

COUNCIL MEETING

Date: 28 January 2019

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
Tony Boto	Dorothy Maxwell
David Brackenbury	Andy Mercer
Val Carter	Gill Mercer
Richard Gell	Harriet Pentland
Roger Glithero JP	Roger Powell
Glenvil Greenwood-Smith	Rupert Reichhold
Sylvia Hobbs	Geoff Shacklock
Dudley Hughes JP	Phillip Stearn
Sylvia Hughes	Peter Wathen
Barbara Jenney	Pam Whiting
David Jenney	Colin Wright

372. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors John Farrar, Helen Harrison, Marika Hillson, Marian Hollomon, Lance Jones, Sarah Peacock, Alex Smith, Anna Sauntson, Robin Underwood and Jake Vowles.

373. MINUTES OF PREVIOUS ORDINARY MEETING

The minutes of the Council meeting held on 15 October 2018 were agreed as a true and correct record of the proceedings.

374. MINUTES OF EXTRAORDINARY MEETING

The minutes of the Extraordinary Council meeting held on 12 December 2018 were agreed as a true and correct record of the proceedings.

375. 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.

376. ANNOUNCEMENTS BY THE CHAIRMAN AND CHIEF EXECUTIVE

The Chairman made the following announcements to the meeting:

Since the October and December meetings of the Council I have attended a number of carol services both inside and outside of the District. I have also attended holocaust memorial services in Kettering and Peterborough. I shall also be attending a Burns Night event on Saturday, as well as a number of other events during this forthcoming period.

The Chief Executive had no announcements to make.

377. LEADER'S ADDRESS

The Leader of the Council made the following address to the meeting:

Good evening Chairman, members.

As you know normally we would be heading for elections in May with this successful council period coming to an end. However due to our historic decision and proposal in August 2018 this has of course changed.

So, although the Secretary of State for the Ministry of Housing, Communities and Local Government is considering the responses to the statutory consultation (which ended last week), he has laid before parliament legislation to postpone district and parish elections in Northamptonshire for 2019. This is in effect law and will not change even if there is a General Election.

Therefore we do get an extra year, but an extra year with a difference. We will get to finalise some of our larger projects, such as the enterprise centre and district plan. However although outwardly we will continue to provide services to the public like we have always done, internally things will start to change. They already have.

We have a small workforce, a workforce that the chief executive and myself have committed to give those who want to go forward to Unitary every opportunity to do so. This means there will be fewer normal committee meetings and agenda items as we go forward.

It is not just about opportunities for staff, it's also about the taxpayer. The more we try to do the more it will cost in temporary staffing. This was quite a cost for recent unitaries. And this will be costly enough.

We were the first council in the county to set up a transformation committee, which in part receives updates on the unitary timetable. So although this timetable is always changing you do all get a regular update. Additionally at some point in the future this Council will get to put forward its opinion on the Statutory Change Order (SCO), the details of which are in previous Transformation Committee minutes.

So there is still a bit to do, however for those who were not going to seek re-election in May there will be a point later in the year where you can effectively stand down, without causing a by-election and a further burden to the taxpayer.

378. REPORTS OF COMMITTEES

(a) Planning Policy – 22 October 2018 and 21 January 2019

The reports of the above Committee, presented by the Chairman, Councillor David Brackenbury, were received.

(b) Policy and Resources – 5 November 2018, 3 December 2018 and 7 January 2019

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:

Council Tax Support Scheme 2019/20.

- 260** That the Council Tax Support Scheme 2019/2020 for East Northamptonshire adopts the existing Council Tax Support Scheme with no amendments.

(Reason: To deliver a Council Tax Support Scheme for 2019/2020 that meets all the statutory requirements.)

Council Tax Base 2019/20

- 304** That a tax base of 31,860 for the year 2019/2020 be adopted.

(Reason: To fulfil the Council's statutory requirement).

