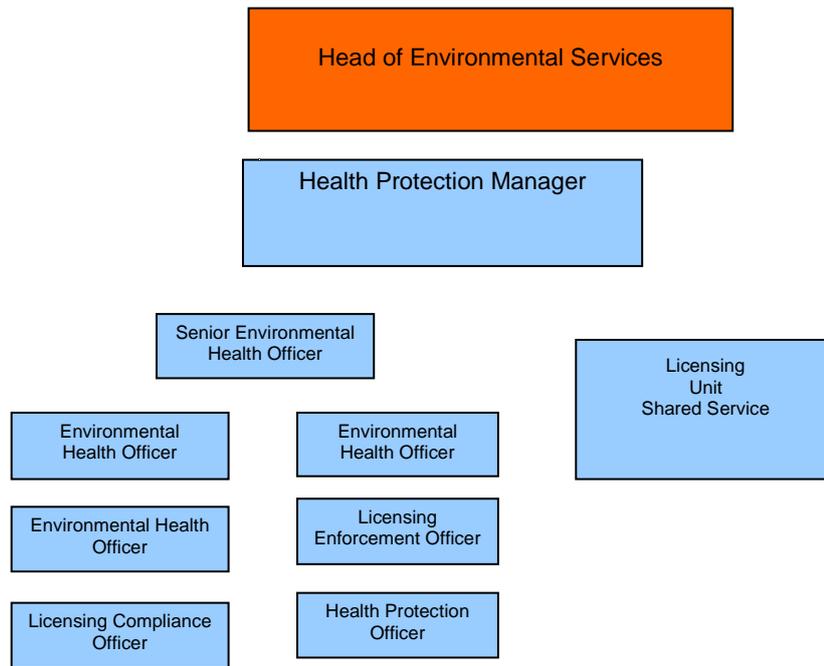
- 1.5. Northamptonshire Local Authorities have agreed a set of health and safety priorities that have been based on National and Regional data when establishing this years work plan.
- 1.6. We will continue to utilise the Adenosine Tri-Phosphate (a measure for residual protein indicating the presence of bacteria) machines as an educational tool to improve cleaning in food businesses.
- 1.7. We will continue to promote the Eat Out Eat Well scheme.
- 1.8. The team will explore opportunities to develop primary authority agreements if the opportunity arises.

2 Background

- 2.1. East Northamptonshire is a large rural district in the East Midlands made up of six towns and 55 villages with a population of 90,990 (estimated).



- 2.2. It is served by major road networks such as the A14, A45, A6 which continues to impact on the district by increasing the number of food businesses, in particular manufacturers. We have also seen an increase in smaller businesses and existing businesses diversifying.
- 2.3. The Health Protection Team is structured as follows:



2.4. **Food** - The service inspects and audits food premises, takes food samples, provides advice and training, undertakes food poisoning investigations and provides education to food businesses and the public. Complaints about food and food businesses are investigated as are individual cases and outbreaks of food poisoning.

Health and Safety - The service undertakes a range of interventions with local businesses, investigates accidents, investigates complaints and provides advice and education to businesses and employees. The HSE have reduced the amount of proactive premises inspections that local authorities can undertake. Proactive inspections can now only be undertaken on key priority premises or sectors. We will visit premises where we receive intelligence that there are matters of concern or where we receive accident reports.

2.5. The officers involved in the food safety and health and safety functions, also deliver infectious disease control, licensing, health promotion and advise on planning applications.

3. Links to other Strategies, Plans and Programmes

3.1. This service plan should be read in conjunction with the service plan for Environmental Services as this document is integral to service delivery.

3.2. This plan supports the corporate plan in the following areas:

Clean - through the correct disposal of food waste, and the control of odour from food businesses.

Healthy - diet and nutrition is central to any strategy to prevent deaths from heart disease, diabetes and cancer. Reducing incidences of food poisoning has a positive impact on the community's health.

Prosperous - by providing low cost training, business start up packs, business coaching, leaflets and advice, the service assists the economy in complying with legislation and encourages the provision of healthier choices through the Eat Out Eat Well scheme

By making sure that businesses are compliant with regulation in a way that is consistent and avoids unnecessary burdens, we contribute significantly to the conditions for sustainable economic growth.

Safe – through the inspection, initiatives and investigation of complaints and accidents to ensure the safety of workers and those affected by work activities.

Good value for money – providing an efficient and effective service and low cost training opportunities.

High quality service delivery – by providing a quality service to both businesses and consumers to ensure the provision of safe food and a safe working environment within the community.

Effective partnership working – working with other local authorities, Northamptonshire County Council, Department for Business, Energy and Industrial Strategy, South East Midlands Local Enterprise Partnership, Knowledge Hub, Chamber of Commerce, local businesses, Health and Safety Executive, Food Standards Agency and consumers.

3.3. This plan complements the following corporate strategies:

- Corporate Plan
- Performance Management Framework
- Licensing Policy Statement
- Economic Development Strategy

3.4. This plan complements the following Regional and National Strategies:

- Health and Wellbeing Strategy
- Public Health Outcomes
- Choosing Health

It also supports the priorities identified by the local forums for health and wellbeing.

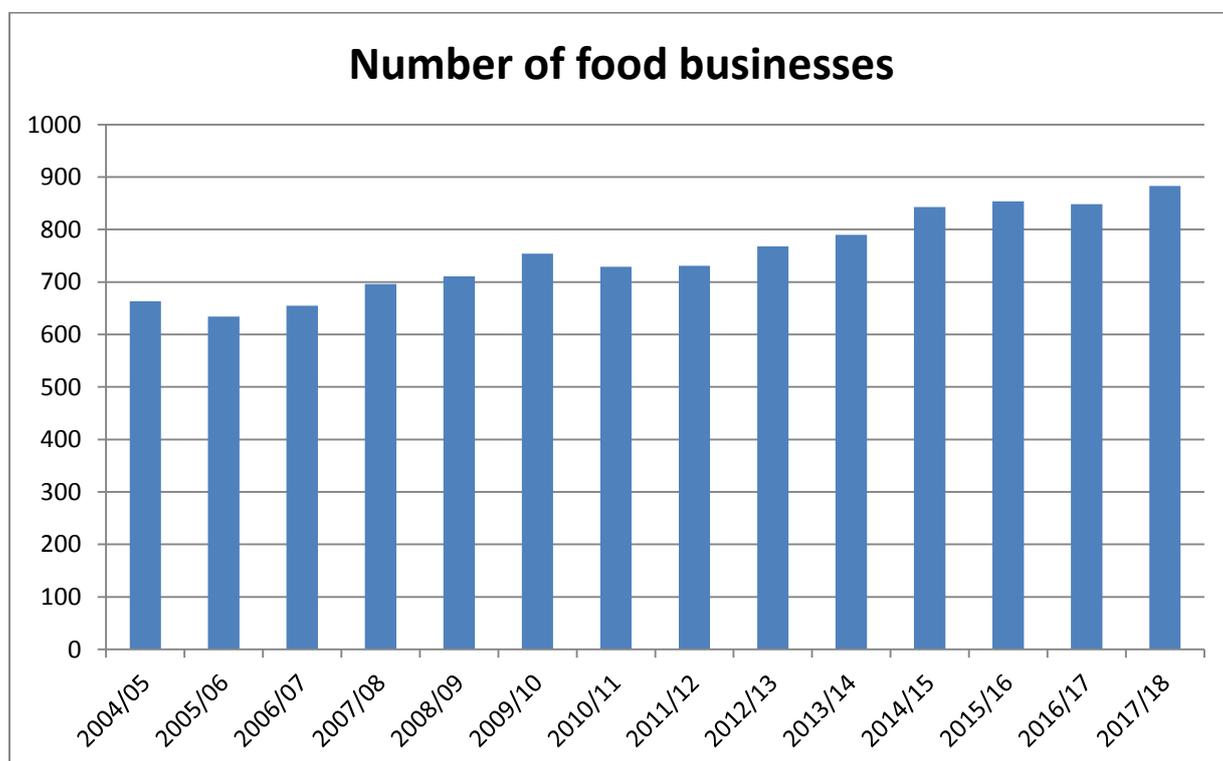
4.0 Service Specific Information - Food Safety

4.1 The team currently act as a Home Authority for Farrington Oils, Whitworths Limited and Tilley's Sweets Limited and we are actively trying to engage with the Primary Authority Partnership scheme.

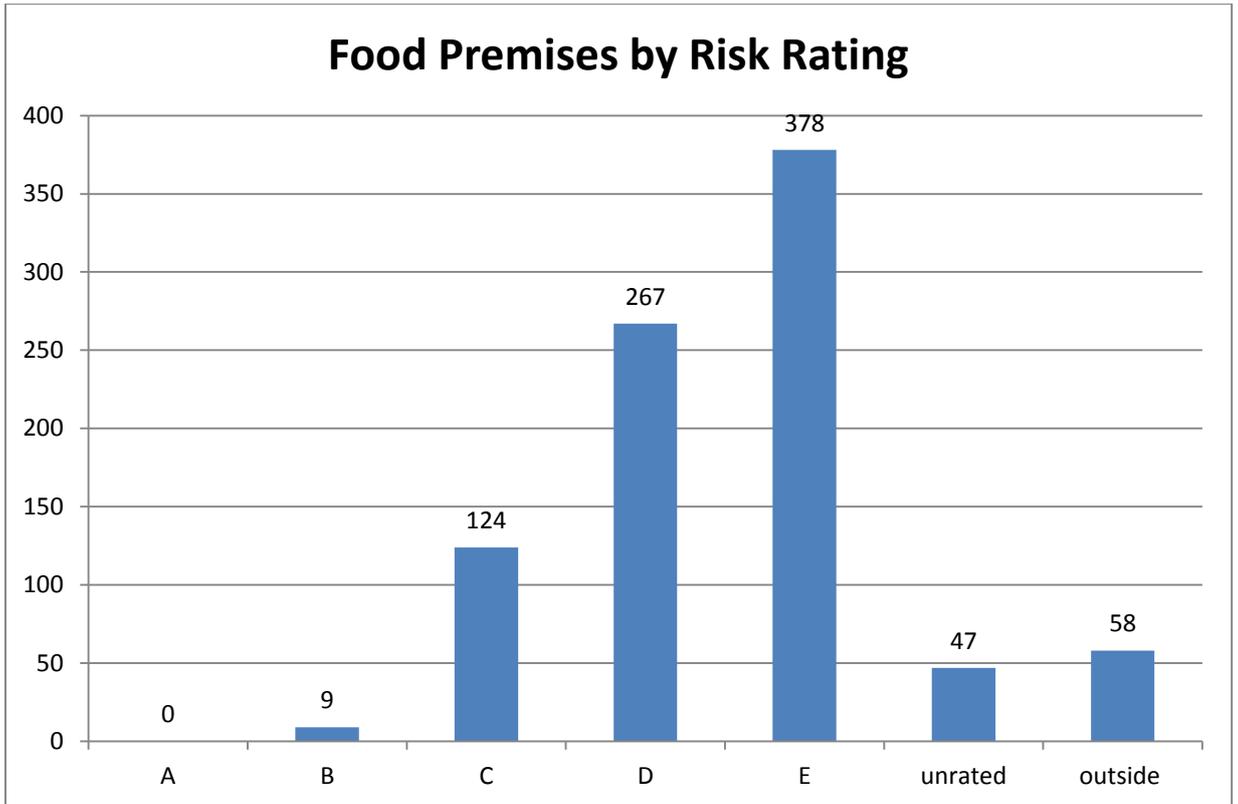
4.2 The current statistics for food businesses in East Northamptonshire are as follows:

The total number of premises for food inspection is 883 which is an increase of 35 from the previous year. 93 % of food businesses are broadly compliant with food hygiene law. In addition there are a number of micro breweries and one Approved Premises (Redlands Farm).

The chart below shows the growth of food business within East Northamptonshire over recent years.

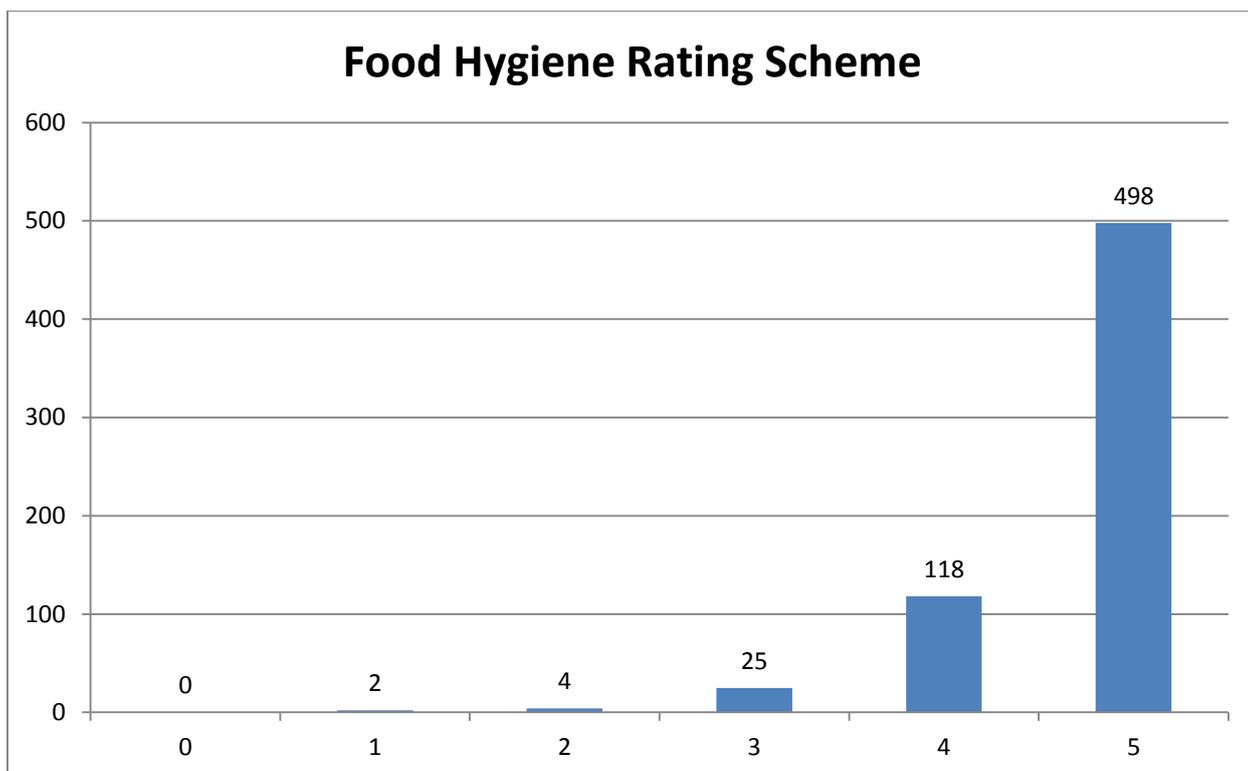


The following chart details the risk ratings for the premises within our district, A being the highest risk and E being the lowest.



4.3 The food hygiene rating scheme gives each premises a numerical rating based on their food safety management systems, structure and confidence in management. The ratings range from 0 to 5, where 0 means urgent improvement is required and 5 means standards are very good. The ratings are publicly available at www.food.gov.uk/ratings.

The following chart shows the ratings for our premises that are included within the scheme.



