

# POLICY & RESOURCES COMMITTEE

**Date:** 19 April 2010

**Venue:** East Northamptonshire House, Cedar Drive, Thrapston

**Time:** 7.30 pm

**Present:** Councillors:-

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

**David Brackenbury**  
**Pauline Bradberry**  
**Albert Campbell**  
**Lisa Costello**  
**Roger Glithero**

**Philip Hardcastle**  
**Glenn Harwood MBE**  
**Richard Lewis**  
**Steven North**  
**Anna Sauntson**

## **PART A ITEMS**

### **449. MINUTES**

The minutes of the meeting held on 15 March 2010 were approved and signed by the Chairman.

### **450. APOLOGIES**

Councillors Sylvia Hughes and John Richardson sent their apologies.

### **451. DECLARATIONS OF INTEREST**

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

<b>Councillors</b>	<b>Item(s)</b>	<b>Nature of Interest</b>
David Brackenbury, Wendy Brackenbury, Pauline Bradberry, Albert Campbell, Lisa Costello, Roger Glithero, Philip Hardcastle, Glenn Harwood, Richard Lewis, Andy Mercer, Steven North, Anna Sauntson, Robin Underwood	10 (part 6 of the Constitution)	Recipients of travelling allowances
Glenn Harwood and Richard Lewis	12	Members of the Rushden Historical Transport Society

#### **452. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3**

There were no questions.

#### **453. PERSONNEL SUB-COMMITTEE**

The Committee received and considered the recommendations in the minutes of the meeting of the Personnel Sub-Committee on 9 April 2010. (Pages 914 to 927). The Chairman emphasised the thanks to staff for their participation and involvement in the consultation on minute 5.7 (Proposed Management Restructuring).

#### **RESOLVED:**

That the recommendations contained in minute 5.7 (Proposed Management Restructuring), as shown below, be approved:-

- (1) *That the rationale for the restructure, as set out in paragraph 5.5 above, and the expected total financial savings identified in paragraph 5.6, be noted.*
- (2) *That all three "sets" of consultation feedback be noted and that staff be thanked for their participation and involvement in the process and their considered and helpful comments.*
- (3) *That the proposed management structure set out in Appendix A on page 4 of these minutes, be approved.*
- (4) *That regular reports be made to the Sub-Committee on the precise savings, transition costs and wider cultural changes achieved as a result of the restructuring.*

#### **454. HACKNEY CARRIAGE & PRIVATE HIRE DRIVERS CRIMINAL RECORD POLICY**

Members discussed a proposed Criminal Record Policy for hackney carriage and private hire vehicle drivers. Applicants' criminal records had to be checked to ensure that they were fit and proper persons to hold a licence and the Council used the Enhanced Criminal Records Bureau (CRB) test.

In the past, Home Office circulars had been used to help make decisions on drivers but it was intended that the new policy – which had been developed by this Council - would be rolled out across the County and enable authorities to share information about drivers that had been refused licences.

All Councillors on the Licensing Committee had been consulted on the new policy.

Members felt that paragraph 2.6 of the proposed policy should be strengthened and a new paragraph inserted between paragraph 3.5 and 3.6 regarding the status of cautions.

#### **RESOLVED:**

That the Hackney Carriage and Private Hire Drivers Criminal Records Policy, as amended by the Committee, and set out in Appendix 1 to these minutes at pages 826 to 836 be approved.

#### **455. TOWN CENTRE REGENERATION**

Further to minute 277 (9 December 2009), the Chief Executive suggested the setting up of a Town Centre Regeneration Working Group of five Members to address one of the priority outcomes in the Council's Corporate Plan.

The Terms of Reference of the Group were proposed as follows:-

- To consider which parts of the District are in need of regeneration and make recommendations to the Policy & Resources Committee.
- To consider possible methods of regeneration, and to consider which one(s) are appropriate for the District.
- To recommend methods of regeneration to the Policy & Resources Committee.
- To propose governance arrangements for the regeneration work.

It was further suggested that the criteria for assessing methods of regeneration should include (but not be limited to):

- deliverability;
- sustainability;
- respect for the existing character and heritage of the District;
- affordability; and
- risk minimisation.

Members asked that the title of the Working Group be changed to "District Regeneration".

