

# **POLICY & RESOURCES COMMITTEE**

**Date:** 11 October 2010

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

**Time:** 7.30 pm

**Present:** Councillors:-

**Steven North (Leader of the Council)**  
**Philip Hardcastle (Deputy Leader of the Council)**

**David Brackenbury**  
**Wendy Brackenbury**  
**Pauline Bradberry**  
**Lisa Costello**  
**Roger Glithero JP**  
**Glenvil Greenwood-Smith**

**Glenn Harwood**  
**Sylvia Hughes**  
**Richard Lewis**  
**Peter MacGovern**  
**Andy Mercer**

## **201. PUBLIC SPEAKER**

Councillor Dudley Hughes spoke from the gallery on item 11(b) (Other Proposed Constitutional Changes) insofar as it related to the proposed abolition of the Audit and Risk Management Committee, and item 16 (Call-In if Decision in relation to Future Alternative Service Delivery in Oundle).

## **202. APPOINTMENT OF CHAIRMAN**

Following the change in membership of the Committee at the Council Meeting (Issues Debate) on 4 October 2010, it was necessary to appoint a new Chairman.

### **RESOLVED:**

That Councillor Richard Lewis be appointed Chairman of the Committee for the remainder of the Civic Year.

Councillor Lewis welcomed Councillors Glenvil Greenwood-Smith and Peter MacGovern as new members of the Committee. He thanked Councillor Robin Underwood, the previous Chairman, for his service to the Committee.

## **203. MINUTES**

The minutes of the meeting held on 13 September 2010 were approved and signed by the Chairman.

## **204. APOLOGIES**

Councillor John Richardson MBE sent his apologies.

## **205. APPOINTMENT OF VICE-CHAIRMAN**

It was

### **RESOLVED:**

That Councillor Glenvil Greenwood-Smith be appointed as Vice-Chairman of the Committee for the remainder of the Civic Year.

Councillor Greenwood-Smith thanked Councillor Wendy Brackenbury for her past service as Vice-Chairman of the Committee, and the Chairman endorsed these remarks.

## **206. DECLARATIONS OF INTEREST**

Councillor Philip Hardcastle declared a personal interest in agenda item 15 (Non Domestic Rates – Discretionary Rate Relief) as a past Chairman of the applicant organisation.

The following Councillors declared a personal and prejudicial interest in the agenda item indicated and were not present during the discussion and voting thereon. Councillor Dudley Hughes spoke from the public gallery and left the meeting after he had spoken.

<b>Councillors</b>	<b>Item</b>	<b>Nature of Interest</b>
Glenvil Greenwood-Smith	11 and 16	Was formerly a Member of the Scrutiny Committee which considered items
Philip Hardcastle	16	Knows owner of property featuring in the report
Sylvia Hughes	11(b)	Husband a recipient of a Special Responsibility Allowance as Chairman of the Audit & Risk Management Committee
Dudley Hughes	11(b)	Recipient of a Special Responsibility Allowance as Chairman of the Audit & Risk Management Committee

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

There were no questions.

## **208. SUB-COMMITTEE ISSUES**

### **(a) Minutes of Finance Sub-Committee**

The minutes of the meeting of the Sub-Committee held on 15 September 2010 were received and appear at pages 323 to 327.

### **(b) Finance Sub-Committee and Personnel Sub-Committee – Status and Membership**

The Committee considered the membership of the Personnel Sub-Committee following the Council meeting (Issues Debate) on 4 October 2010. It was also noted that proposals were

being made under item 11(b) to change the status of the Finance Sub-Committee (minute 212 below refers).

**RESOLVED:**

That the following Members serve on the Personnel Sub-Committee for the remainder of the Civic Year:-

Wendy Brackenbury, Lisa Costello, Roger Glithero JP, Philip Hardcastle (ex-officio), Sylvia Hughes, Steven North (ex-officio).

**209. RUSHDEN HIGH STREET PUBLIC REALM PROJECT AND IRTHLINGBOROUGH AND OUNDLE MASTER PLANS**

Further to minute 110 (b) of the meeting on 19 July 2010, the Chief Executive presented a report seeking approval for match funding from the Council and authority to proceed with a Rushden High Street Public Realm project, to which GAF 3 funding had been reallocated, and funding for the preparation of Master Plans for Irthlingborough and Oundle.