Budget Monitoring to 31 October 2018

- 340** That the total increase in the capital programme of £28.5k, £21.3k to be funded from the revenue budget in relation the Revenue and Benefits Electronic Document and Record Management System and wheeled bins, and £7.2k from capital reserves for a number of small variances, be approved.

(Reason: In order to fund existing schemes within the capital programme.)

(c) Transformation – 7 November 2018 and 16 January 2019

The reports of the above Committee, presented by the Chairman, Councillor Helen Howell, were received.

(d) Joint Standards Complaints – 21 November 2018

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

(e) Governance and Audit – 5 December 2018

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

379. REPORTS FROM LICENSING PANELS

The minutes of the meetings held on Taxi and Miscellaneous (8 October, 19 November and 18 December 2018) were received.

380. MOTIONS

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

381. QUESTIONS

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

1. How many officers and Councillors went to Poundbury?

Response by the Chief Executive

Nine Officers and four ENC Cllrs went to visit Poundbury and Graven Hill, Bicester, along with officers from the Joint Planning and Delivery Unit and the Chairman of Deene & Deenethorpe Parish Council (a member of the Tresham Garden Village Project Board)

2. What was the total cost of this excursion?

Response by the Chief Executive

The main costs of this trip, comprising the hire of a coach and accommodation in Dorchester, were met entirely by Garden Village Capacity Funding from MHCLG. Some minor travel expenses for meals were funded by this council and will be included in the expenses and allowances figures for Cllrs published at year end where relevant.

3. What was the purpose of this visit?

Response by the Chief Executive

The purpose of this trip was to look at Poundbury and hear from its development team in order to learn lessons for the development of Tresham Garden Village and Rushden East. The trip also involved a visit to Graven Hill at Bicester, the largest development of custom and self-build housing in the UK. We were joined for the walking tour of Poundbury by the Tresham Garden Village design team and the highways engineer involved at both Poundbury and Tresham GV (they covered their own costs). We also met the Duchy of Cornwall's development team for a detailed insight into implementation issues. At Graven Hill we were provided with a tour by the site manager and also visited a 'flying factory' producing high environmental specification modular housing on the site.

Lessons from the trip, and the contacts made, will assist in the planning and delivery of key developments within ENC. It will also count as Continuing Professional Development for the planning officers involved.

The Chief Executive noted that he was not personally involved in the trip.

4. Are these trips listed for scrutiny by the Governance and Audit Committee?

Response by the Chief Executive

External trips by Cllrs and Officers are not listed for scrutiny by the Governance and Audit Committee as this is not the role of that Committee. Any expenses incurred by those taking part are reclaimed under the authorised travel expenses scheme.

5. During the last three years I have tried to find out who has responsibility for two bus shelters in Higham Road, Rushden and it seems that no one has. This includes Rushden Town Council, Stage Coach, Northamptonshire County Council and East Northamptonshire Council. Therefore since I cannot use my empowerment funds for this (as they do not talk) can East Northants Council fund the repairs as people in their 80s/90s have to stand in the rain/snow when waiting for the bus and if we can spend £8million on an Enterprise Centre, what is two bus stops?

Response by the Chief Executive

This bus stop was originally installed by the County Council. Their revised bus strategy now states that they (NCC) will encourage district, town and parish councils to provide shelters at heavily used boarding stops.

This Council would be happy to facilitate a meeting with Rushden Town Council to explore the usage, need and repair costs to try and find a way forward. Once future responsibility has been settled then funding sources can be considered.

6. Northamptonshire County Council has decided to stop the funding of Scouts/Clubs who use schools as venues for their meetings. This includes Rushden, Raunds and Higham Ferrers. Could East Northants step in to fund the Scouts and Clubs until 2020 when Unitary Authority takes over?

Response by the Chief Executive

NCC hasn't made a formal decision yet in relation to this proposal so it would be premature to decide whether to respond at this stage. If a decision is finally made as indicated in the question, this council would be happy to facilitate a meeting between our External Funding Officer and the Scouts or other community groups to try to identify appropriate funding streams for them.

7. In order to say thank you for all the hard work the staff do in East Northants, would it be acceptable to fund a tea/coffee machine?