4.4 The service is delivered both in and out of normal office hours to ensure premises are inspected whilst they are operational. There is also a 24 hour call out system for emergencies at the weekends. It is the policy for food inspections, unless in exceptional circumstances, to be carried out unannounced to allow the actual business operations to be observed.

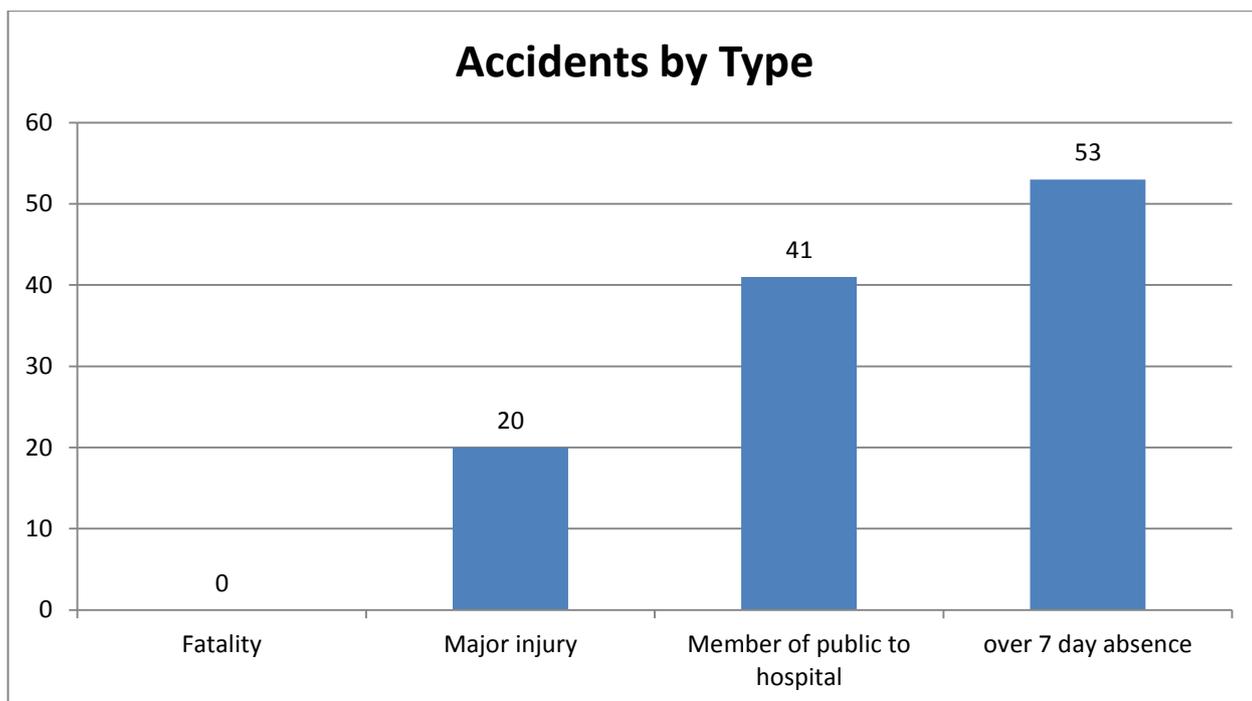
4.5. Environmental Services has a general enforcement policy. All enforcement action will be taken in line with this policy. In addition to this there are comprehensive procedures available to ensure consistency of service.

5.0 Service Specific Information - Health and Safety

5.1 The total number of businesses where health and safety is enforced by East Northamptonshire Council is around 1100. This is not an accurate figure as the statutory requirement to register with your local authority has been removed.

5.2 Accidents are investigated following incident investigation criteria that are applied nationally. In general terms serious accidents would be investigated but more minor accidents are recorded and used as local intelligence on the safety performance of individual companies/duty holders. They also help to plan interventions for the most common types of accident.

The following chart shows the reported accidents by type for the last year.



5.3 Environmental Services has a general enforcement policy. All enforcement action will be taken in line with this policy. In addition there are procedures available to ensure consistency of service.

5.4 The service is delivered both in and out of normal office hours to ensure premises are inspected whilst operational. There is also a 24 hour call out system at weekends for emergencies.

6.0 Service Delivery – Food Safety

6.1 For premises in the risk groups A-D there are a number of interventions set out in the food law code of practice that can be used. These range from advice and intelligence gathering to inspections and audits. All of these interventions must take place at an appropriate frequency depending on the risk rating awarded at the previous inspection.

6.2 For the lower risk E premise postal questionnaires may be sent out as an alternative to carrying out interventions.

6.3 A rated premises are inspected every 6 months and the lower risk E premises will receive a visit or a questionnaire every three years.

The following table shows the interventions that are due in 2018-19 compared to previous years.

Risk Rating	Number of interventions due				
	2014/15	2015/16	2016/17	2017/18	2018/19
A	2	0	2	0	0
B	19	18	12	9	8
C	164	170	82	63	78
D	102	44	95	124	117
E	72	83	30	66	125
Unrated	45	44	10	0	0
Total	404	359	231	262	328

- 6.4. The team will aim to ensure 95% of the due A-C interventions are completed by the end of the year. All premises will receive an advisory newsletter at least once per year.
- 6.5. All new businesses will receive an advisory visit prior to starting their businesses. The team strongly believes that this support improves hygiene standards resulting in our businesses having better food hygiene ratings. It is also an opportunity to signpost businesses to any grants and support they can receive. A member of the team attends a Business Focus Group. The group coordinate activities for supporting businesses across East Northamptonshire.
- 6.6. All food complaints are investigated. The authority received 43 complaints and 139 service requests last year with respect to foodstuffs and food premises. 43 of these were requests from new businesses.
- 6.7. The team also provide Level 2 food hygiene and nutrition courses according to demand.
- 6.8. The authority takes part in Public Health England, European, and Northamptonshire Food Liaison Groups sampling programmes. Sampling will also be targeted at local businesses identified in the district such as Home Authority premises and those where there are hygiene concerns. All food samples are analysed by the Public Health Laboratory Service based in Collingdale. The Public Analyst, (Eurofins Scientific Laboratories) in London is used occasionally.
- 6.9. Between Public Health England (PHE) and the Authority, there are formal arrangements in place to identify and investigate cases of food poisoning. All laboratory identified cases of food poisoning are sent directly to the authority for investigation. All incidents of food poisoning or alleged food poisoning are investigated with a view to tracing the source and preventing spread and reoccurrence. Last year there were 145 infectious disease notifications.
- 6.10. The authority acts on all food alerts received in accordance with the food alert procedure and the FSA's Code of Practice.
- 6.11. The authority has local partnerships with the following organisations:

- The Northamptonshire Food Liaison Group
- Northamptonshire Food Surveillance Group
- Northamptonshire Trading Standards
- Public Health England
- Food Standards Agency (FSA)
- CQC
- OFSTED.

6.12 The team continues to promote the Eat Out Eat Well Healthy Eating Scheme. We currently have 29 businesses with awards consisting of 7 bronze, 10 silver and 12 gold.

6.13 All relevant planning applications are considered by the team with respect to food safety. Advice is given on premises layout. Copies of Licensing Act consultations are forwarded to the team.

7. Service Delivery – Health and Safety

7.1. The following action plan details areas of focus and/or interventions that have been agreed on the County work plan for the 2018/19.

Priorities	Time Period
National Workplace Health and Wellbeing Charter	All Year
Asbestos Awareness	All Year
Warehousing and workplace transport	All Year
Unattended Swimming Pools and Gyms	All Year
Public Events	All Year
Radon Awareness	All Year
Business Development Advice	All Year
Indoor Cooking on Solid Fuel	All Year
Beverage Gases in the Hospitality Industry	All Year

7.2. The above activities are co-ordinated at a County level.

7.3 The Councils in Northamptonshire have determined co-ordinator leads and supports for each of these projects. The team will lead on Business Development Advice and Indoor Cooking on Solid Fuel.

7.4. Accident investigations are undertaken based on an assessment of the situation using accident investigation criteria. All Health and Safety complaints are investigated. The authority received 11 complaints and requests for service last year.

- 7.5. Advice and education for businesses, schools and individuals is provided for health and safety on request. The team also produces a business newsletter bringing current health and safety matters to the attention of local businesses. The team has established links with Public Health, HSE, CQC and OFSTED to address health and safety issues.
- 7.6. All relevant planning applications are considered by the team with respect to Health and Safety and advice is given to future businesses at this point, with the aim of designing out health and safety problems.

8. Resources

- 8.1. The current costings of the Food and Health and Safety Service are described below:

2018/19	Food Safety £	Health and Safety £
Support Costs	99,750	62,800
Salaries	94,820	71,710
Equipment	500	150
Sampling	100*	0
Training income	-£3,900	
Officer training	£5000**	

*This figure does not include the allocation of sampling credits from the Public Health England

**This figure is for the department and is dependent on identified need and statutory requirements

- 8.2. There are 1.90 Full Time Equivalent (FTE) officers for the food safety function. The above calculations can be broken down into officers as detailed below:

Health Protection Manager (EHO)	0.25 FTE
Senior Environmental Health Officer	0.45 FTE
Environmental Health Officer	0.25 FTE
Environmental Health Officer	0.60 FTE
Environmental Health Officer	0.35 FTE

- 8.3. There are 1.5 Full Time Equivalent (FTE) officers for health and safety. The above calculations can be broken down into officers as detailed below:

Health Protection Manager (EHO)	0.25 FTE
Senior Environmental Health Officer	0.30 FTE
Environmental Health Officer	0.15 FTE
Environmental Health Officer	0.20 FTE
Environmental Health Officer	0.40 FTE
Health Protection Officer	0.20 FTE

- 8.4. Officer training needs are identified during the Personal Development Review process and a training programme is developed once this process is complete.

It is Council policy to ensure that officers involved in enforcing food safety legislation receive a minimum of 10 hours continuing professional development training as required by Food Standards Agency Code of Practice and practice guidance. This will be provided through a combination of commercial courses provided by the Food Standards Agency, Five plus 1, Northamptonshire Food Liaison Group and internal training courses. It is the policy of the Council to ensure that officers involved in enforcing health and safety are competent in accordance with section 18 of Health and Safety at Work Act. During the year officers will be assessed against the new Food Standards Agency competency framework and this will be used as a tool to identify training needs against the performance plan.

9. Quality Assessment

Internal monitoring procedures are in place for food and health and safety to ensure quality and consistency. Workloads, specific cases and the current position against the inspection programme and service plan are reviewed during 1-1 meetings and team meetings.

10. Review

- 10.1 The food safety and health and safety function will continually monitor and review its performance against the food service plan and report serious deviations to the Policy and Resources Committee. The authority will annually review its performance and report against the Food Service Plan on the intranet after 1st April each year.

11. Outcomes and links to the corporate outcomes

11.1 The outcomes to be delivered by this strategy are:

- Compliance with the Food Standards Agency Framework agreement and Code of Practice
- Improved food safety in the District.
- Improved health and a reduction of workplace accidents in the district

12. Glossary

CMT – Corporate Management Team
HSE – Health and Safety Executive
FSA – Food Standards Agency
RDNA – Regulators Development Needs Assessment
LGR – Local Government Regulation
HPA – Health Protection Agency
OFSTED – Office for Standards in Education, Children’s Services and Skills
CQC – Care Quality Commission
PDR – Personal Development Review
HSWA – Health and Safety at Work Act

Part 5.7:

Code of Practice for Licensing Procedures

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Introduction

In determining applications for licenses the Council, through its Licensing Panels, is acting in a quasi-judicial capacity and needs to ensure that proper procedures and rules are followed, which accord with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights. Because of this, it is important that the system is seen to be open and free from improper influence.

This Code of Practice has been drawn up to set out clearly the way in which the Council deals with applications for licensed activities. It applies to all East Northamptonshire Council councillors and officers, especially those who are involved in the licensing process, but recognises the separate but complementary roles of councillors and officers in this process.

All references to a Panel in this Code of Practice means a Licensing Panel set up to consider applications which have attracted objections or representations or requires a panel decision to be made in accordance with any of the related licensing policies.

Licensing Panels can be called in relation to the following pieces of legislation

- Licensing Act 2003
- Gambling Act 2005
- Local Government Act 1972 – House to House Collections
- Local Government Miscellaneous Provisions Act 1976 and related legislation – taxi licensing
- Local Government (Miscellaneous Provisions) Act 1982 – Sex Establishments

Basic Premise

The licensing system involves balancing the needs and interests of the local community whilst meeting the objectives set out in the various Licensing Acts.

Licensing Act objectives:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm

Gambling Act objectives:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- ensuring that gambling is conducted in a fair and open way
- protecting children and other vulnerable persons from being harmed or exploited by gambling

Taxi Licensing objectives:

- Ensuring the applicant is a fit and proper person to hold a license
- Protecting the public safety

The successful operation of the licensing system relies on ensuring that officers and councillors act in an impartial and fair way and that the decision making process is seen to reflect such impartiality and fairness. There must be no procedural impropriety; decisions taken must be free from the appearance of bias and there must have been a fair hearing of those applications which have attracted representations.

The Role of Councillors

Section 1

This Code of Practice applies to all councillors, whether they sit on a Licensing Panel or not. It recognises that councillors have various roles and responsibilities which sometimes conflict, and that a balance has to be struck between representing those in the community and taking forward local concerns, and ensuring that the Council decides applications on their merits..

1. In making decisions on applications, councillors will:
 - act fairly and openly;
 - approach each application with an open mind;
 - carefully weigh up all the material considerations;
 - ensure that reasons for decisions are clearly stated.
- 1.1 The licensing system seeks to balance the consideration of private proposals against the wider public interest. Councillors must take into account the interests of the community and act in a way which is not only fair but is clearly seen to be so.
- 1.2 Councillors shall not give instructions or place pressure on officers to secure a particular outcome on an application which would ordinarily be delegated to officers for determination.
- 1.3 Councillors can expect officers to give them every help and assistance in answering questions relating to licensing matters.
- 1.4 Members of a Panel must be free to vote on licensing applications as they consider appropriate, that is without a party “whip”, in the light of all the relevant information, evidence and arguments. This shall include the licensing objectives, statutory guidance and all other material considerations.
- 1.5 Licensing Panels are appointed by the Council’s Democratic Services Manager on a rota basis.
- 1.6 Ward Councillors shall be entitled to make representations within the prescribed period (normally 28 days) on behalf of supporters or objectors and, provided requisite notice is given, appear on their behalf at any hearing that is called. This entitlement does not apply to consideration of Taxi license applications.

- 1.7 Members of Licensing Panels are required to attend the pre-meeting held immediately prior to the commencement of the Hearing in order to ensure that they are aware of all procedural information relevant to the Hearing. The pre-meeting will be attended by the Panel members, and, if required, the legal advisor to the Panel and the Democratic Services representative only.
- 1.8 A reserve member will be appointed to licensing Hearing Panels and will be required to attend pre-meetings to serve on the Panel if required to do so.

1.9 *Disclosures of Interest*

The law and the adopted Code of Conduct set out the requirements and guidance for councillors on declaring Disclosable Pecuniary and 'other' interests and the consequences of having such interests. (Councillors are reminded that Disclosable Pecuniary Interests relate to both the councillor and their spouse/partner). Councillors should regularly review their situation with regard to interests. Under the adopted Code, not only should impropriety be avoided but also any appearance, or grounds for suspicion of improper conduct or bias. This is particularly important in relation to the licensing process and for this reason Dispensations are unlikely to be granted for Licensing Panels.