#### **RESOLVED:**

- (1) That a District Regeneration Working Group be established, and that the following 5 Members be appointed to serve thereon:-

Chairman of Policy & Resources Committee  
Vice-Chairman of Policy & Resources Committee  
Deputy Leader  
Economic Development Champion  
Vice Chairman of Planning Policy Committee.

- (2) That the Terms of Reference of the Group and the criteria for assessing appropriate methods of district regeneration, as set out above, be approved.

#### **456. USE OF NATURAL RESOURCES STRATEGY.**

The Committee considered a draft strategy setting out the Council's approach to reducing its energy consumption and cutting fuel bills. It would initially focus on the Thrapston offices before being rolled out to other Council buildings at a later date. The document also covered the Council's approach to business travel and described how the deliverers of contracted-out services would be encouraged to reduce the energy used in the operation of services on behalf of the Council.

The actions associated with the Strategy would also help the Council's contribution towards the national commitment to cut carbon emissions by 34% by 2020.

**RESOLVED:**

That the Use of Natural Resources Strategy, as submitted, be approved.

**457. RURAL HOUSING PARTNERSHIP PROTOCOL**

Further to minute 406 (15 March 2010), Members again considered the Partnership Working Protocol 'Delivering Affordable Rural Housing on Exception Sites'. Councillors Hardcastle and Harwood had worked with Officers, addressed the concerns expressed at the last meeting and made changes to the Protocol.

**RESOLVED:**

That, subject to the words "Advocate LA's commitment to affordable housing" being moved from the section headed DISTRICT/BOROUGH COUNCILLOR to LOCAL AUTHORITY on page 4 of the document, the Northamptonshire Partnership Working Protocol 'Delivering Affordable Rural Housing on Exception Sites', as submitted, be endorsed.

**458. CALENDAR OF MEETINGS 2010/11**

Further to minute 369 (22 February 2010), a revised Calendar was submitted with changes suggested in the interests of operational efficiency.

**RESOLVED:**

That the revised Calendar, as set out in Appendix 2 to these minutes at pages 837 to 839 be endorsed for approval at the Annual Meeting of the Council.

**459. EAST NORTHAMPTONSHIRE GREENWAY**

Further to minute 412 (15 March 2010), the Committee received a report on the progress of the Greenway Project since December 2009, together with an update prepared since the despatch of the agenda following discussions, on 16 April, with Northamptonshire County Council (NCC), Rockingham Forest Trust and this Council about funding.

It had been reported at the last meeting that the bid for £380,000 of funding from the Rural Development Programme for England for the project had been unsuccessful. The North Northamptonshire Rural Action Partnership (the body who administered the funding) had been unconvinced about the direct economic benefits and concerned that the full remaining funding for the project was not in place. Officers had been negotiating with Sustrans over a reduced route and funding package to include Washbrook Road, Spencer Park and the old railway line at Higham Ferrers.

Sustrans had now agreed to a suggestion that the existing cycleway at Spencer Park be utilised and this would reduce the shortfall in funding. The Committee noted that the cost of the scheme now being proposed was £1,244,000 and the Council had secured funding of £1,126,000, leaving a shortfall of £118,000. This Council's match funding contribution was £100,000, and £20,000 had already been spent, leaving £80,000 to be approved.

Members were informed that:

- (a) for the Rushden element of the project -
- NCC had now agreed to transfer any underspend on highways-related costs on Manor Park (for which it had a GAF allocation of £500,000) to the Greenway project; and
  - NCC had given a commitment to underwrite the shortfall in funding on the Greenway up to a maximum of £120,000.
- (b) for the Irthlingborough to Kings Meadow, Higham Ferrers section of the project –
- reports would be made in due course.

**RESOLVED:**

That, for the Rushden element of the Greenways Project,

- (1) Approval be given to the inclusion, in the match funding, of the Council's remaining committed £80,000, and
- (2) The Sustrans funding be drawn down, and the Chief Executive be authorised to sign an updated Memorandum of Understanding.

**460. FUNDING FOR RAUNDS MASTER PLANNING**

Members considered an updated report from the Interim Planning Policy and Conservation Manager on the funding arrangements for the master planning consultation in Raunds. The Homes and Communities Agency (HCA) had asked that the Council be authorised to appoint consultants and pay their invoices. The Council would then be reimbursed by the HCA for the fees, net of VAT.

This arrangement had the advantage of ensuring that the full £50,000 allocated by the HCA would be spent rather than £42,000 if funded directly by the HCA. It would be possible for some of the 4 Towns Plan evidence gathering to be done as part of the work, and the arrangement represented better value for money.