Response by the Chief Executive

I am sure that staff will be grateful for Cllr Maxwell's recognition of their workloads at this busy time. We will raise Cllr Maxwell's suggestion at Xchange, the staff forum, to gauge the level of interest.

382. TREASURY MANAGEMENT STRATEGY UPDATE.

The Executive Director, Resources and Commercial presented an update on the Treasury Management Strategy 2018/19, in order to reflect changes to the capital programme and any potential need to borrow in future years.

The Executive Director clarified that on page 13 of the appendix to the report, the figures of 2,412 against the 2019/20 and 2020/21 estimates should be highlighted in yellow as they were also proposed changes.

The proposed changes to the capital programme were in respect of borrowing funds to support the delivery of the East Northants Enterprise Centre and the impact that may have on the council's Treasury Management Strategy Prudential Indicators from 2019/20. As borrowing would not be required until 2019/20, the 2018/19 Treasury Management Strategy did not need to be formally changed. However, the additions contained in the revised appendix 1 'Addendum to the Treasury Management Strategy 2018/19' highlighted what the prudential indicators may look like going forward if the East Northants Enterprise Centre was approved by Council.

It was noted that fully costed Enterprise Centre costings would be available, following the procurement process, at the Council meeting to be held on 4 March, at which members would be asked to consider a formal commitment to proceed with the scheme.

It was confirmed that the progress of the scheme was not expected to be affected by the proposed unitary timetable.

RESOLVED: That

1. the revised Prudential Indicators and Capital Finance Requirement for 2018/19 as at the revised Appendix 1 be noted; and
2. the revised Appendix 1 be incorporated as an addendum to the Treasury Management Strategy 2018/19, as 'Appendix F'.

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

383. UPDATES TO THE CONSTITUTION

The Monitoring Officer presented a report which proposed a number of minor amendments to the Constitution to reflect changes in legislation, council practices or best practice. These included additions to the Scheme of Delegation (Part 3.2) and Code of Practice for Planning Procedures (Part 5.4).

An amendment to the motion in the report was proposed, seconded and carried that:.

The following minor additional amendments be made to the proposed changes to the Constitution:

Part 5.4 Section 5.4.1.

The final sentence to read 'The Chairman will also return to this member to propose a motion once debate has been finished, if a motion has not **been** proposed prior to that point.'

Part 5.4 Section 5.1.5

This section to read 'The Head of Planning Services, in consultation with the Chairman (or in their absence the Vice Chairman) ~~has the discretion to~~ **may recommend to the committee** withdraw **al of** any planning management item from the agenda of the committee subsequent to the preparation of the report, but prior to discussion by the Planning Management Committee, if the circumstances of the consideration of the item change within that period.'

The amendments were proposed, seconded and carried. The substantive motion was then proposed, seconded and carried.

RESOLVED:

That the Constitution as amended be approved, as set out in Appendix A to the report and incorporating the additional amendments now made.

(Reason: to ensure that the Constitution continues to provide appropriate guidance on council decision making)

384. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

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

- Housing Options Contract Award

385. HOUSING OPTIONS CONTRACT AWARD

The Monitoring Officer presented a report detailing the outcome of the Housing Options Contract procurement process and seeking approval to award the Contract to the preferred bidder.

The report was not for publication by virtue of paragraph 3 of part 1 of Schedule 12A of the Local Government Act 1972.

RESOLVED: That

- a) the
 - i. Equality Implications relating to the report be noted

- ii. the Initial Privacy Impact Assessment be noted
- b) approval be granted to award the Housing Options Contract to Midland Heart Housing Association.

(Reason – to enable the continued delivery of the service from 1 April 2019 in an efficient and cost effective manner)

- c) the additional budget for the new contract is included in the MTFS for 2020/21 onwards, including the annual inflation increase.