- 1.10 Licensing Panel members will have to consider very carefully whether or not they have a Disclosable Pecuniary or 'other' interest. Examples are:
- (a) Councillors living very close to premises the subject of the application;
 - (b) Councillors who are frequent visitors to the premises in a personal capacity,
 - (c) Councillors who are frequent visitors to a competing establishment in the same locality
 - (d) Councillors who serve on, or who are employed by a body which has submitted the application

Participation as a member of a Hearing Panel in these circumstances may give rise to a perception of bias and it may be better to step down, in accordance with the procedure set out in Section 7..

- 1.11 Councillors with a clear Disclosable Pecuniary interest should not attend the hearing, unless they have given notice under the Hearings Regulations to speak, and are permitted to do so. The councillor should withdraw from the room immediately after speaking. Guidance should be sought from the Council's Monitoring Officer if there is any doubt.
- 1.12 Any councillor who is a member of a Panel who wishes to express publicly a final or irrevocable view on a licensing application prior to the hearing at which a decision is to be taken will declare an interest in good time before that hearing and will not participate in the meeting of that particular Panel.
- 1.13 It is the councillor's responsibility to disclose their interest in any application being considered by the relevant Panel. Any interest should be disclosed on every occasion.
- 1.14 A Ward Councillor not hearing the application is permitted to speak on behalf of licensing application supporters or objectors during the Hearing provided the premises the subject of the application are situated in their ward (or in close proximity to their ward) and provided they have made representations on behalf of those supporters or objectors during the objection period and have indicated by notice that

they will appear. If they have not made representations/given notice, they will be entitled, unless they have declared a Disclosable Pecuniary interest, to attend the Hearing as an observer.

- 1.15 Ward Councillors will be notified of Hearings relating to premises within their Ward.
- 1.16 Councillors will not disclose or use confidential information for any purpose other than that provided for by the law as stipulated in Section 3.0 (c) of the Councillors' Code of Conduct.

1.17 Training

All councillors who are members of the Licensing Committee shall receive training in licensing procedures. A commitment to undertake training will be a prerequisite of membership of the Licensing Committee, and must be attended. Councillors eligible to be appointed to a licensing Panel must attend training within six months of appointment to the Licensing Committee and at least annually thereafter. Councillors will not be eligible to serve on a Licensing Hearing Panel unless they attend the training in view of the need for Panel members to be fully aware of changes in legislation and to avoid any difficulties that may arise at appeal hearings. This training will cover subjects as may be determined from time to time by officers in consultation with councillors. Failure to undertake the initial training offered or persistent failure to undertake any further training by councillors who are members of the Committee will result in disqualification from serving on Panels.

2.1 In reporting on applications to a Hearing, officers will:

- (a) provide professional and impartial advice;
- (b) make sure that all information necessary for a decision to be made is given;
- (c) set the application in the context of the Council's Statement of Licensing Policy, the Licensing Objectives in the Licensing Act, and the Gambling Act, the statutory guidance and other material considerations;
- (d) provide a clear and accurate written summary of the issues in the report to the Panel, but will not make a recommendation on an application.

2.2 Except where provided for by an adopted scheme of delegation or where the Licensing Committee or Panel gives specific delegated authority, officers will only give advice.

2.3 Officers determining applications under delegated powers will observe fully paragraph 2.1 (c) above.

2.4 Officers are responsible for carrying out the decisions of the Panels and deal with any subsequent Appeals

- 3.1 Pre-application meetings with prospective applicants are encouraged, but to avoid misunderstandings and any challenge of bias, they will only involve officers. All enquiries by prospective applicants must be addressed to the Head of Environmental Services, who acts as the Council's Licensing Officer.
- 3.2 It will be made clear at pre-application meetings that:
- only officers' initial and provisional views can be given, based on the appropriate Statement of Licensing Policy, the statutory guidance, the licensing objectives; and any other material considerations
 - no decisions can be made which would bind or otherwise compromise the Panel or Councillors and/or officers specifically delegated under an adopted scheme of delegation to make the decision.
- 3.3 All officers taking part in pre-application or pre-decision discussions should make clear that decisions on licensing applications are taken either:
- by the elected councillors at a Panel Hearing, or
 - under specific authorised circumstances in accordance with an adopted scheme of delegation,
- and if the application is to be determined under a scheme of delegation, wherever possible, the officer taking part in the pre-application discussions will not be the decision maker.
- 3.4 A written note will be made of all meetings. A follow-up letter should be normal practice when documentary evidence has been left with the Council.
- 3.5 A note will also be taken of telephone conversations. The meeting note and any follow-up correspondence shall be placed on the licence application file, should an application materialise following initial discussions.
- 3.6 Councillors who are members of Panels will not take part in post-submission meetings with applicants or other parties.

- 4.1 Agendas and supporting papers for Panel Hearings will be available for public inspection five clear working days prior to the meeting, unless they are exempt from publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972
- 4.2 All applications to be determined at a Licensing Panel Hearing will have a written report from officers, including a summary of the application, a summary of representations received, a note of any request by a party for any other person to be called and a brief description of the points on which that person may be able to assist the Panel, and a summary of the relevance of the Council's appropriate Licensing Policy Statement, the Secretary of State's statutory guidance and the legislation, to the application and the representations. The report will not include a recommendation.
- 4.3 Any documents or information received from a party after the written report has been prepared may be presented by that party at the Hearing provided the consent of all the other parties is given.
- 4.4 At the Panel Hearing, parties (or their representatives) will have the right to address the Hearing and, if authorised by the Panel, question other parties provided they have given the necessary statutory notice that they intend to be present. This right is contained in the Hearings Regulations and reflect Articles 6 and 10 of the European Convention of Human Rights (Right to be heard and Freedom of Expression). However, persons who have not submitted representations within the prescribed period are not eligible to speak at the Hearing, as this is not allowed by the legislation.

- 5.1 The Licensing Committee shall approve the procedures to be followed at a Hearing and shall review them from time to time. Such procedures will be informed by the Hearings Regulations, be fully consistent with Article 6 of the European Convention of Human Rights and observe the rules of natural justice, and any such legislation as may be relevant

- 6.1 Where East Northamptonshire Council owns the premises the subject of a licensing application, the application will be submitted to the Council as licensing authority and will be treated in the same way as other applications.
- 6.2 All licensing applications submitted on behalf of the District Council will be determined in accordance with the Council's scheme of delegation to Panels or officers, depending on whether representations are made.

- 7.1 With the exception of Temporary Event Notices, all licensing applications which are submitted by or on behalf of councillors or officers or their families will be reported to a Panel for decision, rather than under any adopted scheme of delegation. Councillors and officers will inform the Council's Monitoring Officer in writing of all such proposals, and declare any interest, in good time, and in any event, not later than seven days before, the Hearing.
- 7.2 The councillor or officer concerned will take no part in the determination of the application.
- 7.3 If circumstances arise whereby an officer involved in the licensing process has an interest in a licensing application, that officer shall take no part in the processing or determination of the application. If present at a Hearing in an official capacity, the officer shall withdraw from the room during the determination of the application.

Amended: Council 27 April 2011 minute 495(c); Council 10 October 2011 minute 217(c), Council 16 July 2012 minute 108, Council 23 July 2018 minute 115 (d)

GOVERNANCE AND AUDIT COMMITTEE

Date: 25 July 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: Peter Wathen (Chairman)
Alex Smith (Vice-Chairman)

Rosalie Beattie Sylvia Hobbs

External attendees:

Rachel Ashley-Caunt (Head of Internal Audit)
Asim Iqbal and Tony Crawley (KPMG, the Council's External Auditors).

127. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Annabel de Capell-Brooke, Marika Hillson, Dorothy Maxwell and Robin Underwood.

128. MINUTES

The minutes of the meeting held on 20 June 2018 were approved and signed by the Chairman.

129. DECLARATIONS OF INTEREST

No declarations of interest were made.

130. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

131. VARIATION OF AGENDA

With the consent of the Committee, the Chairman varied the order of the published Agenda.

132. INTERNAL AUDIT – PROGRESS AND PERFORMANCE

The Head of Internal Audit presented a report on progress made on the delivery of the Annual Internal Audit Plan for 2018/19 and associated measures of performance.

Reports had been issued for four assignments, of which one had been finalised and the others remained with management awaiting responses and agreement of action plans and fieldwork was underway or in the planning stages for a number of further assignments.

No areas of significant risk or control weaknesses had been identified in the work completed to date.

RESOLVED: That

the progress and performance of the Internal Audit service 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)

133. PROGRESS ON IMPLEMENTATION OF INTERNAL AUDIT RECOMMENDATIONS

The Interim Finance Manager presented a report setting out progress made on implementing recommendations arising from Internal Audit reports and the Head of Planning Services provided the Committee with an update on a number of audit recommendations relating to Planning Services.

There was currently one medium priority recommendation outstanding from 2016/17 and, under the revised categories of prioritisation, there were eight important, five standard and one medium priority recommendations outstanding for 2017/18 audits. For 2018/19 there was one important and one standard priority recommendations outstanding.

Officers responsible for implementing outstanding recommendations had met with the Chief Finance Officer, Head of Internal Audit and the Interim Finance Manager to agree actions required to implement outstanding recommendations and to set realistic target dates for completion.

It was noted that since the last meeting of the Committee in June 2018 there had been eleven recommendations either completed and closed or closed by management and good progress was being made on completing more shortly.

RESOLVED: That

the progress against each of the audit recommendations be noted.

(Reason: To review progress on the implementation of recommendations following by Internal Audit)

134. FINAL STATEMENT OF ACCOUNTS 2017/18

Following the Committee's endorsement of the Draft Statement of Accounts at its last meeting for submission to the Council's External Auditors, the Chief Finance Officer presented the audited accounts which were required to be published by 31 July 2018 by the Audit and Account Regulations 2015.

The Committee was requested to consider the findings arising from the audit of the accounts prior to considering the approval of the Statement of Accounts.

135. ANNUAL GOVERNANCE REPORT OF THE EXTERNAL AUDITOR 2017/18

The Council's External Auditors presented their findings arising from the audit of the Statement of Accounts as required by International Standard on Auditing (UK & Ireland) 260, the Local Audit and Accountability Act 2014 and the National Audit Office Code of Audit Practice.

It was noted that there were no material adjustments, misstatements or errors arising from the audit of the financial statements, although the audit had identified a difference in the presentation of figures stated for the revaluation of fixed assets in the financial statements. The audit had also identified the need for minor adjustments relating to presentational differences, which had since been made.

The Auditors had concluded that the Council had made proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

RESOLVED: That:

- i) the contents of the Annual Governance Report of KPMG be noted.
- ii) the Council's Letter of Representation be approved.

(Reason: To comply with the requirements of the Accounts and Audit Regulations)

136. FINAL STATEMENT OF ACCOUNTS 2017/18

Having received the External Auditors' findings, the Committee considered the Statement of Accounts for 2017/18 and it was

RESOLVED: That

- i) the Statement of Accounts for the year ended 31 March 2018 be approved..
- ii) the Chief Finance Officer, in consultation with the Chairman of the Governance and Audit Committee, be authorised to make any minor amendments necessary to the Statement of Accounts 2017/18 prior to publication.

(Reason: To comply with the requirements of the Accounts and Audit Regulations)

The Chief Finance Officer and the Chairman of the Committee then signed the Council's Letter of Representation and the Statement of Accounts.

Chairman

PLANNING POLICY COMMITTEE

Date: 30 July 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: David Brackenbury (Chairman)
Tony Boto (Vice-Chairman)
David Jenney (Deputy Leader of the Council)
Val Carter Roger Powell
Sylvia Hobbs Jake Vowles

137. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Marika Hillson, Gill Mercer, Steven North, Sarah Peacock and Pam Whiting.

138. DECLARATIONS OF INTEREST

No declarations of interest were made.

139. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 04 June 2018 were approved and signed by the Chairman.

140. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions submitted under Procedure Rule 10.3.

141. FURTHER REVISION TO THE LOCAL DEVELOPMENT SCHEME 2018-2021

The Planning Policy and Conservation Manager presented a report which set out a revision to the Local Development Scheme (LDS) that set out the key milestones for delivering the Local Plan Part 2.

At the Committee's meeting in April 2018, a revised LDS was agreed which anticipated the adoption of the Local Plan in June 2020. Since that meeting, the implications of local government reform had become much clearer and had resulted in a further report in June 2018 which had considered the impact that proposed unitary status, along with local election dates moving from May 2019 to May 2020 would have on the progression of the Plan. That meeting resolved to reflect the new timescale and that a further report would be brought to this meeting.

The revised LDS key milestones would be:

Plan Stage	Revised Timescale
Draft Plan consultation	November/December 2018
Pre Submission consultation	February/March 2019
Submission to Secretary of State	May 2019
Examination	August 2019
Adoption	December 2019

This revision would bring forward the completion of the Plan in advance of local elections in May 2020 and would allow the adoption of the Plan to be considered within the remit of the current administrative arrangements.

During discussion on the item, Members questioned what would happen to those Supplementary Planning Documents which were not listed in the LDS, particularly the Wind and Solar Energy SPD. Officers confirmed that they would remain as a suite of documents supporting plan policy. Councillor Tony Boto requested that it be minuted that he wanted to see appropriate exposure in the Local Plan to the housing mix report and the need for high value homes in the district. In response to a question as to whether there were any guarantees that our work on the Local Plan would be honoured by a new unitary authority, it was confirmed that if the Plan was adopted then it would remain in place until amended by the new authority, also that it would be of benefit to any future Council to have in place the most up to date policies. The other authorities were currently developing their own plans which may need to be brought together at some point. The Deputy Leader stated that prior to any new unitary authority, it was the intention to safeguard as much as we could and the Local Plan had been identified as one of the major work streams important to protect East Northamptonshire.

RESOLVED:

To approve the revised timetable for the preparation of the District Wide Local Plan as detailed in Appendices 1 and 2 of the report.

(Reason: To ensure that the Council identifies the most effective timescale and use of resources with regard to making progress with the completion of the statutory Development Plan for East Northamptonshire in the period leading up to the transition to a new North Northamptonshire unitary authority.)

142. SCOPE SETTING FOR THE LOCAL PLAN PART 2

The Planning Policy and Conservation Manager presented a report which sought to define the scope of the Local Plan Part 2, particularly identifying those themes or topics which were better addressed through Neighbourhood Plans, those better addressed through the Local Plan Part 2 and those which could be covered by either.

Substantial progress had been made in bringing forward Neighbourhood Plans. The following Neighbourhood Plans had now been “made” (adopted) as part of the statutory development plan:

- Chelveston cum Caldecott Neighbourhood Plan 2016-2031;
- Glapthorn Neighbourhood Plan 2016-2031, subject to a separate report on the agenda;
- Higham Ferrers Neighbourhood Plan 2011-2031;

- Raunds Neighbourhood Plan 2011-2031;
- Rushden Neighbourhood Plan; and
- Stanwick Neighbourhood Development Plan 2016-2031.

In addition, several other draft Neighbourhood Plans had been published or had achieved various stages in the plan-making process. The following Plans had reached the 1st draft stage of preparation; Neighbourhood Planning (General) Regulations 2012, as amended (Regulation 14):

- Brigstock Neighbourhood Plan – submitted March 2018; currently under Examination;
- Barrowden and Wakerley Neighbourhood Plan 2016-2036 – 1st draft (Regulation 14) version, April 2018; and
- King’s Cliffe Neighbourhood Plan – 1st draft (Regulation 14) version, July 2017.