A detailed brief for this work was shown to Members.

**RESOLVED:**

That the arrangements for the funding of the £50,000 grant from the HCA, for Raunds Master Planning, be accepted.

**PART B ITEMS**

**461. CONSTITUTIONAL AND PROCEDURAL CHANGES**

The Chairman of the Constitution Review Group (CRG), Councillor Andy Mercer, presented a further report on Constitutional and Procedural Change following discussions by that Group. The report proposed changes to:-

- the Procedure Rules (Part 4.1 of the Constitution)
- Articles (Part 2 of the Constitution)
- Financial Procedure Rules (Part 4.5)
- Members Allowances Scheme (Part 6)
- Scrutiny Procedure Rules (Part 4.4)
- Terms of Reference of Committees

and introduced a new Media Protocol.

It was noted that

- The adjustments to the Terms of Reference of Committees, Sub-Committees and Working Parties included the abolition of the Asset Management Working Party and the amalgamation of the Raunds Area and Three Towns Working Parties to form a Four Towns Working Party.
- The CRG had met on 8 April and had made some adjustments to the proposals, which were tabled.
- The Scrutiny Committee had commented on the proposals, as amended, at its meeting on 14 April and a schedule outlining those comments had been circulated.

The Committee fully discussed the comments received from the Scrutiny Committee and adjustments to the proposals by the CRG, and came to the following conclusions:-

**Terms of Reference of Committees** - The proposed changes to the Planning Policy Area Working Parties should not be endorsed and that the Planning Policy Committee should consider this issue at its meeting on 14 June.

**Scrutiny Procedure Rules – Call In Arrangements** – The proposals initially put forward by the CRG should be adopted.

**Code of Practice for Planning Procedures** – All the proposed changes in paragraph 2.8 of the submitted report should be reconsidered by the CRG.

All other proposals made by the CRG were accepted.

**R.18 RESOLVED TO RECOMMEND:**

- (1) That the proposals of the Constitution Review Group, as amended at the meeting, be approved and that
  - (a) Changes, as set out in bold italics and deleted text in Appendices **3 to 6 and 8** ~~3 to 8~~ at pages 840 to 911 be made to the following parts of the Constitution and associated documents:
    - Part 2 (Articles)
    - Part 4.1 (Procedure Rules)
    - ~~Part 4.4 Scrutiny Procedure Rules)~~
    - Part 4.5 (Financial Procedure Rules)
    - Part 6 (Members' Allowances Scheme)
    - Terms of Reference of Committees etc (including the abolition of the Asset Management Panel but not including changes to Planning Policy Committee working parties)

- (b) The new Media Protocol and Undertaking as shown in Appendix 9 at pages 912 to 913 be included in the Constitution.
- (c) Authority be given to the Monitoring Officer. **in consultation with the members of the Constitution Review Group**, to make any changes to the format of the Constitution to make it more presentable and to make any necessary consequential changes to other parts of the Constitution as a result of the amendments outlined in Appendices **3 to 6 and 8 and 9**.
- (2) That the Planning Policy Committee, at its next meeting, consider the structure of area based working parties.
- (3) That the Constitution Review Group reconsider the following aspects:-
- ~~Paragraph 26 of the Code of Practice for Planning Procedures (Part 5.4)~~
  - Paragraph 25.5 of the Procedure Rules (part 4.1).
  - **The Call In Procedure in the Scrutiny Procedure Rules (Part 4.4)**
- (4) **That Paragraph 26 of the Code of Practice for Planning Procedures (Part 5.4) be amended to read as follows:-**
- 26 “Before an application is determined at a meeting of the Committee, members of the public (~~an applicant or agent; a local resident;~~ **one speaking in favour of the application, one speaking against the application and** a Parish/Town Council representative) **and any Member with an interest in the application** may address the Committee for no longer than ~~2~~ **3** minutes, to outline points of concern or support, subject to compliance with the Council’s published procedures on public speaking. This right reflects Articles 6 and 10 of the European Convention of Human Rights (Right to be heard and Freedom of Expression). ***The Chairman may exercise discretion over the number of speakers and how long they can speak for in the event of exceptional public interest (providing a balance of speakers is maintained).***”

**and pursuant changes be made to the Development Control Charter.**

**Note**

Changes in bold and deleted text were made by council on 26 April 2010

**Chairman**