(Reason – to match future funding requirements for this contract)

Chairman

Miscellaneous changes to the Constitution

Text presented ~~thus~~ to be deletedText presented **thus** to be added

Part	Section Ref	Comment
3.2 – Scheme of Delegation	48. Animal Welfare Act 2006 Sections 1 – 4: . Introductory: Sections 4 – 8 . Prevention of Harm: Sections 9 – 12 . Promotion of Welfare: Section 13 . Licensing and Registration:	Head of Environmental Services, Environmental Protection Manager, Health Protection Manager, Waste Services Manager, Executive Director; Chief Executive
	49 48A. Sections 18 – 21 . Animals in Distress:	Head of Environmental Services, Environmental Protection Manager, Health Protection Manager, Waste Services Manager, Health Protection Officer, Licensing Enforcement Officer, Senior Environmental Protection Officer; Environmental Protection Officers, Senior Environmental Health Officer, Environmental Health Officer, Trainee Environmental Health Officer, Environmental Services Officer, Waste Management Officer
	50 48B Sections 22 – 29 . Enforcement Powers: Sections 30 – 31 . Prosecutions:	Head of Environmental Services, Environmental Protection Manager, Health Protection Manager, Waste Services Manager, Executive Director; Chief Executive
	49 Section 51 – Inspectors Section 53 – Powers of entry, inspection and search: supplementary Section 54 – Power to stop and detain vehicles Section 55 – Power to detain vessels, aircraft and hovercraft	Environmental Health Officer and Licensing Enforcement Officer where the officer has at least one years experience in licensing and inspecting Animal Activities Businesses or has the required qualification.
	50 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 Power to licence animal activities establishment	Environmental Health Officer and Licensing Enforcement Officer where the officer has at least one years experience in licensing and inspecting Animal Activities

See Para
2.2 of report

		Businesses or has the required qualification.	
Part 3.2 Scheme of Delegation Cont.	Local Government (Misc. Provisions) Act 1976 149 To serve Requisitions for Information (Section 16)	Head of Environmental Services; Environmental Protection Manager; Health Protection Manager; Executive Director; Chief Executive; Waste Services Manager; Senior Environmental Health Officer, Environmental Health Officer; Trainee Environmental Health Officer; Health Protection Officer; Licensing Enforcement Officer; Senior Environmental Protection Officer; Environmental Protection Officer; Environmental Services Officer ; Housing Technical Officer; , Waste Management Officer, Head of Planning Services, Planning Development Manager, Building Control Manager, Principal Planning Enforcement Officer	See para 2.3 of the report
Part 5.4	5.1.5 The Head of Planning Services, in consultation with the Chairman (or in their absence the Vice Chairman) has the discretion to may recommend to the committee withdrawal of any planning management item from the agenda of the committee subsequent to the preparation of the report, but prior to discussion by the Planning Management Committee, if the circumstances of the consideration of the item change within that period.		See Para 2.5 of the report
	<u>5.4 Consideration of Applications at Planning Management Committee</u>		
	5.4.1 When applications are considered, the order that will be usually followed is that the relevant officer will introduce the application, highlight key issues and draw attention to any relevant matters on the Update sheet circulated at the meeting. The Chairman of the Committee will then call on any public speakers registered to speak on the application to present their position (see 5.3). Next the Chairman will call on a councillor serving on the Committee to start the debate on the application. This councillor who opens the debate will normally be a relevant ward councillor. However where absence or a conflict of interest occurs then the Chairman may approach an appropriate alternative member of the Committee in advance of the meeting. Confirmation of this role will be confirmed in time for the relevant member of the committee to prepare their opening speech. The Chairman will also return to this member to propose a motion once debate has been finished, if a motion has not been proposed prior to that point.		See Para 2.4 of the report

GOVERNANCE AND AUDIT COMMITTEE

Date: 30 January 2019

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

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

External attendees:

Rachel Ashley-Caunt (Head of Internal Audit)

386. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Robin Underwood.

387. MINUTES

The minutes of the meetings held on 28 November and 5 December 2018 were approved and signed by the Chairman.

388. DECLARATIONS OF INTEREST

No declarations of interest were made.

389. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

390. INTERNAL AUDIT – PROGRESS AND PERFORMANCE

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

Reports had been issued for seven assignments and fieldwork was underway or in 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. Since the last meeting of the Committee, one report from the Audit Plan had been finalised on Budgetary Control. No areas of significant weakness had been identified in the report and five recommendations had been made with four already completed.

Internal Audit actively monitored the implementation of recommendations arising from audit reports and since the last meeting of the Committee two actions had been completed, which left three medium priority actions outstanding.

During discussion on the item, it was noted that the current forecast outturn position for 2018/19 was £122k overspent. Officers explained that this was due to a number of pressures, particularly revenues and benefits overpayments and ICT Service staffing issues, however there were underspends in other service areas to off-set this. The position was improving and the next finance report was expected to show a significant reduction in the overspend.

RESOLVED:

To note the progress and performance of the Internal Audit Service and the key findings from audits delivered during the period.

(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.)

391. UPDATES TO PART 4.3 OF THE CONSTITUTION

The Monitoring Officer presented a report which proposed amendments to Part 4.3 (Budget and Policy Framework Procedure Rules) of the Constitution to enable flexible controls on the use of earmarked reserves.

Earmarked reserves were currently allocated and approved by Full Council as part of the budget process, with any necessary and appropriate transfers from those reserves made at year end as part of the close down process. It was now proposed to make a number of changes to Part 4.3 of the Constitution to enable quarterly transfers to enable better monitoring of the use of reserves during the year.

Other more minor updates had also been proposed including the addition of the Deputy Chief Finance Officer to the Chief Finance Officer in relation to the Scheme of Virement following an Internal Audit recommendation.

R.21 RESOLVED TO RECOMMEND TO FULL COUNCIL:

That the following changes (text marked ~~text~~ is to be deleted and **text** is to be inserted) to Part 4.3 of the Constitution be approved:

Framework – Paragraph 2.9. The Chief Finance Officer is responsible for maintaining a continuous review of these financial regulations and submitting any **proposed** additions or changes necessary ~~to the Policy and Resources Committee. The Committee will consider any~~ **via** a report to the Governance and Audit Committee, which will ~~by the Chief Finance Officer and~~ make appropriate recommendations to (full) Council.

Urgency procedure – Paragraph 3.69. Items greater than £25,000 but less than £100,000 can be approved by ~~from~~ the Chief Finance Officer **(or Deputy Chief Finance Officer in their absence) after consultation with** ~~can be approved by the Chair of Finance and Performance Sub Committee or Chair of Policy and Resources Committee (or in their absence their deputies).~~ A report outlining the ~~details of the request and~~ **background of the** decision will be submitted to the next Finance and Performance Sub Committee and Policy and Resources Committee. *(Reason: Individual councillors cannot make decisions.)*

Reserves – Paragraph 4.31. The number, type and level of earmarked reserves will be reviewed at least annually to take into account the risks faced by the council. The level of ear-marked reserves will then be approved by full Council annually as part of the budget setting process. Use of earmarked reserves **up to £100,000 per quarter per reserve, including authorisation of expenditure, will be approved on a quarterly basis by the Chief Finance Officer (or Deputy Chief Finance Officer in their absence) after consultation with the Chair of Policy and Resources Committee or the Chair of Finance and Performance Sub Committee.** *(Reason: to bring parity with virement and urgency procedures).*

Reserves - Para 4.32 ~~Delivering the Corporate Plan Reserve and the Projects and other Investment Opportunities Reserve provide the investment the council requires to deliver transformation projects. The use of these reserves will be on strict criteria linked to a business case and will require sign off by the Chief Finance Officer and Finance Sub Committee.~~ *(Reason: these Reserves will become obsolete as we move towards the creation of Unitary Councils).*

Scheme of Virement – Section 5 - Paragraph 5.10. The Scheme of Virement is intended to enable the Policy and Resources Committee, Chief Finance Officer, chief officers and their staff to manage budgets with a degree of flexibility within the overall policy framework determined by (full) Council, and therefore to optimise the use of resources. **Please note that where decision making authority is given to the Chief Finance Officer, the Deputy Chief Finance Officer may exercise the same authority in the absence of the Chief Finance Officer.** *(Reason: to provide continuity in the case of absence as recommended in an Internal Audit recommendation as part of the Budgetary Management Internal Audit).*

(Reason: To ensure that the Constitution continues to provide appropriate guidance on Council decision making).