The “made” and emerging Neighbourhood Plans all covered a varied range of themes and topics which would otherwise be covered through the Local Plan Part 2. The North Northamptonshire Joint Core Strategy (JCS) 2011-2031 (Local Plan Part 1), adopted in July 2016, specified a range of themes and topics which could be covered either through the Local Plan Part 2 or a Neighbourhood Plan.

The JCS already provided substantial detail, including site specific proposals (Rockingham Enterprise Area, Rushden East and Rushden Gateway). It set out a broad range of strategic policies and proposals, as follows:

- Core policies (Part A) – Development management policies; e.g. for protecting and enhancing assets and provision of infrastructure;
- Spatial policies (Part B) – Spatial development strategy (urban/ rural), connectivity, green infrastructure, economic prosperity, housing; and
- Strategic site specific policies (Part C) – Including Rushden East and Nene Valley Farm/ Rushden Gateway.

Through a series of Member and Town/ Parish Council workshops held between May 2017 and April 2018, priority themes and topics had also been identified to enable further direction to be given to the scope of the Local Plan Part 2. The publication and making of Neighbourhood Plans had implications for the production of the Local Plan Part 2. The NPPF expressly stated that the Local Plan Part 2 must complement adopted and emerging Neighbourhood Plan policies and, as far as possible, should avoid undermining these.

An assessment had identified a number of policy areas that were considered to be adequately addressed. The themes or topics set out below were therefore proposed to be best covered through the JCS and/ or Neighbourhood Plans:

- Open space, sport and recreation site designations
- Trees and ecosystem services
- Landscape designations
- Renewable energy
- Gypsies, travellers and travelling showpeople
- Mix and balance of uses within town centres
- Community infrastructure
- Major/strategic site specific proposals

The policies of the JCS and the range of themes and topics covered by those Neighbourhood Plans produced so far, had enabled the scope for the Local Plan Part 2 to be refined.

During discussion on the item, Members raised the issue of the developing Oundle Neighbourhood Plan, where lots of site specific work had already been undertaken and what would happen if the Neighbourhood Plan could not be brought forward. Could there be provision in the Local Plan for the funds allocated for infrastructure improvements in the town. Officers responded by advising that at this stage nothing had yet been allocated and any S106 requirements would be tested for viability. This was an opportunity to work with the Oundle Steering Group about the Neighbourhood Plan but some work needed to be done on Oundle allocations as part of the Local Plan. The Local Plan would look to support Oundle and not undermine it.

In response to a question as to why the proposed Enterprise Centre was not included in the potential to allocate further employment land allocations, officers advised that the proposed site of the Centre was not yet in the public domain, but once known could be included. Members also questioned why, if the Council had an aim to stop out commuting, why the potential to allocate further employment land allocations section of the report stated that there was no requirement to allocate further strategic employment sites through the Local Plan. Officers confirmed that the figures quoted were the minimum and they were currently waiting to receive the land assessment evidence base. It was suggested that Tresham could also be included in the potential to allocate further employment land allocations section.

It was suggested that the draft structure/framework should also include support for existing village facilities and also perhaps Community Energy Systems. In response to a question about the current position with Nene Park, Officers confirmed that they were in sporadic contact with both the owner and agent of the site. It was difficult to get the site back into the market as it had a number of major constraints.

RESOLVED:

- (i) To approve the following themes and topics identified through the Scoping Assessment, which are considered appropriate to be covered by the District-wide Local Plan Part 2, thereby defining the scope of the Plan:
- Vision and Outcomes/ presumption in favour of sustainable development
 - Rural settlement hierarchy
 - Settlement boundary criteria
 - Town centre re-imagination
 - Re-using rural buildings and redevelopment in the open countryside
 - Local Green Space criteria
 - Green infrastructure policies and projects assessment
 - Housing requirements
 - Housing mix and tenure
 - Specialist housing provision
 - Town centre boundaries and primary shopping areas
 - Managing the impacts of main town centre uses beyond the town centres
 - Local centres
 - Existing employment areas
 - Assessment of existing employment areas Tourism and culture
 - Health and wellbeing
 - Site specific allocations

- (ii) To approve, subject to the discussed amendments, the draft structure/framework for the District-wide Local Plan Part 2 as detailed in Appendix 2 of the report.

(Reason: To set the detailed scope and structure for the emerging District-wide Local Plan Part 2.)

143. DRAFT LOCAL PLAN PART 2 – AREA PORTRAIT, VISION AND OUTCOMES, SPATIAL STRATEGY

The Planning Policy and Conservation Manager presented a report which sought the Committee's approval of the draft text of the sections of the Local Plan on Area Portrait, Vision and Outcomes and Spatial Development Strategy, with a view to undertaking wider consultation on the draft text during Autumn 2018. An addendum to the report had been circulated prior to the meeting providing an additional policy and supporting text in relation to replacement dwellings in the open countryside.

Preparation of the Local Plan Part 2 formally commenced with the first (issues) consultation, under the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended (Regulation 18) which ran between January and March 2017. The Regulation 18 consultation and subsequent workshops had enabled local issues to be identified, to inform the emerging draft text for the Local Plan Part 2. The report allowed Members to formally consider the introductory section of the emerging Local Plan Part 2; the Area Portrait, Vision and Outcomes, and Spatial Development Strategy.

The Area Portrait was the scene setting part of the Local Plan. It provided a historical narrative and explained key features and matters that defined each of the six towns (Rushden, Higham Ferrers, Irthlingborough, Oundle, Raunds and Thrapston). It also highlighted where Neighbourhood Plans may have implications for the Local Plan Part 2, in terms of the content and scope of the Plan. The Area Portrait also described the main elements of the rural areas. It defined three distinctive spatial parts of the rural area:

- Rockingham Forest and Welland Valley;
- Nene Valley;
- Rural hinterland for the predominantly urban southern area.

The main policies within the Local Plan Part 2 itself would all flow from the Vision and Outcomes. As for the Joint Core Strategy (Local Plan Part 1), the Plan would state which policies connect to which Outcomes.

The Spatial Development Strategy (section 4.0) was the first section of the main Local Plan document. It applied the overarching principles of Core Strategy Policy 11 and Table 1 (Network of Urban and Rural Areas) within the East Northamptonshire context.

During discussion on the item, Members raised the issue of urban outliers, in particular Crow Hill, Irthlingborough. Officers confirmed that Crow Hill was being treated as part of the urban area as it had a predominantly urban/suburban character and would be dealt with as it was now. Members stated that a number of issues could be resolved by the development of Neighbourhood Plan and those towns which did not have a plan or were not developing a plan should be recommended to do so.

RESOLVED:

- (i) To note the addendum to the report; and
- (ii) To approve the draft text and policies for the introductory sections of the emerging Local Plan Part 2, for consultation during Autumn 2018, as follows:
 - Section 2.0: Area Portrait;
 - Section 3.0: Vision and Outcomes; and
 - Section 4.0: Spatial Development Strategy

(Reason: To allow the indicated sections of the Plan to be prepared for an initial non-statutory consultation for the emerging draft District-wide Local Plan Part 2 to take place during the Autumn.)

144. EAST NORTHAMPTONSHIRE TREE STRATEGY: REVISED DOCUMENT FOLLOWING CONSULTATION

The Planning Policy and Conservation Manager presented a report on the updated Tree Strategy following public consultation. The Tree Strategy provided improved direction and guidance for tree management across East Northamptonshire.

The Committee had previously approved the Tree Management Guidance and Policies document for consultation at its meeting in February 2018, where it was resolved to approve the draft document for consultation and allow any minor amendments to be made by the Head of Planning Services in consultation with the Chairman and Vice Chairman of the Planning Policy Committee. Consultation on the draft document ran for a period of six weeks and consultation took the form of an online survey and was sent to all ward councillors, Town and Parish Councils, Neighbouring Councils, internal departments (Planning, Waste and Environmental Protection) along with a list of private industry consultees. In addition, articles were posted on both the Council's Social Media and in the local press.

The results of the consultation were on the whole positive with only minor adjustments requested. This included clarification as to the Council's response to claims of compensation, updating of the NHBC Standards and some clarification of common law rights. Further comments related to the structure of the document itself. Some respondents stated that they found the document to be confusing and difficult to navigate and this had been addressed in two ways:

- The electronic version of the document now had a hyperlinked contents page which would aid in the navigation of the document; and
- A companion document had been created 'Tree Management Principles' which contained only the principles laid out within the main document.

During discussion on the item, Members raised concern at the lack of response to the consultation from town and parish councils. Officers confirmed that all councils had been sent a direct letter about the consultation.

The Committee congratulated the Senior Trees and Landscape Officer on producing an excellent document.

RESOLVED: That

- (i) the outcome of the consultation be noted; and
- (ii) the East Northamptonshire Tree Management Guidance and Policies Document is published on the Council's website for information.

(Reason: To provide a positive management tool to protect and enhance the tree stock within East Northamptonshire.)

145. "MAKING" (ADOPTION) OF THE GLAPTHORN NEIGHBOURHOOD PLAN 2016-2031

The Principal Policy Planning Officer presented a report which sought the Committee to "make" (adopt) the Glapthorn Neighbourhood Plan 2016-2031.

In June 2016, Glapthorn Parish Council had applied for the Parish area of Glapthorn to be designated a Neighbourhood Area. This application enabled the Parish Council to lead the preparation of a Neighbourhood Plan. Over the past two years the Parish Council had worked with the community to prepare a Neighbourhood Plan.

The plan making process for the Glapthorn Neighbourhood Plan culminated in the passage of the Plan at referendum. The referendum was held on Thursday 5 July 2018, the results of which were:

- 123 "Yes" votes, to "make" (adopt) the Glapthorn Neighbourhood Plan, out of 140 issued – 87.9% in favour;
- Turnout 61.4%.

The Plan included housing allocations around the village, as defined by the settlement boundary, which provided the distinction between the built-up area and the countryside beyond. These eight separate site allocations, (of between 1-5 dwellings), were expected to deliver 38 dwellings by 2031.

RESOLVED:

For the Parish of Glapthorn, to:

- (i) adopt ("make") the Glapthorn Neighbourhood Plan 2016-2031 as part of the statutory development plan for East Northamptonshire, in accordance with the relevant provisions in the 2011 Localism Act and 2012 Neighbourhood Planning Regulations;
- (ii) approve the replacement of 2011 Rural North, Oundle and Thrapston Plan Policy 2 by a combination of Glapthorn Neighbourhood Plan policies 2 and 3;
- (iii) approve the replacement of 2011 Rural North, Oundle and Thrapston Plan Policy 4 by Glapthorn Neighbourhood Plan Policy 6;
- (iv) approve the replacement of Glapthorn Neighbourhood Plan policies 5 and 6 by a combination of Glapthorn Neighbourhood Plan 3(9), 10 and 11;

- (v) approve the replacement of 2011 Rural North, Oundle and Thrapston Plan Policy 15 by Glapthorn Neighbourhood Plan Policy 12; and
- (vi) approve the replacement of 29011 Rural North, Oundle and Thrapston Plan Policy 23 by Glapthorn Neighbourhood Plan Policy 4.

(Reason: To update the adopted development plan for the Parish of Glapthorn in view of the passage of the Neighbourhood Plan at referendum.)

Chairman

PLANNING MANAGEMENT COMMITTEE

Date: 15 August 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present Councillors: Richard Gell Harriet Pentland
 Helen Howell Ron Pinnock
 Roger Glithero JP Alex Smith
 Marika Hillson Robin Underwood
 Barbara Jenney Peter Wathen
 Andy Mercer Pam Whiting

146. APPOINTMENT OF CHAIRMAN FOR THE MEETING

In the absence of both the Chairman and Vice Chairman, it was **RESOLVED**:

That Councillor Robin Underwood be appointed Chairman for this meeting only.

147. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gill Mercer, Anna Sauntson, Geoff Shacklock and Phillip Stearn.

148. MINUTES

The minutes of the meeting held on 11 July 2018 were approved and signed by the Chairman.

149. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Declarations of Interest

Councillor	Application	Nature of Interest	DPI	Other Interest
Roger Glithero	17/02426/OUT OP0512 TL0097 Blatherwycke Road, Kings Cliff	Knows the agent.		Yes
Barbara Jenney	18/01269/FUL 225 Avenue Road, Rushden	Has a close association with the speaker.		Yes

(b) Informal Site Visits

No informal site visits were disclosed.

150. QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

151. SECTION 106 AGREEMENTS AND DELEGATIONS TO HEAD OF PLANNING SERVICES – UPDATE

The Committee received a report which provided an update on the progress of drafting S106 Agreements in respect of matters where the Committee had previously resolved to grant planning permission and on the applications where actions had been delegated to the Head of Planning Services.

Members considered a request by the Planning Development Manager for an extension of time for the Section 106 agreement in respect of application 10/00857/OUT Irthlingborough West until the end of February 2019.

The progress on delegations to the Head of Planning Services was noted as follows:

- 15/00119/VAR Priors Hall – unlikely to proceed with the new owners.
- 18/00349/NCC Upper Higham Lane, Rushden – objection letter agreed and issued.
- 18/00708/FUL Land Adjacent 47 The Crescent, Caldecott – decision issued.

RESOLVED:

- (i) That the report be noted; and
- (ii) That the extension of time for the Section 106 agreement in respect of 10/00857/OUT Irthlingborough West until the end of February 2019 be approved.

152. PUBLIC SPEAKERS

A number of people had registered to speak on the items as indicated:

- 17/02426/OUT 0P0512 TL0097 Blatherwycke Road, Kings Cliffe – a representative on behalf of Kings Cliffe Parish Council and the Agent on behalf of the Applicant.
- 18/01136/REM 55 Rushmere Way, Rushden - an objector to the application.
- 18/01269/FUL 225 Avenue Road, Rushden - a Ward Member.
- 18/00656/VAR Darsdale Farm Site, Chelveston Road, Raunds - the Agent for the Applicant

153. PLANNING APPLICATIONS

The Committee considered the planning applications report and representations made by public speakers at the meeting. It was noted that there was additional information on the applications included in the update sheet.

(i) **17/02426/OUT – OP0512 TL0097 Blatherwycke Road, Kings Cliffe**

The Committee considered an outline application for a proposed residential development of up to twenty affordable homes and ten market homes, allotments and landscaping (all matters reserved except access). The application had been deferred from the Planning Management Committee meeting held on 13 June 2018 to allow for additional information to be considered. The application had been brought before the Committee in accordance with the Scheme of Delegation.

Members noted that Kings Cliffe Parish Council had objected to the application on the basis that previous recent developments had fulfilled the village's housing requirements and that the emerging Kings Cliffe Neighbourhood Plan had allocated two other sites for housing. Members further noted that twenty letters objecting to the application had been received from nearby residents and ten letters in support of the application had been received. The Local Highways Authority had no objections to the application subject to conditions and provision of a bus stop within 400m of the application site. The Planning Officer read out an additional statement which had been submitted by the applicant.

During debate on the application, Members raised concerns that the application could open up similar applications outside of the village boundary. The emerging Kings Cliffe Neighbourhood Plan was now at an advanced stage and had allocated a number of sites for development. It was also stated that there was no evidence of the local housing need not being met.