The decision to postpone the Manor Park Leisure Project until the economic situation improved meant that, from the £1,597,400 GAF3 funding previously secured by the Council for the project, £1,324,554 had been left unspent; £272,846 of the total allocation having been spent on preparation work and the design for the project.

The initial proposal for a Rushden High Street Public Realm project had been identified as part of the Enquiry by Design master planning exercise carried out by the Prince's Foundation earlier this year. It was intended that the project would -

- sustain the viability and vitality of the Rushden High Street
- create a more accessible environment, to encourage and improve on pedestrian movements
- provide a street which gave a perception of being owned by its people and not dominated by cars
- attract new businesses and reduce out-migration for work and shopping.

The initial proposals from the County Council's highway consultants, MGWSP, consisted of three phases, which included improvements to the gateway entrances to the southern and the northern ends of the High Street and the provision of a central public space (a non-pedestrianised 'town square' directly in front of the Wesleyan Church). These proposals had been endorsed by the Rushden Regeneration Project Board which felt that the improvements should extend the entire length of the High Street in due course. The proposals would now form the basis for discussion with the public, traders, Members of the District and Town Council and other key stakeholders, to conclude the detailed scope of works.

NCC Officers had indicated that there was a c£470,000 GAF3 underspend from the Leisure Centre Access project in Rushden (Highways improvements off Bedford Road, Rushden), which was also postponed following the Council's decision on 19 July. They anticipated using a proportion of it to finance a highways project in Rushden town centre to develop the proposals set out in the Enquiry by Design report produced earlier this year. The NNDC GAF Sub-Committee had discussed the reallocation of the c£1.3m Manor Park underspend and had decided to reallocate £712,500 to the Rushden High Street Public Realm project, subject to conditions, which were outlined to the Committee.

Bids had also been made against the GAF underspend for Irthlingborough and Oundle master plans but funding approval had not been given as the projects would not secure outcomes on the ground by 31 March 2011. Funding was therefore being sought from ENC to progress these Master Plans following a previous Planning Policy Committee recommendation to the Policy and Resources Committee that the match funding should be allocated against these activities to allow some progress to be made. Members expressed concern that the Oundle Master Plan might duplicate or contradict the work carried out for the Rural North, Oundle and Thrapston (RNOT) Plan and that priority should be given to work in the south of the District where local development planning was less forward. Members felt that a decision on allocating money for the master plan for Oundle should be deferred for the time being.

The Chief Executive reported on the possibility of securing funds from the Heritage Lottery Fund for the Conservation Area in Rushden, which would involve the Council allocating only 25% of the cost of work.

**RESOLVED:**

- (1) That a contribution of up to £785,000 be approved to match the £712,500 GAF allocation and meet the total funding required for the first three phases of the proposed Rushden High Street Public Realm project.
- (2) That authority be delegated to the Chief Executive, in consultation with the Council's two Project Board members (Cllr Steven North and Cllr Eloise Lucille) to draw down the NNDC re-allocation and proceed with the design and the construction for the Rushden Public Realm Scheme.
- (3) That the sum of £50,000 be approved to enable the preparation of a master plan for Irthlingborough in a manner that enables the master plan to be used as evidence in the preparation of statutory plans.
- (4) That a decision on allocating a further £50,000 for the master plan for Oundle be deferred for clarification on whether the Master Plan work would duplicate or conflict with the RNOT and how it would inform current and future statutory plans.
- (5) That the Officers explore the potential of securing funding from the Heritage Lottery Fund in respect of the Rushden Conservation Area.

**210. UPDATED MEDIA POLICY**

The Committee considered an updated Media Policy to replace the version last revised in 2008. It took into account changes within the council and media communications generally, including:

- The new policy format.
- Champions, Lead Members and Member responsibilities.
- The need for media training (officers and Members) unless there is substantial media interview experience.
- A new protocol in the Constitution on filming & photography at council meetings.
- Protocol on joint press releases.
- The advent of social media.

Two small amendments were agreed, adding reference to the Leader of the Council in paragraphs 6.1.2 and in the table against "Press releases" in paragraph 7.1.1.

**RESOLVED:**

That the updated Media Policy, as amended at the meeting and set out in Appendix 1 to these minutes at pages 328 to 340 be approved.