392. RISK UPDATE

The Executive Director (Resources and Commercial) gave a verbal update on risk and the Council's Risk Register.

The following emerging and evolving risks had now been added to the Risk Register:

- Local Government Reorganisation and Unitary
- Brexit

Local Government Reorganisation was seen as a risk as there was, as yet, no formal approval from the Secretary of State. There was likely to be a number of risks and implications for the Council around providing services and staffing once a decision has been made.

Brexit was considered as a risk although the impact on the Council was not yet known. It was likely that there would be a potential short term impact, regardless of which Brexit option was finally agreed. A number of emergency planning sessions had taken place in the county to consider the possible impacts. Both risks were being actively monitored by CMT.

A detailed update on the two new areas of risk would be provided at the next meeting.

During discussion on the item, officers confirmed that the majority of any impacts from Brexit could affect all local authorities. The direct.gov.uk website had a number of papers covering the impacts on local government. In response to a question about NCC's Stabilisation Plan, officers explained that if the Stabilisation Plan was delivered then that would help with a stable financial position moving into unitary arrangements. However the new unitaries would still face a number of challenges due to the impact of demand on services, particularly children and adult's services and the funding position. How those services would work in a two council environment was not yet known and the Commissioners at NCC would likely have a view on future service delivery.

RESOLVED:

That the verbal update be noted.

Chairman

LICENSING COMMITTEE

Date: 06 February 2019

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:- Barbara Jenney (Chairman)
Glennil Greenwood-Smith (Vice-Chairman)

Tony Boto	Andy Mercer
Richard Gell	Geoff Shacklock
Helen Howell	Pam Whiting
Dorothy Maxwell	Colin Wright

External Attendee: PC David Bryan, Northamptonshire Police

393. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Sylvia Hobbs, Gill Mercer, Steven North and Peter Wathen.

394. MINUTES

The minutes of the meeting held on 03 October 2018 were approved and signed by the Chairman as a correct record.

395. DECLARATIONS OF INTEREST

There were no declarations of interest.

396. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions by Members under Council Procedure Rule 10.3.

397. LICENSING ACTIVITY UPDATE

The Health Protection Manager presented a report which provided the Committee with an update on a number of licensing matters.

Taxi Policy Consultation – Removal of the ‘Grandfather Rights’

At the Policy and Resources Committee on 5 November 2018, the Committee agreed to rescind a previous decision to carry out further consultation on the removal of the ‘Grandfather Rights’. The Committee also approved amendments to the Taxi Policy in respect of the wheelchair-accessible vehicle specification.

National Taxi Database

The Council had started to use the National Taxi Database on 1 February 2019. A recent National Anti-Fraud Network newsletter had stated that 250 councils had now nominated a Single Point of Contact and had started the process of signing up to the database. The County Licensing Liaison meeting had now agreed that the database needed to be a priority for the group in the coming year.

Gambling Policy

Council had approved and adopted the Gambling Policy at its meeting on 12 December 2019. The Policy had been advertised for one month prior to its commencement on 1 February 2019.

Stolen Taxi Vehicle Licence Plates

A Member briefing had been issued on 10 December 2019 advising that a number of taxi vehicle licence plates had been stolen in the district. It was noted that five plates had been stolen in the last six months.

During discussion on the item, Members asked whether it was appropriate to consider changing the colour and style of the licence plates to easily identify the stolen plates from valid plates. Officers confirmed that the stolen plates had been decommissioned and agencies such as Safeguarding and the Police had been notified. The licence plates would likely have to be changed in 2020 if local government reform went ahead.