It was moved and seconded that the application be refused. On being put to the vote the Committee **agreed to refuse** the application for the following reasons:-

1. The proposal would result in part affordable, part market housing development on unallocated Greenfield land outside the defined settlement boundary and on a site which does not relate well to the built form of the village. The applicant states that the proposal is to be considered as a rural exception site but has not submitted or referred the Local Planning Authority to any robust evidence in the form of a Housing Needs Assessment in order to demonstrate that there is a local housing need, or that the proposed development would satisfy locally identified housing needs. Given that the applicant has not put forward a convincing case in favour of the development, the proposal does not accord with Policy 11 2 a), b) and c), and Policy 12 1 a) and d) of the North Northamptonshire Joint Core Strategy and Paragraph 2 of the NPPF.
2. The proposed development is not purely for affordable housing and the applicant has failed to provide any supporting evidence to demonstrate that an element of market housing is essential to enable the delivery of the development, or the workings to demonstrate the basis on which the proposed number of market units has been reached, in order that the scale of the market housing is the minimum necessary to make the scheme viable as required by Policy 13 (1) (d) of the North Northamptonshire Joint Core Strategy and Paragraphs 2 and 77 of the NPPF.

3. The proposed development by reasons of its scale, density and peripheral location would detract from the linear and more diffuse built form along Blatherwycke Road, which is a key transitional area between the very dense built form of the village and the sparsely populated open countryside. The proposal, therefore, would fail to conserve and enhance the existing landscape character and the character and appearance of the village. The proposed development would be contrary to paragraphs 17 and 61 of the National Planning Policy Framework 2012, and Policy 1, Policy 3 a),b) and d), Policy 8 d) and Policy 13 (1) b) and d) of the North Northamptonshire Joint Core Strategy 2016 and Paragraph 127 of the NPPF.
4. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement, the Local Planning Authority is not convinced that the infrastructure directly required for the proposed development will be provided and as such the proposal would be contrary to Policy 10 of the North Northamptonshire Joint Core Strategy 2016 and the adopted East Northamptonshire Council Developer Contributions SPD 2006.
5. The applicant has failed to adequately explore or, if necessary, address the full impact of the free range poultry farm to the north west of the application site, including any impact that could be experienced through the introduction of a residential development in such close proximity to the farm, in terms of flies and odour. In addition, the applicant has failed to demonstrate that the proposed development would not only be acceptable subject to unreasonable restrictions being put on the existing business carried out at the farm in order to limit the impact on the proposed dwellings. As such, the applicant has failed to demonstrate that there will be no adverse impact on the occupiers of the proposed development and/or the existing business at the farm and therefore the proposed development does not comply with paragraph 170 and 182 of the NPPF and Policy 1 and 8 e) i and ii) of the North Northamptonshire Joint Core Strategy.

154. ADJOURNMENT OF MEETING

The meeting was adjourned at 7.35pm and reconvened at 7.45pm, whilst the advice of the Deputy Monitoring Officer was sought on whether the Rushden members of the Committee had an interest in the item as a fellow District Councillor was a neighbour to the property. The advice was that Members did not have an interest in the item so they remained in the meeting.

(ii) 18/01136/REM – 55 Rushmere Way, Rushden

The Committee considered a reserved matters application for the erection of a single storey dwelling. The application had been brought before the Committee at the request of the Ward Member Councillor Barbara Jenney.

Members noted that Rushden Town Council had no objections to the application. Members further noted that several letters objecting to the application had been received from nearby residents. A late submission from Councillor Dorothy Maxwell had been received.

During debate on the application, it was noted that reference to a Covenant which stated that a single storey dwelling could not be erected behind 55 Rushmere Way had been made, however this was a civil matter and was separate to the planning application. Members enquired about the drainage from the site given the changes in the levels and there was a

discussion about whether the details could be conditioned and how its proper functioning could be assured. Building Control approval would ensure that technical and dimensional standards were achieved but Members wanted to ensure that the system would work properly once the building came into use, protecting the site and not affecting neighbouring sites. Members also raised concern at the proposed gabion wall and whether it would provide adequate protection. It was proposed that if the application was approved, there should be strong conditions included for future maintenance of the proposed gabion wall and the satisfactory future functioning of the water drainage system.

It was moved and seconded that the application be granted. On being put to the vote, there were seven votes for the motion, three against and no abstentions, therefore the Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report, update sheet and conditions to agree details of the gabion wall and associated drainage scheme and its maintenance in perpetuity.

(iii) 18/01269/FUL – 225 Avenue Road, Rushden

The Committee considered an application for the construction of a new single garage at the front of the property. The application had been brought before the Committee at the request of Councillor David Jenney as Rushden Town Council had objected to the application.

Members noted that Rushden Town Council had objected to the application on the grounds that the proposed building extended beyond the existing building line, was out of character with the neighbouring properties and the construction and materials were out of keeping with existing buildings. The Local Highways Authority had made no comments on the application.

During debate on the application, Members stated that whilst the building was not of a good design, it would mainly be hidden behind trees. In response to a question as to whether the proposed building was out of character to the neighbouring properties, the Planning Officer advised that due to the number of developments which had taken place over the years, it would now be difficult to define what the character of the street was. Some Members supported the view of the speaker that allowing this development would set a precedence of basing planning decisions on another building which did not have planning consent, however officers confirmed that the other building had been there so long that officers would no longer be able to enforce and it was therefore considered legal, however the proposed decision was not being based on that building.

It was moved and seconded that the application be granted. On being put to the vote, there were eight votes for the motion, two against and no abstentions, therefore the Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report.

The Chairman requested that it be minuted that he did not take part in the discussion or voting on this item.

(iv) 19/00656/VAR – Darsdale Farm Site, Chelveston Road, Raunds

The Committee considered the variation of a condition pursuant to planning application 17/01680/VAR. The application had been brought before the Committee in accordance with the Scheme of Delegation as it sought to vary a condition on a major planning proposal.

The application sought to vary Condition 1 of the planning permission by allowing for a change in the mix of housing, replacement of some of the approved house types with alternative house types and to alter the parking provision/layout for some of the plots and the relationship of the buildings to spaces. The total number of residential units would remain unchanged.

Members noted that Raunds Town Council had raised concerns that the application affected over 200 houses, including the affordable housing, and that with a lack of information for the Town Council to understand, they had referred it to ENC to consider. ENC's Housing Strategy team had objected to the application as they had requested an affordable detached four bedroom bungalow to be included within the re-plan as that would contribute towards the mix for the site and the range of affordable properties available.

During debate on the application, Members welcomed the improvement in the parking provision, including the reduction in the number of tandem parking spaces. Concern was raised at the loss of a small section of the hedgerow and Officers confirmed that it would have been desirable to retain that section of the hedgerow, but it was not considered that that would be a matter to justify the refusal of the application, particularly when balanced with the benefit of the re-alignment of the parking spaces.

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 completion of a Deed of Variation to secure S106 financial contributions.

(v) 18/01189/FUL – 108 Harborough Road, Rushden

The Committee considered an application for the erection of a rear and side extension around an existing rear projecting kitchen. The application had been brought before the Committee as the applicant was an employee of East Northamptonshire Council.

Members noted that Rushden Town Council had no objections 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.

155. APPEAL DECISION MONITORING REPORT

The Committee received a report which provided an update on the planning appeals determined by the Planning Inspectorate from 23 June to 27 July 2018.

In relation to the successful defence of the appeal in relation to The Old Nags Head, Hargrave, Councillor Helen Howell wished to thank all members of the Planning Department for all their work in defending the appeal.

RESOLVED:

That the report be noted.

Chairman

EXTRAORDINARY COUNCIL MEETING

Date: 29 August 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors:-

Wendy Brackenbury	(Chairman of the Council)
Helen Howell	(Vice-Chairman of the Council)
Steven North	(Leader of the Council)

Rosalie Beattie	Dorothy Maxwell
Tony Boto	Andy Mercer
David Brackenbury	Gill Mercer
Val Carter	Harriet Pentland
Richard Gell	Janet Pinnock
Roger Glithero JP	Ronald Pinnock
Glenvil Greenwood-Smith	Roger Powell
Helen Harrison	Rupert Reichhold
Marika Hillson	Anna Sauntson
Sylvia Hobbs	Geoff Shacklock
Dudley Hughes JP	Phillip Stearn
Sylvia Hughes	Robin Underwood
Barbara Jenney	Jake Vowles
David Jenney	Pam Whiting
Lance Jones	Colin Wright
Richard Lewis	

156. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Annabel de Capell Brooke, John Farrar, Marian Hollomon, Sarah Peacock and Peter Wathen.

157. DECLARATIONS OF INTEREST

The Chairman invited those who wished to do so to declare any interests in respect of items on the agenda.

No declarations were made.

158. LOCAL GOVERNMENT REFORM IN NORTHAMPTONSHIRE – SECRETARY OF STATE INVITATION

The Chief Executive presented to Council a report which sought its determination as to whether to submit a proposal to the Secretary of State for the reorganisation of local government in Northamptonshire and to endorse next steps accordingly. Attention was drawn to the detailed appendices including the public consultation and financial

consideration undertaken on behalf of councils by Opinion Research Services and PricewaterhouseCoopers respectively.

The Chief Executive also wished to draw to councillors’ attention the equalities impact assessment, also conducted by Opinion Research Services, which was a background document to the report and had been circulated to Councillors prior to the meeting for their consideration. It was noted that it was a live document which would be continuously reviewed and updated to reflect the impacts on residents as more information was gathered about the proposal and the future of service delivery across Northamptonshire.

Two minor amendments were brought to the attention of Councillors which had been identified after publication of the report papers and which had been circulated in advance of the meeting to councillors. These were as follows:-

Council Paper	Error	Amendment (in bold italics)
Appendix 2 Proposed Submission	<p>Savings figures in para 4.8.1 on page 10 of the Proposed Submission do not match the figures on page 12 of the pwc report; pwc report is correct expression. (The total £m is the same, but split and date differ).</p> <p>PwC report : ‘Initial modelling suggests that this could deliver an annual saving of £6 million for the West unitary area, and £6.1 million for the North area, totalling £12.1 million of annual savings arising through reorganisation, fully realised from the year 2021/22 onwards.’</p> <p>Proposed Submission: ‘4.8.1 Initial modelling suggests that this could deliver an annual saving of £5.8 million for the West unitary area, and £6.3 million for the North area, totalling £12.1 million of annual savings arising through reorganisation from the year 2020/21 onwards.’</p>	<p>Proposed Submission: ‘4.8.1 Initial modelling suggests that this could deliver an annual saving of £5.8 £6.0 million for the West unitary area, and £6.3 £6.1 million for the North area, totalling £12.1 million of annual savings arising through reorganisation, from the year-2020/21 fully realised from the year 2021/22 onwards.’</p>

<p>Appendix 4 ORS Consultation Report</p>	<p>Response percentage in text of para 3.27 on page 34 do not match the percentages in the diagram at Figure 11; Figure 11 is correct expression.</p> <p>ORS report: '3.27 Overall, three-quarters of residents agreed with the proposal (North 70% and West 77%) (see Figure 10). However, only 37% of individual open questionnaire respondents agreed, while 59% disagreed.'</p>	<p>ORS Report: '3.27 Overall, three-quarters of residents agreed with the proposal (North 70% and West 77%) (see Figure 10). However, only 37% 44% of individual open questionnaire respondents agreed, while 59% 50% disagreed.'</p>
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At the beginning of debate the Leader of the Council made the following statement:-

This is a clearly a sad occasion for us all. Next year I will have done 20 consecutive years, half of that time in a leadership role, and I am very proud of what has been achieved in that time:-

- *Rushden Lakes – the biggest change in a generation;*
- *Community Facilities Fund – over £1.5m invested in our community in just five years;*
- *Successful housing stock transfer;*
- *Delivery of high quality contracts;*
- *Stanwick Lakes;*
- *A different leisure offer – making sure we reach everyone through Outreach;*
- *Partnership Working – more than any other council in the last 10 years;*
- *Maintained a prudent level of reserves;*
- *Balanced budgets every single year – despite year on year decline in government grant funding.*

These are just a few highlights and we have done all this with ever reducing budgets. As I've said before this is all about teamwork, with officers and members working together. However this is one of my saddest days on the council and a day I never hoped would arrive, because I do recommend we support the four recommendations in the proposal in front of you to dissolve this council and support the formation of two unitary councils. Why? Because there is no alternative.

There is not enough time for the commissioners and the new Cabinet at the County Council to sort its finances out, to repair its culture and structure, as clearly stated in the Best Value Inspection Report, reproduced in paragraph 1.2 of Appendix 2, the proposed submission. This is not about Northamptonshire County Council though, it is about the residents.

However if the Secretary of State for Ministry of Housing, Communities and Local Government called and said we are going to give more time for the County Council to sort themselves out, I would call you Chairman, for an emergency meeting to stay as we are, as this is a response to an invitation, not a proposal of our own making.

In supporting this we need to look to the future, working across borders with SEMPLEP/the growth corridor, better strategic planning with the health sector, parish councils etc, as shown in paragraph 4.7 of the proposed submission - although most of this will be for the new sovereign body to determine, not us.

It is clear that Unitary alone is not the answer to everything and to deliver any of the transformation suggested we do need the government's help in some shape or form. This is a sad day, but if this is done right there maybe ways to improve the lives of our residents.

During debate the following principal points arose from discussion:-

- i) That following the well publicised financial and governance failures at the County Council, regrettably the only way forward was considered to be reorganisation into new unitary councils. By engaging with the process of reform, it was considered that this Council would have an effective voice in shaping the proposed successor unitary authority;
- ii) It was hoped that the proposed new unitary council would benefit from improved partnership working and delivery of key services in health and social care such as adults'/children's social care and public health currently provided by the County Council, a number of preventative services currently provided by Borough and District Councils, the NHS and other key local partners;
- iii) However, there was real concern about the impact of the cost of these services and the current financial deficit of the County Council on the future financial sustainability of the proposed new unitary council. In order to be sustainable, it would be important for the Government to provide the County Council with the tools and levers to deliver a sustainable financial position by April 2020;
- iv) Whilst it was considered that use of those tools and levers, including for example those of council tax and business rates, it was recognised that this would be a matter for the proposed shadow authority and subsequently the new unitary council rather than this Council;
- v) Deployment of resources required to progress work on the next steps including those ahead of any decision by the Secretary of State, up to a maximum of £500k, was being proposed by each of the principal councils in Northamptonshire and was based on estimates of the costs borne by other councils in the country which had been through similar unitary change;
- vi) The process of moving to unitary status would be open and transparent, with the public, local partners and key stakeholders all involved;
- vii) All councillors wished to pay tribute to the tireless hard work, professionalism, commitment and loyalty from members of staff to the residents of East Northamptonshire throughout the council's proud existence and to the present day;
- viii) The Chief Executive, Monitoring Officer and Chief Financial Officer were to be thanked for their hard work in helping put the bid submission proposals together.

The following motion was then put, seconded and voted upon in four parts, as follows:

- (1) That Council wishes to respond to the Secretary of State's invitation;

The first part of the motion was put by the Leader, seconded by the Deputy Leader and carried, 32 voting in favour, 1 against and 1 abstention.

- (2) That subject to at least one other Northamptonshire principal council signing up to it, Council submits the 'Northamptonshire Local Government Reform Proposal';

The second part of the motion was put by the Leader, seconded by the Deputy Leader and carried, 30 voting in favour, 0 against and 4 abstentions.

- (3) That, subject to the submission of 'Northamptonshire Local Government Reform Proposal' by any council, Council endorses the Chief Executive's deployment of resources required to progress work on the next steps, including those ahead of any decision by the Secretary of State, up to a maximum of £500k to be taken from existing budgets and/or reserves.