**211. ALCOHOL HARM REDUCTION PLAN**

Members received and considered the Alcohol Harm Reduction Plan which had been produced by an Officer working group following the launch by the Northamptonshire Partnership, earlier in the year, of the Northamptonshire Alcohol Harm Reduction Strategy 2010 – 2015.

The working group had identified and captured all the good work already taking place in East Northamptonshire together with those initiatives being delivered within existing resources and work patterns.

The Chief Executive explained that Alcohol Harm had been identified as an issue in connection with the Local Area Agreement and that the Chief Executive's Group had recognised it as an important issue. However, the Leader of the Council asked that the matter be deferred to ascertain the current government's approach with regard to local action and the impact on other agencies of the intended reductions in public expenditure.

**RESOLVED:**

That the Alcohol Harm Reduction Plan for East Northamptonshire be not endorsed at the present time and reconsidered in April 2011.

**212. CONSTITUTIONAL CHANGE**

**(a) Constitution Review Group**

It was reported that the Constitution Review Group had met in July and proposed a number of changes to:-

- Procedure Rules (Part 4.1 of the Constitution)
- Article 9 relating to the Standards Board (Part 2)
- Code of Practice for Planning Procedures (Part 5.4).

The Scrutiny Committee on 27 September had endorsed the proposals.

**R.4 RESOLVED TO RECOMMEND:**

That the proposed changes to the Constitution (Part 2 – Article 9 – Part 4.1 and 5.4) as shown in Appendix 2 to these minutes at pages 341 to 342 be approved.

**(b) Other Constitutional Changes**

A report was considered setting out further proposed changes to the Constitution and other associated documents. These included the matters still outstanding from the Constitution

Review Group and other items arising from the change in Leadership at the Council Meeting (Issues Debate) on 4 October.

The proposals related to –

- The Call In provisions in the Scrutiny Procedure Rules (Part 4.4 of the Constitution)
- Council Champions and Lead Members (Article 2)
- Abolition of the Audit & Risk Management Committee and Performance Panel (various parts of the Constitution and Terms of Reference of Committees)
- Members Allowances Scheme (Part 6) – travelling
- Change in status of Finance Sub-Committee to a Working Party.

Some changes were put forward to the Call-In provisions in the Scrutiny Procedure Rules and also to Article 2 in relation to the Appointment of Champions. These were agreed by the Committee.

#### **R.5 RESOLVED TO RECOMMEND:**

- (1) That the changes to the parts of the Constitution detailed below and set out in Appendix 3 on pages 343 to 346 (including the changes agreed at the meeting) be approved.
  - Scrutiny Call In Procedure provisions in Part 4.4
  - Article 2 (Champions and Lead Members)
  - Part 6 (Members Allowances Scheme)
- (2) That the number of Champions be reduced on the lines set out in the table in Appendix 4 on page 347, with the role of four of the Champions being assumed by the Lead Members shown in the shaded parts of the table,
- (3) That the title of the “Resources and Organisational Development” Champion be changed to “Resources and Economic Development” and that Councillor Richard Lewis be appointed to serve as that Champion for the remainder of the Civic Year.
- (4) That four of the Lead Member roles be retained but not Planning Services.
- (5) That the Audit & Risk Management Committee and the Performance Working Party be abolished and consequently, the various parts of the Constitution and Terms of Reference of Committees be amended to give the Scrutiny Committee the powers and responsibilities currently exercised by those bodies, and the Calendar of Meetings be adjusted accordingly.
- (6) That changes be made to various parts of the Constitution to reflect the decision in resolution (1) below.

It was further

#### **RESOLVED:**

- (1) That the status of the Finance Sub-Committee be changed to that of a Working Party and the consequential changes to the Terms of Reference (as set out in Appendix 5 on pages 348 to 349) be approved.

- (2) That the membership of the Finance Working Party be as follows:-

Leader and Deputy Leader of the Council, Chairman and Vice-Chairman of the Policy and Resources Committee, and Councillors Roger Glithero and John Richardson, MBE.

### **213. LICENSING OF SEXUAL ENTERTAINMENT VENUES**

It was reported that the Policing and Crime Act 2009 amended Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 to include sexual entertainment venues. This altered the existing arrangement of licensing under the Licensing Act 2003, where decisions about licences could only be made based on the four licensing objectives.