RESOLVED:

That the report be noted.

398. LICENSING CONFERENCE UPDATE

The Chairman, Vice Chairman and Health Protection Manager gave a verbal update from the Licensing Conference held on 5 February 2019.

Sessions on the day had included:

- Taxi licensing
- Disruptive technology
- Update on the National Register
- Gambling related harm

It was agreed that a briefing note on the outcomes of the Licensing Conference would be circulated to Committee members.

RESOLVED:

That the verbal update be noted.

399. LICENCE TYPES TRAINING

The Licensing Enforcement Officer provided the Committee with an update on the different types of licence available and what activities could and could not happen with them.

The licences discussed included:

- Premises Licence
- Club Premises Certificate
- Temporary Event Notices (TEN)
- Club Gaming Permits
- Fixed Odds Betting Terminals
- Small Society Lotteries

RESOLVED:

That the verbal update be noted.

400. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

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

401. UPDATE REPORT FROM NORTHAMPTONSHIRE POLICE

PC David Bryan of Northamptonshire Police provided an update on the new Chief Constable's priorities, review of the Police Licensing department and the Immigration Service and their role under licensing.

RESOLVED:

That the verbal update be noted.

402. REVIEW OF RECENT LICENSING PANELS

The Committee noted the outcome of the Licensing Panels which had recently been held.

RESOLVED:

That the report be noted.

Chairman

PLANNING MANAGEMENT COMMITTEE

Date: 13 February 2019

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	Geoff Shacklock
		Marika Hillson	Alex Smith
		Helen Howell	Robin Underwood
		Barbara Jenney	Peter Wathen
		Andy Mercer	Pam Whiting
		Harriet Pentland	

403. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dudley Hughes JP, Roger Powell and Anna Sauntson.

404. MINUTES

The minutes of the meetings held on 09 and 23 January 2019 were approved and signed by the Chairman.

405. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Declarations of Interest

There were no declarations of interest.

(b) Informal Site Visits

No informal site visits were declared.

406. QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

407. 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 agreements in respect of 10/00857/OUT Irthlingborough West, 16/01431/OUT Nene Business Park, Irthlingborough and 18/0036/VAR Freemans Court, Rushden until 29 March 2019.

The Planning Development Manager advised that it was proposed to bring a full report to the next meeting on the application at Irthlingborough West to give the Committee a number of options on how to take the application forward.

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

- 15/00119/VAR Priors Hall – current application unlikely to proceed with the new owners. Formal requests for EIA screening and scoping for a revised scheme had been received.
- 18/00004/FUL Rushden Lakes – Highways England had confirmed that they had no objection and the decision notice had now been issued.
- 18/01009/OUT Addington Road, Irthlingborough – refusal reasons had now been agreed and the decision issued.

RESOLVED:

- (i) That the report be noted.
- (ii) That the extension of time for 10/000857/OUT Irthlingborough West, 16/01431/OUT Nene Business Park, Irthlingborough and 18/00636/VAR Freemans Court, Rushden until 29 March 2019, be approved.

408. PUBLIC SPEAKERS

The following people spoke on the items as indicated:

- 18/01765/FUL and 18/01766/ADV - Asda, 161 High Street, Rushden – a Ward Member and an objector.

409. 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) 18/02043/FUL – Chelveston Renewable Energy Park, the Airfield, Chelveston

The Committee considered an application for the construction of a hydrogen fuelling building with on-site hydrogen generation, storage, ancillary maintenance and storage units, security fencing and hardstanding. The application had been brought before the Committee in accordance with the Scheme of Delegation.

Members noted that Chelveston Parish Council had objected to the application on the grounds that it further industrialised the site and challenged the applicant's assertion that Hydrogen was a clean fuel. Higham Ferrers Town Council had also objected to the application and it was also noted that a representation from a nearby resident objecting to the application had been received. The Local Highways Authority had no objection to the application but had made a number of comments.