The third part of the motion was put by the Leader, seconded by the Deputy Leader and carried, 32 voting in favour, 0 against and 2 abstentions.

- (4) That, subject to the submission of the 'Northamptonshire Local Government Reform Proposal' by any council, Council approves the interim governance structure of a Northamptonshire Central Programme Team overseeing a West Northamptonshire Project Board and a North Northamptonshire Project Board for the preparatory phase leading up to shadow authorities.

The fourth part of the motion was put by the Leader, seconded by the Deputy Leader and carried, 34 voting in favour, 0 against and 0 abstentions.

RESOLVED:

- (1) That Council wishes to respond to the Secretary of State's invitation;
- (2) That, subject to at least one other Northamptonshire principal council signing up to it, Council submits the 'Northamptonshire Local Government Reform Proposal';
- (3) That, subject to the submission of 'Northamptonshire Local Government Reform Proposal' by any council, Council endorses the Chief Executive's deployment of resources required to progress work on the next steps including those ahead of any decision by the Secretary of State, up to a maximum of £500k to be taken from existing budgets and/or reserves.
- (4) That, subject to the submission of the 'Northamptonshire Local Government Reform Proposal' by any council, Council approves the interim governance structure of a Northamptonshire Central Programme Team overseeing a West Northamptonshire Project Board and a North Northamptonshire Project Board for the preparatory phase leading up to shadow authorities.

[Reason: To respond to the Secretary of State's invitation for the principal councils in Northamptonshire to develop and submit locally-led proposals for establishing unitary authorities across the county area.]

Chairman

POLICY AND RESOURCES COMMITTEE

Date: 03 September 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: Richard Lewis (Chairman)
Glenvil Greenwood-Smith (Vice Chairman)
David Jenney (Deputy Leader of the Council)

Tony Boto
David Brackenbury
Val Carter
Roger Glithero JP

Dudley Hughes JP
Andy Mercer
Rupert Reichhold
Phillip Stearn

159. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors John Farrar, Steven North and Sarah Peacock.

160. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 9 July 2018 were approved and signed by the Chairman.

161. DECLARATIONS OF INTEREST

No declarations of interest were made.

162. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

163. MINUTES OF SUB-COMMITTEES AND WORKING PARTIES

a) Personnel Sub-Committee – 16 July 2018

The minutes of the meeting of the Personnel Sub-Committee held on 16 July 2018 were received (see pages 192 to 194).

b) Finance and Performance Sub-Committee – 23 July 2018

The minutes of the meeting of the Finance and Performance Sub-Committee held on 23 July 2018 were received (see pages 195 to 196).

R.7 RESOLVED TO RECOMMEND TO FULL COUNCIL:

Asset Management – July 2018 Update

The Approved Capital Programme be increased by £50,000, to be funded from capital reserves, in order to undertake the demolition of 103 High Street, Rushden and to make the site safe and clean in preparation for delivery of the wider master plan.

(Reason: To follow correct approval process for amendments to the Capital Programme.)

164. GAMBLING POLICY CONSULTATION

The Health Protection Manager presented a report which sought approval for the commencement of a six week consultation period for the revised Gambling Policy. The Gambling Act 2005 required each licensing authority to publish a Statement of Licensing Principles, otherwise known as the Gambling Policy Statement, which must be reviewed every three years.

The current policy was a countywide document and the review had been led by Daventry District Council and Kettering Borough Council, in conjunction with the Countywide Licensing Group, to ensure consistency of approach.

The Gambling Act required the licensing authority to determine a resolution on the provision of casinos within the district which would form part of the Statement of Licensing Principles. The Council had previously passed a resolution not to have a 'no casino' policy and at this time, as we had no casinos and had received no requests for a casino, it was felt appropriate that the resolution be continued.

During debate on the item, Members asked what the other North Northamptonshire councils' position was with regard to casinos. The Health Protection Manager advised that she did not know but she would find out and let members know.

RESOLVED:

To approve that the draft Statement of Licensing Principles, under the Gambling Act 2005, goes out for a six week consultation period and subject to there being no significant changes, to take the Policy to the next appropriate Full Council meeting for approval; and

R.8 RESOLVED TO RECOMMEND TO FULL COUNCIL:

That the Council maintains its current position of not having a 'no casino' policy under Section 166 of the Gambling Act 2005.

(Reason: To accord with legislation and current Council policy.)

165. ADMINISTRATIVE CHANGES TO POLICIES

The Monitoring Officer presented a report which sought to obtain delegated powers, in consultation with the Chairman of the Policy and Resources Committee, to approve administrative changes when policies and strategies were reviewed in order to obtain a

balance between the need to gain approval from the Committee for significant policy and strategy development and day to day administrative work. This would be particularly relevant in the run up to any local government changes relating to unitary councils.

RESOLVED:

To delegate the approval of minor and/or administrative changes to policies and strategies to the Monitoring Officer, in consultation with the Chairman or Vice Chairman of the Policy and Resources Committee.

(Reason: The recommended course of action is the most cost-effective and time-effective for the Council.)

166. MODERN SLAVERY STATEMENT

The Monitoring Officer presented a report which provided Members with information about the obligations of the Council under the Modern Slavery Act 2015 and detailed the required statement on the steps to be taken to ensure human trafficking and slavery did not occur within the Council or its supply chains. The Modern Slavery statement covered the previous financial year and must be published no later than September of each year.

The Modern Slavery Act 2015 specifically addressed slavery and trafficking in the 21st century and consolidated the current offences relating to trafficking and slavery and specified the duties incumbent on organisations under the Act. The transparency in supply chains provision in the Act meant that every large commercial organisation had a responsibility to publish a statement about what it was doing to prevent slavery in its business and supply chain.

A slavery and human trafficking statement was:

- a statement of the steps the organisation had taken during the financial year to ensure that slavery and human trafficking was not taking place in any of its supply chains and in any part of its own business; or
- a statement that the organisation had taken no such steps.

During discussion on the item, a number of amendments were identified in the draft Statement and these would be actioned by officers prior to signature and publication.

RESOLVED:

To approve the Modern Slavery Statement, as amended, for signature and publication.

(Reason: To accord with legislation.)

Chairman



Personnel Sub-Committee

Minutes of a Meeting held on Monday 16 July 2018 at 6.30pm, East Northamptonshire House, Thrapston

Present: Councillors: Roger Glithero JP (Chairman)
John Farrar
Glenvil Greenwood-Smith
David Jenney
Steven North

Officers: Glenn Hammons Executive Director (Resources & Commercial)
Paul Bland Head of Planning Services

1.0 APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Tony Boto and Sarah Peacock.

2.0 MINUTES

2.1 The minutes of the meeting of the Personnel Sub-Committee held on 25 June 2018 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 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 1 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972, may be disclosed.

6.0 BUSINESS TRANSFORMATION RESOURCE

- 6.1 The Executive Director (Resources & Commercial) presented a report on a proposal to provide the capacity and skills necessary to resource the Council's transition and transformation agenda over the coming years.
- 6.2 The Council has had a Business Transformation Team since 2015 and in this period the team had focussed on delivering process and service improvements for the Council. However, there was insufficient capacity in the team to take on the additional demands of the transition and transformation agenda associated with joint working with other councils and a move towards unitary local government over the coming years.
- 6.3 The Transformation Committee at its meeting on 2 July 2018 had resolved to recommend to Council a set of resourcing principles to support and drive the transition project, whilst also maintaining service delivery to customers.

RESOLVED: That

- (i) the principles the Transformation Committee resolved to recommend to Council, be noted; and
- (ii) the proposed structure for the Business Transformation Team, which is expected to remain in place for the remaining life of the Council, be approved.

(Reason: To place the Council in the best position possible during a significant period of transformation and change.)

7.0 PLANNING SERVICES RESTRUCTURE

- 7.1 The Head of Planning Services presented a report which proposed a number of limited changes to the Development Management and Planning Policy and Conservation teams to address future workload priorities, in the context of preparing for potential transition to the new North Northamptonshire unitary authority from 2020.
- 7.2 The current corporate priorities for the Planning Service for the period to March 2020 were:
- completion of the Tresham Garden Village Masterplan and determination of the outline planning application;
 - completion of the Rushden East Sustainable Urban Extension Masterplan and determination of the outline planning application; and
 - preparation and adoption of the Part 2 District-wide Local Plan.
- 7.3 The number of planning applications, particularly major applications, was forecast to increase from now through to May 2020. Consequently, the pressures to respond effectively to considering and determining planning applications would increase.

RESOLVED:

That the following changes to the structure of Planning Services be approved:

- i) The Senior Conservation Officer and Senior Landscape and Trees Officer posts be moved from the Planning Policy and Conservation Team to the Development Management Team;
- ii) The 'Planning Policy and Conservation' team be renamed as the 'Local Planning Delivery' team; and
- iii) The job title of the team manager post be changed from 'Planning Policy and Conservation Manager' to 'Planning Policy Manager'.

(Reason: To maintain the efficiency of Planning Services.)

Chairman

6.0 ASSET MANAGEMENT – JULY 2018 UPDATE

- 6.1 Further to the approval of a new Asset Management Strategy at the meeting of the Finance Sub-Committee in March 2018, the Head of Economic and Commercial Development presented a report providing an update on the Council's Asset Management Strategy, seeking approval to demolish 103 High Street Rushden and an agreed preferred option for the future of the Rushden Centre by either retaining the building as a revenue income source or to selling as an investment property to achieve a capital receipt.
- 6.2 In response to the issue being raised, the Sub-Committee considered that the Eaton Walk/103 High Street, Rushden site would not be a suitable location for the East Northants Enterprise Centre and other out of town locations offered advantages to prospective occupants.

RESOLVED: That

- i) subject to Council approving the recommendation set out below, the Head of Economic and Commercial Development be authorised to procure and deliver the demolition of 103 High Street.
- ii) the signing of the new lease for Rushden Centre with the Northamptonshire Healthcare NHS Foundation Trust be approved on the basis of "option 1" set out in paragraph 2.6 of the report.
- iii) the option of realising a capital receipt for the Rushden Centre building on the basis of "option 3" set out in paragraph 2.8 of the report be explored later in the year once there is further clarity on the future position regarding Local Government re-organisation in the County.

(Reason: To deliver the Asset Management Strategy)

RESOLVED TO RECOMMEND TO FULL COUNCIL that

the Approved Capital Programme be increased by £50,000 to be funded from capital reserves in order to undertake the demolition of 103 High Street and to make the site safe and clean in preparation for delivery of the wider master plan.

(Reason: To follow correct approval process for amendments to the Capital programme)

Chairman

TRANSFORMATION COMMITTEE

Date: 5 September 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present:

Councillors:	Helen Howell	(Chairman)
	Colin Wright	(Vice Chairman)
	Steven North	(Leader of the Council)
	David Jenney	(Deputy Leader of the Council)
	Tony Boto	Marian Hollomon
	John Farrar	Richard Lewis
	Richard Gell	Janet Pinnock
	Roger Glithero JP	

167. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Harriet Pentland and David Oliver, Chief Executive.

168. DECLARATIONS OF INTEREST

The Chairman invited those who wished to do so to declare any interests in respect of items on the agenda for the meeting.

No declarations were made.

169. MINUTES OF THE MEETING HELD ON 2 JULY 2018

The minutes of the meeting held on 2 July 2018 were approved and signed by the Chairman, subject to the corrected spelling of Cllr Marian Hollomon.

170. UNITARY UPDATE

The Leader of the Council provided an update on unitary developments as follows:-

- i) The proposal for unitary reorganisation in Northamptonshire had been sent to the Secretary of State for the Ministry of Housing, Communities and Local Government on 31 August 2018 on behalf of the seven authorities which had backed its submission to Government;
- ii) Following a meeting between Leaders, Chief Executives and the Ministry of Housing, Communities and Local Government (MHCLG) that day it was noted that subject to the decision of the Secretary of State to proceed, the following areas were likely to require incorporation into the structural change orders to create the new councils:

- a. Electoral arrangements for the new unitary authorities;
- b. Number of councillors for each authority;
- c. Boundary review expected to be completed by the end of 2019 with a backstop of using current County Council electoral divisions as two or three member divisions should it not be completed in time;
- d. Abolition of this and the other seven principal councils of Northamptonshire;
- e. Shadow Authorities to be created, to be comprised of all existing councillors, and Shadow Executives to be drawn from those councillors;
- f. The new unitaries to commence with executive and scrutiny arrangements, but with the choice for the new councils to move to committee or mayoral arrangements should they wish to;
- g. Early notice in late 2018 of an extension of existing borough and district councillor terms of office until May 2020, with scheduled borough and district elections in May 2019 to be postponed; a decision of whether parish and town council elections also being delayed being a decision for principal councils;
- h. The future unitary electoral cycle.

RESOLVED:

That the unitary update be noted.

171. UPDATE ON THE OFFICE TRANSFORMATION PROJECT

The Committee considered an update of the Business Transformation Manager on the key elements of the Office Transformation Project.

Since the last update to Committee a number of elements of the project had been progressed including approval of the project initiation document by Corporate Management Team, staff engagement regarding Phase 1 (Planning Services) and development of the Phase 1a plan which was due to end on 1 October 2018.

The Business Transformation Team was also in the process of recruiting to existing and newly created posts, with a second Business Transformation Manager to commence in post on 10th September 2018 and interviews for remaining roles commencing in early October.

It was further noted that of the total project budget of £216k, the first phase had been split into two parts, with the second phase expected to be broken down in a similar fashion.

The Business Transformation Manager undertook to brief members on the outcome of phase 1 quotes received from suppliers/tradespeople following Corporate Management Team signoff, with potential councillor involvement in tendering for phase 2 works to be discussed prior to the commencement of that stage of the project.

RESOLVED:

That the progress being made on the Office Transformation Project be noted.

172. UPDATE ON JOINT WORKING WITH BOROUGH COUNCIL OF WELLINGBOROUGH

The Committee considered a report of the Executive Director (Resources and Commercial) providing an update on progress with the council's joint working arrangement with the Borough Council of Wellingborough.

The Executive Director reported on key milestones which had been reached since the last meeting of the Committee. These included both councils having approved the principles and services for joint working, services in the process of developing their joint working plans and team charters, governance arrangements being established and communications with affected teams.

It was noted that whilst these specific joint working arrangements were between East Northamptonshire and Wellingborough councils only, as the timeframe for moving to unitary status got closer, increased engagement with Corby and Kettering councils would also take place in these areas.

However this did not mean existing or proposed joint working arrangements would not continue in other service areas such as the joint planning unit across all four councils and the proposed joint HR service across Corby, Wellingborough and East Northamptonshire councils.

RESOLVED:

That the progress being made on joint working with Borough Council Wellingborough be noted.

Chairman

PLANNING MANAGEMENT COMMITTEE

Date: 12 September 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present	Councillors: Phillip Stearn	Chairman
	Gill Mercer	Vice Chairman
	Richard Gell	Ron Pinnock
	Roger Glithero JP	Roger Powell
	Helen Howell	Geoff Shacklock
	Barbara Jenney	Alex Smith
	Andy Mercer	Robin Underwood
	Harriet Pentland	Peter Wathen

173. APOLOGIES FOR ABSENCE

Apologies for absence were received from Marika Hillson, Dudley Hughes JP, Anna Sauntson and Pam Whiting.

174. MINUTES

The minutes of the meeting held on 15 August 2018 were approved and signed by the Chairman.

175. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Declarations of Interest

Councillor	Application	Nature of Interest	DPI	Other Interest
Richard Gell	18/00004/FUL Land West of Rushden Lakes, Ditchford Lane, Rushden	Was a Member of the Ramblers Association who had made comments on the application.		Yes
Geoff Shacklock	18/01061/FUL Wigsthorpe House Farm, Main Street, Wigsthorpe	The tenant farmer was a family friend.		Yes (left meeting)

(b) Informal Site Visits

No informal site visits were disclosed.

176. QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

177. SECTION 106 AGREEMENTS AND DELEGATIONS TO HEAD OF PLANNING SERVICES – UPDATE

The Committee received a report which provided an update on the progress of drafting S106 Agreements in respect of matters where the Committee had previously resolved to grant planning permission and on the applications where actions had been delegated to the Head of Planning Services.

The Head of Planning Services advised that in relation to the agreement for 10/00857/OUT Irthlingborough West, a revised agreement had now been received so it may be concluded earlier than the deadline date of 28 February 2019.

Members considered a request by the Planning Development Manager for an extension of time for the agreement in respect of 16/01431/OUT Nene Business Park until 11 January 2019 as negotiations were ongoing.

The progress on delegations to the Head of Planning Services was noted as follows:

- 15/00119/VAR Priors Hall – unlikely to proceed with the new owners. It was noted that the developers were now preparing a new masterplan which would likely lead to a new planning application in the future.

RESOLVED:

- (i) That the report be noted; and
- (ii) That the extension of time for the S106 agreement in respect of 16/01431/OUT Nene Business Park, until 11 January 2019, be approved.

178. PUBLIC SPEAKERS

No people had registered to speak on any item. However, the Applicant's Transport Consultant for 18/00004/FUL Land West of Rushden Lakes, Ditchford Lane, Rushden was present to answer any questions if necessary on that item.

179. PLANNING APPLICATIONS

The Committee considered the planning applications report. It was noted that there was additional information on the applications included in the update sheet.

(i) 18/00004/FUL – Land West of Rushden Lakes, Ditchford Lane, Rushden

The Committee considered an application for the construction of a new link road between Ditchford Lane and the Rushden Lakes development with associated site clearance and earthworks alongside junction works, footpaths, cycle works, lighting, hard and soft landscaping and associated works. The application had been brought before the Committee

in accordance with the Scheme of Delegation as it was a major development. The application was accompanied by an Environmental Statement (ES) as it represented Environmental Impact Assessment (EIA) development.

Members noted that Higham Ferrers Town Council had objected to the application as they had concerns with regard to traffic backing up onto the A45 due to the increase of traffic on the slip road, the adverse effect of an increase in traffic volume on Ditchford Mill Bridge and a wish to see all points made by Highways England clarified and dealt with prior to a decision being made. Rushden Town Council, whilst not objecting to the application, had made a number of comments including consideration being given to the widening of the slip road off the A45 leading to the Ditchford Lane junction. Irthlingborough Town Council had also commented on traffic backing up onto the A45. Irchester Parish Council had requested that a pedestrian island/crossing be included to allow pedestrians to cross Ditchford Lane from the A45 Ditchford slip road to access the new slip road to Rushden Lakes.

A statement from Councillor Dorothy Maxwell, a Ward Member, was circulated. The Planning Officer advised that the planning reference on the top of the letter referred to another application and that not all of the issues raised were relevant to this application.

The Local Highways Authority had no objections to the application subject to appropriate conditions regarding the access works including a speed limit change, A45/Ditchford Road North Roundabout improvements, link road including cycle provision, Delivery and Servicing Management Plan and bus service infrastructure.

Highways England had recommended planning permission not be granted for a specified period, pending the outcome of discussions regarding details of the proposed mitigation scheme at the A45 Ditchford Interchange. The Planning Officer advised that Highways England may withdraw their objection when they had seen the new plans.

During debate on the application, Members raised concerns that they had no confidence in the traffic modelling of either the Local Highways Authority or Highways England as the number of visitors to Rushden Lakes was far greater than had originally been predicted. It was welcomed that the application would relieve some of the pressure at the Waitrose roundabout; however concerns were raised about the whether the application would allow sufficient capacity for the amount of traffic including lorries which wanted to turn right at the roundabout. Members felt that if planning permission was granted, the wording of condition 9, particularly in relation to HGV delivery management and routing, needed to be made stronger. Members felt that whilst the application was an improvement on the current situation, it was not a perfect solution. They also believed that they should be able to scrutinise the final comments from Highways England before making a decision.

The Applicant's Transport Consultant stated that they could look at redesigning the roundabout and junction to address the concerns raised. The turning into the link road could not go further down Ditchford Lane due to issues with drainage and sewerage.

The Planning Officer advised that any alternatives to the junction would need to be discussed with the Local Highways Authority and that would mean that the application should be deferred.

It was moved and seconded that the application be granted. On being put to the vote, there were 10 votes for the motion, three against and no abstentions, therefore the Committee **agreed to grant** the application, subject to the Highways England objection being resolved, and subject to the conditions detailed in the officer's report and update sheet, including the amendment of condition 9.

The final wording of condition 9 is delegated to the Head of Planning Services in consultation with the Chairman, Vice Chairman and Ward Member.

Councillor Geoff Shacklock left the meeting for the following item.

(ii) 18/0161/FUL – Wigsthorpe House Farm, Main Street, Wigsthorpe

The Committee considered an application for the erection of an agricultural grain store with associated hardstanding and detention basin. The application had been brought before the Committee in accordance with the Scheme of Delegation as it proposed more than 1000sqm of non-residential floor space.

Members noted that the proposal superseded application 16/01402/FUL which had approved an agricultural grain store. The main differences between the two applications were the position of the grain store, a reduction in the size of the grain store and the addition of a detention basin.

It was noted that Lilford-cum-Wigsthorpe & Thorpe Achurch Parish Council had no objections 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.

Councillor Geoff Shacklock returned to the meeting.

(iii) 18/00209/VAR – Kingsmead Park Ltd, Kingsmead Park, Bedford Road, Rushden

The Committee considered the variation of conditions in relation to planning permission EN/81/0557/FUL. The application had been brought before the Committee in accordance with the Scheme of Delegation as it sought to vary a condition on a major planning proposal.

The application sought to vary Conditions 4 and 7 of the planning permission which had been for an additional 25 park homes at Kingsmead Park, however only 23 of the 25 additional homes had been sited. The proposed variations would allow for the two outstanding park homes to be sited at the north east corner of the site, as opposed to the original approved position and alterations to the layout of the park following the demolition of two garage blocks (25 garages in total). The existing garages were too small for the modern car and many were unused for their intended purpose. 12 car parking spaces would directly replace 12 of the garages and each of the two proposed park homes would have one private parking space. There would be 119 parking spaces overall as a result of the proposal. The proposed two park homes would bring the total number of park homes on site up to 95, in accordance with the original planning permission.

Members noted that Rushden Town Council had not objected to the application but were aware of parking concerns and hoped that the demolition of the garages did not make the current parking arrangements any worse. The Local Highways Authority and ENC Environmental Protection had no objections to the application. Members further noted that two letters from nearby residents had been received requesting that the boundary treatment currently provided by the walls of the garage blocks was replaced appropriately. One letter had been received objecting to the proposal due to the impact the proposed demolition would have on neighbouring occupiers.

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) 18/01172/TPO – 45 Keats Way, Rushden

The Committee considered an application to reduce a canopy of trees which were overhanging into the rear garden. The application had been brought before the Committee as the applicant was a relative of an employee of East Northamptonshire Council.

Members noted that Rushden Town Council had no objections subject to the approval of the ENC Tree Officer.

The Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report.

Chairman

PLANNING POLICY COMMITTEE

Date: 17 September 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: David Brackenbury (Chairman)
Tony Boto (Vice-Chairman)
David Jenney (Deputy Leader of the Council)

Marika Hillson
Sylvia Hobbs
Gill Mercer

Roger Powell
Jake Vowles
Pam Whiting

180. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Val Carter, Steven North and Sarah Peacock.

181. DECLARATIONS OF INTEREST

No declarations of interest were made.

182. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 30 July 2018 were approved and signed by the Chairman.

183. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions submitted under Procedure Rule 10.3.

184. DRAFT LOCAL PLAN PART 2 CHAPTERS – NATURAL CAPITAL, SOCIAL CAPITAL, TOWN STRATEGIES

The Planning Policy and Conservation Manager presented a report which introduced three further chapters of the draft Local Plan Part 2 (Natural Capital, Social Capital and Town Strategies) for Members to consider and approve for public consultation. An addendum to the report had been circulated prior to the meeting and provided additional policy and text in relation to the Town Strategies chapter following receipt of the first draft version of the Aspinall Verdi Employment Land Review.

The remaining chapters of the draft Local Plan would be reported to the next meeting of the Committee and would relate to Economic Prosperity, Housing Delivery and Monitoring and Implementation.

The Natural Capital chapter focussed on both strategic green infrastructure and local policies, such as the protection and enhancement of public open spaces. It set out policies guidance in respect of:

- Priority green infrastructure corridors;
- Extensions to the Greenway;
- Local Green Space – criteria for designation;
- Enhancement and provision of open space;
- Enhancement and provision of sport and recreation facilities.

During debate on the chapter, Members referred to the 2017 KKP report which the Committee had previously resolved to note rather than adopt and how we would be able to use that as evidence. Officers clarified that whilst the minutes evidenced the Committee noted the report, there was nothing to suggest the report could not be used as part of the evidence base for preparing the Local Plan. Further, that report was the only evidence base we had on open space and playing pitch provision, and the evidence would be required to satisfy the requirements of Sport England at examination. In respect of the Policy in relation to the enhancement and provision of sport and recreation facilities, Members sought clarification as to what the definition was for 'local area'. Officers confirmed that it would be dependent on the parish but they would look to amend the wording to make it more precise. Members noted that some of the information on The Greenway Vision was based on old information, which needed to be updated. *(Following the meeting, officers had checked this and understood that the evidence produced reflected the latest published position in respect of the Greenway).* A number of the policies had made reference to the long term management and maintenance of open space and playing pitches and officers undertook to include additional information about the types of management available.

The Social Capital chapter focussed on the built environment and how that related to quality of life. The Joint Core Strategy contained a policy framework for protecting assets, including the historic environment, landscape, the natural environment and community infrastructure. The draft Local Plan Part 2 acknowledged that, and would provide additional local detail to guide future planning applications.

Through previous consultation three areas had been identified where additional policy guidance should be sought, as follows:

- Design and character – setting of new development;
- Historic environment – designated and non-designated heritage assets;
- Tourism and culture.

During debate on the chapter, Members highlighted that whilst policies talked about amenity space in buildings, we did not have a set standard for amenity space. The chapter could also be expanded to include infrastructure around houses, for example width of roads. Officers explained that there was a need to balance what existing policies already said but they would review those and look to build on them. It was suggested that an additional criteria be added to the policy on Design of Buildings that designs contained sufficient amenity space. Members highlighted that the Chapter did not make reference to the lack of hotels in the South of the district and there was a need to encourage the development of a hotel at Rushden Lakes or Rushden East. Officers explained that whilst other framework documents could provide for specific requirements, for example at Rushden East, a reference to hotel provision was included at paragraph 6.26, and further reference would be made in relation to paragraph 6.28.

The Town Strategies chapter set out detailed policies for each of the six towns within the district, although there were no site specific proposals for Raunds. Where towns had 'made' Neighbourhood Plans the proposals built on existing policies, or considered opportunities that had not been identified at the time when the Neighbourhood Plan was originally made. The chapter also set out guiding principles for town centre redevelopment opportunities that may arise during the time period covered by the Local Plan, which would need to be taken into account in assessing future planning applications.

Site specific policies/proposals were proposed as follows:

Rushden

- Splash Pool and Wilkinson sites, Duck Street
- Former factory site, Oakley Road (listed in Brownfield Land Register)

Higham Ferrers

- Federal Estates/ former Textile Bonding factory Newton Road/ Midland Road

Irthlingborough

- Former Select & Save, 13-21 High Street/ St Peter's Way Car Park
- Former Rushden and Diamonds FC Stadium Site, Nene Park

Oundle

- Riverside Hotel, Station Road

Thrapston

- Cattle Market, Market Road

During debate on the chapter, Members asked when they would be able to see the Employment Land Review. Officers confirmed that at the current time it was still a draft document but should be published before the next meeting of the Committee. Members asked whether the Policy on reimagining town centres would enable limiting the number of the same type of shops in town centres, Officers advised that an SPD for mix of use could be developed to address those concerns. In response to a question as to why 'Driving Town Centre Revitalisation' was a particular issue for Rushden, Officers clarified that it was because Rushden was a designated growth town. In relation to Irthlingborough and the former Rushden and Diamonds stadium site, it was highlighted that the Environment Agency were quite clear on the possible uses of the site and that town centre usage was unacceptable. There was concern that the use of the phrase in the document would encourage that type of planning approach and officers accepted that the phrase was too open and there was a need to tighten the wording of the policy following discussions with the Environment Agency. In relation to Oundle, it was highlighted that the proposals related to the surrounding environs of the Oundle area rather than just the town.

RESOLVED:

- (i) To note the addendum to the report; and
- (ii) That, subject to the agreed amendments being made, the draft text and policies for the following chapters of the emerging Local Plan Part 2, be approved for public consultation during Autumn 2018:
 - Section 5.0: Natural Capital;
 - Section 6.0: Social Capital; and
 - Section 9.0: Town Strategies

(Reason: To allow the indicated sections of the Plan to be prepared for an initial non-statutory consultation for the emerging draft District-wide Local Plan Part 2 to take place during the Autumn.)

185. SUSPENSION OF COUNCIL PROCEDURE RULE 8

At 9.28pm, the Chairman proposed the suspension of Council Procedure Rule 8 (Duration of Meeting) to enable the Committee to conclude the business on the agenda. On being put to the vote, it was

RESOLVED:

That Council Procedure Rule 8 be suspended to enable the Committee to complete the business detailed on the agenda.

Chairman

GOVERNANCE AND AUDIT COMMITTEE

Date: 19 September 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: Peter Wathen (Chairman)
Alex Smith (Vice-Chairman)
Rosalie Beattie Dorothy Maxwell
Marika Hillson Robin Underwood
Sylvia Hobbs

External attendees:

Rachel Ashley-Caunt (Head of Internal Audit)

186. WELCOME

The Chairman welcomed Amy Eyles, the new Finance Manager, to her first meeting of the Committee.

187. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Annabel de Capell Brooke and Lance Jones.

188. MINUTES

The minutes of the meeting held on 25 July 2018 were approved and signed by the Chairman.

189. DECLARATIONS OF INTEREST

No declarations of interest were made.

190. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

191. INTERNAL AUDIT – PROGRESS AND PERFORMANCE

The Head of Internal Audit presented a report on progress made on the delivery of the Annual Internal Audit Plan for 2018/19 and associated measures of performance.

Reports had been issued for six assignments, of which four had been finalised and the others remained with management awaiting responses and agreement of action plans. Fieldwork was underway or in the planning stages for a number of further assignments. No areas of significant risk or control weaknesses had been identified in the work completed to date.