During debate on the application, Members noted that this part of the district already had a large amount of energy production and this application was further industrialisation of that part of the district. It was also noted that the height of the building was not in compliance with the Chelveston-cum-Caldecott Neighbourhood Plan. Local residents had a number of concerns with the application, in particular the route that vehicles attending the site would use and ensuring that vehicles by-passed Caldecott and Chelveston villages. It was suggested that to give reassurance to residents it should be conditioned that route B was the route to be used. It was also felt that the permitted construction hours should also be conditioned.

In response to the issues raised, officers confirmed that a condition had been included that required the details of the route to the site to be re-submitted to ensure that it was the optimal one but they would be happy to discuss the final wording of the condition with the ward member.

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, the inclusion of an additional condition restricting construction hours to those detailed at paragraph 7.16 of the report and that ward members' views are sought before deciding the final wording of condition 6.

(ii) 18/01765/FUL – Asda, 161 High Street, Rushden

The Committee considered an application for the installation of grocery collection lockers in the customer car park. The application had been brought before the Committee as Rushden Town Council had objected to the application on the grounds that they had safety concerns regarding the positioning of the lockers due to sight lines.

Members noted that several representations from nearby residents had been received. It was also noted that the Local Highways Authority and ENC Environmental Protection had no objection to the application but had made a number of comments.

During debate on the application, Members stated that there were already two high barriers separating the site from the properties on Higham Road, so it was unlikely that there would be any significant difference for nearby residents. It was suggested that condition 3 should be amended to ensure that it covered all purchases and not just groceries. It was noted that a planning application had been submitted by the applicant to extend the opening hours of the store and some Members felt that if approved, that application would have an implication on the use of the collection lockers. To protect local residents, it was suggested that it may be helpful to amend the condition to include the current opening hours and if longer hours were needed in the future, the applicant could make a further 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 and condition 3 being amended to read:

The grocery collection lockers hereby approved shall only be in operation between the hours of 8am – 10pm Mondays to Saturdays and 10am – 4pm Sundays. No purchases shall be left in the lockers outside of these hours, or overnight.

Reason: in the interest of residential amenity

iii) 18/01766/ADV – Asda, 161 High Street, Rushden

The Committee considered an application to attach vinyl lettering to the proposed grocery collection lockers in the customer car park and accompanied planning application 18/01765/FUL. The application had been brought before the Committee as Rushden Town Council had objected to the proposed works.

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.

410. APPEAL DECISION MONITORING REPORT

The Committee received a report which provided an update on the planning appeals determined by the Planning Inspectorate from 7 January to 25 January 2019.

The Planning Development Manager highlighted a number of key points that had been made during some of the appeals:

18/00379/FUL – Metkey 1, Land Corner of Washbrook and Pytchley Road

- The Inspector concluded that the need for one bedroomed dwellings in Rushden, as identified in the Rushden Housing Mix Requirement (RHMR), did not specifically mean flats and that the RHMR was explicit that consideration should be given to the development of smaller houses and bungalows rather than flats.
- The Inspector noted that even though ENC had not adopted the Highways Authority Parking Standards, it could give as much weight to them as they saw fit.

17/02142/REM – Land Between Oakleas Rise and A14 Midland Road, Thrapston

- In contrast to the previous application, this Inspector concluded that as the Parking Standards had not been adopted, then limited weight should be given to them.
- The Inspector concluded that garages could be included as parking spaces as conditions could be added to a decision to ensure that they were retained for parking. The Inspector also had the view that whilst tandem parking was not unusual, in this application tandem parking within shared parking courts was not acceptable as it had not been demonstrated that it could be managed.
- The National Space Standards were also given a lot of weight by the Inspector compared to the Housing Quality Index by Homes England.

17/02370/FUL – 5 Cotterstock Road, Oundle

- The Inspector concluded that in cases where an additional dwelling was proposed to be erected in a rear garden, the host dwelling still required a garden which would be sufficient for a property of its size to ensure that residential amenity was not harmed.

The Committee congratulated officers on their success in defending most of the appeals.

RESOLVED:

That the report be noted.

Chairman