Members raised concerns at the assurance opinion for the Local Plan project following a statement made at the Planning Policy Committee earlier in the week that the Plan was on target for consultation during November/December 2018. The Monitoring Officer clarified that good progress was being made with the Local Plan and the concerns raised by Internal Audit were around the project management process for the project. In response to a question as to how much had been budgeted for the Local Plan and how much had been spent to date, officers agreed to provide a response outside of the meeting. It was proposed that the Head of Planning Services be invited to the next meeting to discuss the issues and concerns.

It was also confirmed that the £480K for Disabled Facilities Grants was the funding which was allocated by the County Council. In response to a number of detailed questions around the Disabled Facilities Grant process, officers agreed to provide responses outside of the meeting. It was noted that the maximum limit for individual grants was £30K and it was acknowledged that officers were now finding that that limit did not provide for a single level extension and a number of organisations were now lobbying the government to increase the level. It was proposed that the Committee's comments on Disabled Facilities Grants should be passed on to the Policy and Resources Committee with the view that the Committee write to Government in support of the idea of raising the limit for DFGs. *(Following the meeting, officers had been informed that it was likely that this issue would be addressed in the forthcoming government green or white paper on health and social care and we were unclear if there would be a further opportunity for consultation on the DFG limit).*

RESOLVED:

- (i) To note the progress and performance of the Internal Audit service and the key findings from audits delivered during the period;
- (ii) That the Committee's comments on the Disabled Facilities Grant Limit be forwarded to the Policy and Resources Committee; and
- (iii) That the Head of Planning Services be invited to attend the next meeting of the Committee to discuss the audit comments around the Local Plan project.

(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)

192. PROGRESS ON IMPLEMENTATION OF INTERNAL AUDIT RECOMMENDATIONS

The Interim Finance Manager presented a report which set out the progress made on implementing recommendations arising from Internal Audit reports.

There were currently 15 outstanding recommendations. For 2017/18, there were six important, one medium and four standard priority recommendations outstanding. For 2018/19, under the revised categories of prioritisation, there was one essential, two important and one outstanding priority recommendations outstanding.

During the past three months, there had been a drive to address all recommendations and significant progress had been made. Since the last meeting of the Committee, thirteen recommendations had been completed and closed and three new recommendations had been received.

In response to questions from Members on procurement cards, officers confirmed that new rules on the management of the cards had been introduced. The cards were intended to be used for one off occasions but the preferred option was still for orders and invoices.

RESOLVED:

- (i) That the progress against each of the audit recommendations be noted; and
- (ii) That the Chairman, Vice Chairman, Executive Director (Resources and Commercial), Head of Resources and Finance Manager will hold regular meetings to look at the progress of recommendations with service managers prior to meetings of the Committee.

(Reason: To review progress on the implementation of recommendations following by Internal Audit)

193. ANNUAL AUDIT OPINION

The Head of Resources presented a report which advised Members of the audit opinion provided by KPMG on their audit of the financial statements and conclusion on the use of resources in 2017/18. This was the last report from KPMG and they had thanked officers and Members of the Governance and Audit Committee for their support during the six years of their audit appointment.

The report set out the scope of the work that was undertaken on the financial statements and confirmed that they:

- gave a true and fair view of the financial position of the Authority as at 31 March 2018 and of the Authority's expenditure and income for the year then ended; and
- had been properly prepared in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2017/18.

The report also stated that KPMG were satisfied that the Council had put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2018.

RESOLVED:

To note the contents of the Independent Auditor's Report.

194. ANNUAL LETTER FROM THE LOCAL GOVERNMENT OMBUDSMAN

The Monitoring Officer presented a report which advised Members of the annual letter from the Local Government Ombudsman (LGO) to East Northamptonshire Council. A copy of the letter was submitted together with a summary of the complaints statistics.

It was noted that six complaints had been made against East Northamptonshire Council during 2017/18 and that none of them had been upheld.

RESOLVED:

To note the Local Government Ombudsman Annual Review Letter 2018 and that a similar report would be produced annually.

(Reason: To meet the terms of reference of this Committee to receive external regulatory body reports and to demonstrate best practice in making reports available to councillors and the public.)

195. CHANGES TO THE CONSTITUTION – REPORTING OF COUNCILLOR COMPLAINTS

The Monitoring Officer presented a report which recommended amendments to Part 9 of the Constitution in relation to the reporting of complaints and their outcomes following consideration by the Joint Standards Complaints Committee. An amendment to the Code of Conduct was also recommended as a result of recent legal discussions on the applicability of the Code.

In the past five years since the introduction of the provisions of the Localism Act, the Council had not published any of its decisions on a detailed, individual basis, although the outcome had been notified to the subject councillor(s), complainant and the Clerk of the relevant Town or Parish Council when the subject councillor was not an ENC councillor.

The Joint Standards Complaints Committee had now recommended that Decision Notices and Investigation reports, at all stages of the complaints process, should be marked as not for publication on the grounds that they contained personal data of the subject councillor(s) and complainant. However, a public summary would be published on the ENC website within five days of the end of any appeal period or appeal hearing relating to the decision and would also be reported to the next available meeting of the Joint Standards Complaints Committee.

In January 2017, the introductory paragraph of the Code of Conduct was modified to include that the Code applied to all councillors when they claimed to act or gave the impression of acting as a representative of the Council. In light of recent legal discussions around the issue of capacity it was recommended that the introductory paragraph be revised.

R.9 RESOLVED TO RECOMMEND TO FULL COUNCIL:

- (i) That the following change to Part 5.1 of the Constitution be approved:

“This Code applies to all Councillors when they act in their role as Councillors of the Council. This may include ~~or~~ when they claim to act or give the impression of acting as a representative of the Council or when carrying out ward councillor activities.”

- (ii) That the changes to Part 9 of the Constitution, as detailed in Appendix 1, be approved (pages 214 to 217 refer).

(Reason: These changes will improve transparency in the Council's arrangements for processing complaints against councillors and help satisfy the Council's duty to provide high standards of ethical behaviour.)

196. SANDIE WILLIAMS, INTERIM FINANCE MANAGER

The Chairman advised that this was Sandie's last meeting of the Committee and that she was moving on to another role within the Council. The Committee wished Sandie well for the future.

Chairman

Appendix 1

Summary of proposed changes to Part 9 of the Constitution in relation to reporting of complaints – Procedure for Assessment, Investigation Determination and Appeal of Complaints against Councillors and Dispensations

Section	Proposed Amendments
3.6 Initial Assessment – Other Action	<p>Take other/informal action. In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve the councillor choosing to offer an apology, or other remedial action by the council. Where the councillor or the council makes a reasonable offer of local resolution, but the complainant is not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.</p> <p>Where other/informal action is agreed the Monitoring Officer will arrange for the required action to be taken. Once the action is completed, the Monitoring Officer will <u>confidentially</u> inform the complainant, councillor(s) complained against, and the JSCC (plus Town or Parish Council if relevant) <u>and prepare a public written summary as noted in paragraph 3.7.</u></p>
3.7 Initial Assessment	<p>The Monitoring Officer, after taking a decision, will normally inform the complainant, relevant councillor(s) and if appropriate the Town or Parish Council of the decision and the reasons for that decision via <u>a confidential decision notice. The confidential decision notice will</u> include the main points considered, the conclusions reached and the reasons for the decision. and will be available for public inspection for a year</p> <p><u>In addition a, written summary within 5 days of the end of any related appeal period/appeal, a written The summary of the complaint will be placed on the ENC website . This will not name the councillor(s) or complainant but will name the council involved. But will cover,:</u></p> <ul style="list-style-type: none"> <u>• whether the complaint was made by member of public (which will include complaints by staff) or by a councillor,</u> <u>• the paragraphs of the Code that were alleged to be breached,</u> <u>• a brief description of the activity that created the alleged breach (as fully as possible without any identifying details)</u> <u>• the outcome of the complaint,</u> <p><u>The summary will also be sent to the Clerk of the relevant Town or Parish Council if it relates to one of their councillors so that it can be reported to their Council if that is their practice</u></p>
<u>3.8 Initial Assessment</u>	<p>Exceptionally, where the complainant's details have been withheld (see paragraph 2.4), the Monitoring Officer may decide that the councillor(s) complained against should not receive the full written summary <u>confidential</u> decision notice if it is considered this would be against the public interest or would prejudice any future investigation. In such circumstances an appropriately redacted version will be provided.</p>
4.7 No Case to Answer after Investigation	<p>If the Investigating Officer concludes that there is no case to answer of a failure to comply with the code of conduct and the Monitoring Officer agrees that no further action is required, the Monitoring Officer will write <u>a confidential decision notice</u> accordingly to the complainant and the councillor(s) concerned (and to the Town or Parish Council, where the complaint relates to a Town or Parish councillor). The letter will include a <u>confidential</u> copy of the Investigating Officer's final report. <u>In addition a public</u></p>

	<u>written statement will be published on the council's website in accordance with paragraph 3.7</u>
4.8a - Other Action after Investigation	Where other action is agreed the Monitoring Officer will arrange for the required action to be taken and, once completed, the Monitoring Officer will <u>confidentially write to inform</u> the complainant, the councillor(s) complained against, and the JSCC (plus Town or Parish Council if relevant) <u>to inform them</u> that the complaint has been dealt with. <u>In addition a public written statement will be published on the council's website in accordance with paragraph 3.7</u>
5.3 Hearing	It is intended that hearings should be conducted in a formal manner but the attendance of legally qualified representative advisors of the complainant and complained against councillor(s) is not encouraged. Accordingly no assistance will be given towards the cost of any such legally qualified representatives. The Hearing Panel will act in an inquisitorial manner, rather than an adversarial manner, seeking the truth in relation to the conduct of the councillor(s) on the balance of the information available to it, and will be able to commission further investigation or information where it needs to do so in order to come to a decision. <u>Hearings will usually be held after a motion to exclude the public and press as it would be unusual for a complaint not to involve consideration of personal information about the complainant, Cllr concerned or other individuals. (See Annex 3 Section 2)</u>
5.6 No Breach found at Hearing	The Hearing Panel may conclude that the councillor(s) did not breach the code of conduct, and so dismiss the complaint. <u>No formal publication (on the council's website or in a newspaper) of the outcome will take place unless requested by the councillor(s) affected. A written summary will be placed on the council's website in accordance with paragraph 3.7.</u>
5.8 Breach found after Hearing	If a breach is found to have occurred, the Hearing Panel will choose from one or more of the following list of actions. These actions will be implemented in case of councillors from those councils who have delegated to the JSCC such of its powers to take action in respect of individual councillors as may be necessary to promote and maintain high standards of conduct. On all other cases, the Hearing Panel recommendation will be forwarded to the council by the Monitoring Officer, with a recommendation for appropriate action..... <ul style="list-style-type: none"> • Take no further action • Recommend to the relevant council that the councillor(s) be censured for their breach of the code of conduct • Recommend an apology to be made by the Councillor to the complainant (and/or others) • Publish the public written summary of the complaint and outcome in a location <u>other than in addition to the ENC website. its findings in respect of the councillor's conduct.</u> (Advice will be sought as to the most effective place of publication to attract the attention of the relevant community). <u>If this is on a council website, the publication will be removed after 12 months.</u> • Recommend to the councillor's Group Leader (or in the case of ungrouped councillors, recommend to the relevant Council) that the councillor be removed from any or all Committees or Sub-Committees of the Council. <u>for a specified period of time, which cannot extend beyond the councillor's term of office.</u> • Instruct the Monitoring Officer to arrange training for the councillor. • Recommend to the relevant Council the removal from some or all outside appointments to which the councillor has been appointed or nominated by the relevant council <u>for a specified period of time, which cannot</u>

	<p><u>extend beyond the councillor's term of office</u></p> <ul style="list-style-type: none"> Withdraw some or all facilities provided to the councillor by the Council, (including access to buildings) provided this does not prevent the councillor(s) carrying out their democratic role <u>for a specified period of time, which cannot extend beyond the councillor's term of office</u> <p>It should be noted that the Hearing Panel has no power to suspend or disqualify the councillor or to withdraw councillor's basic or special responsibility allowances</p>
5.9 Breach found after Hearing	<p>At the end of the hearing, the Chairman will restate the decision of the Hearing Panel as to whether the councillor was in a breach of the code of conduct and any sanction which the Hearing Panel has decided is appropriate. Within 5 working days of the decision being made by the Hearing Panel, the Monitoring Officer will arrange for a formal confidential decision notice to be prepared in consultation with the Chairman of the Hearings Panel, and send a copy to the complainant, the councillor(s) complained against (and to the Town or Parish Council if relevant). The outcome will also be reported to the JSCC at the next meeting and recorded in the minutes.</p> <p><u>In addition, within 5 days of the end of any related appeal period/appeal, a written summary of the complaint will be placed on the ENC website. This will include the name of the councillor(s) and the council involved but will not identify the Complainant. It will also cover,:</u></p> <ul style="list-style-type: none"> <u>whether the complaint was made by a member of public (which will include complaints by staff) or by a councillor,</u> <u>a brief description of the activity that created the breach (as fully as possible without any identifying details of the complainant or individuals other than the Councillor(s))</u> <u>details of sanctions imposed or recommended by the Hearing Panel</u> <p><u>This summary will also be sent to the Clerk of the relevant Town or Parish Council so that it can be reported to their Council or published on their website together with any actions they have taken in implementing the sanctions</u></p>
6.6 Appeals	<p>At the end of the hearing, the Chairman will explain why a particular decision has been made by the Appeal Panel. Within 5 working days of the decision being made by the Appeal Panel, the Monitoring Officer will arrange for a formal confidential decision notice to be prepared in consultation with the Chairman of the Appeal Panel, and send a copy to the complainant, the councillor(s) complained against, (and to the Town or Parish Council if relevant). The outcome will also be reported to the JSCC at the next meeting <u>and a written summary published on the ENC website in accordance with paragraphs 3.7 or 5.9 as appropriate.</u></p>
Annex 2 Para 3.3	<p>The Investigating Officer will issue the draft report to the councillor and the complainant, asking for their comments within 10 working days. <u>At this stage The draft the-report is usually considered confidential but may be subject to disclosure under Freedom of Information Regulations in certain circumstances.</u></p>
<u>Annex 3 – Para 1.2</u>	<p>The Monitoring Officer will notify the councillor(s) complained against at least 10 working days before the date of the Hearing Panel meeting, of the date, time and place of the meeting and will provide a <u>confidential</u> copy of the Investigating Officer's final report and the procedure for the conduct of the</p>

	<p>hearing. The Monitoring Officer will have due regard for the availability of the complainant and councillor(s) complained against and any good reason why they may not be available on the date proposed.</p>
<p>Annex 3 - Para 4.1</p>	<p>As soon as practicable after the Hearing Panel has completed its consideration and decision in respect of the allegation, the Monitoring Officer will:</p> <ul style="list-style-type: none"> (i) send the councillor(s) a <u>confidential</u> written notice of the finding of the Hearing Panel, and the reasons for it; the statement will include a statement of any rights of appeal against that decision; (ii) send a written report <u>summary</u> of the Panel decision to the next convenient meeting of the JSCC <u>and publish this on the ENC website within 5 days of the end of any related appeal period/appeal, in accordance with the provisions of paragraphs 3.7 and 5.9 as appropriate to the decision being appealed.</u> (iii) where the complaint relates to a Parish or Town councillor, send the written notice <u>summary</u> of the decision to the Clerk to the relevant Parish or Town Council; (iv) send a copy of the <u>confidential</u> decision to the complainant which gave rise to the investigation.