Section 26 of the Policing and Crime Act introduced a new category of 'Sex Establishment' called a 'Sexual Entertainment Venue' which was defined as – 'any premises at which Relevant Entertainment is provided before a live audience for financial gain of the organiser or the entertainer'. This new category covered venues that provide 'Relevant Entertainment' which is defined as – 'any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must be reasonably assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)'. Such venues would require a Sex Establishment Licence.

This Council originally adopted the previous provisions of the LGMPA 1982 on in November 1982 and it was now necessary to adopt the new provisions which had been inserted into Schedule 3.

#### **R.6 RESOLVED TO RECOMMEND:**

That the provisions for Sexual Entertainment Venues under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 be adopted and that a further report be produced following consultation for a Sexual Entertainment Venues Policy and associated licence fees.

### **214. EAST NORTHAMPTONSHIRE YOUTH COUNCIL**

Members considered a report setting out proposals for consulting on the development of a new model for involving and engaging with young people in East Northamptonshire. It was felt that better ways need to be found for involving and engaging young people in issues and initiatives that could affect their lives, both now and in the future. This would give a stronger focus to the Youth Council aims.

The model would seek to –

- Enable young people to offer new ideas on how organisations might develop initiatives or projects and how the Council could deliver better and more efficient services
- Switch the emphasis to working more closely with schools, youth clubs and other relevant organisations to engage young people in specific projects across the District.
- Exploit opportunities for making better use of technology.

**RESOLVED:**

- (1) That approval be given to the proposed consultation with schools, youth groups and relevant organisations in East Northamptonshire for developing the future model involving young people.
- (2) That a report seeking approval for the new model be submitted to the meeting of this Committee on 17 January 2011.

**215. NENE VALLEY NEWS - PROCUREMENT OF NEW CONTRACT AND CONSULTATION ON THE CODE OF RECOMMENDED PRACTICE ON LOCAL AUTHORITY PUBLICITY**

Further to minute 140 (13 September 2010), a report was considered, seeking -

- (a) Member representation for the current procurement process for the new contract, and
- (b) A member to work with the Head of Customer and Community Services to develop a response to the consultation document on the Code of Recommended Practice on Local Authority Publicity.

It was acknowledged that the proposed Code included guidance relevant to the publication of Council newspapers and if the Code were to be adopted, the recent decision and arrangements regarding publishing Nene Valley News would need to be reviewed.

**RESOLVED:**

- (1) That the procurement process for the Nene Valley News be continued up to the stages prior to any contractual obligations, to enable the Council to meet the required deadlines, should the proposed changes to the Code of Recommended Practice on Local Authority Publicity not be implemented.
- (2) That Councillors Wendy Brackenbury and John Richardson MBE be appointed to serve on a panel for the procurement process.
- (3) That Councillor Wendy Brackenbury be appointed to work with the Head of Community and Customer Services to develop a response to the consultation document by the deadline of 10 November 2010.
- (4) That a further report be submitted to this Committee at the appropriate time to enable the decision to continue with a publication after 31 March 2011 to be reconsidered, taking into account the latest legal position.

**216. 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 3 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972 may be disclosed.

**217. NON-DOMESTIC RATES – DISCRETIONARY RATE RELIEF**

The Committee considered an application from an organisation for discretionary rate relief.

**RESOLVED:**

That no additional relief be granted for rate reference 600847197.

**218. CONTINUATION OF MEETING – COUNCIL PROCEDURE RULE 8**

Before the consideration of the next item, the Chairman reported that the two hour period under the above Rule had been reached and it was

**RESOLVED:**

That the meeting continue until the item had been concluded.

**219. CALL IN BY SCRUTINY COMMITTEE - ALTERNATIVE SERVICE DELIVERY IN OUNDLE**

Members were informed that resolution (1) of minute 150 (13 September 2010) had been called in by members of the Scrutiny Committee and the reasons for this. The Scrutiny Committee had, on 27 September 2010, resolved –

*That the Policy and Resources Committee are strongly recommended to resolve that the future delivery of services at Oundle from 1 December 2010 be delivered from the Oundle International Festival Office on Tuesdays, Thursdays, Fridays and Saturdays from 10am to 4pm and that officers be asked to negotiate with the Festival for an inclusive facilities management agreement with a target annual cost of £10,000.*

The Committee reconsidered its earlier decision in the light of the Scrutiny Committee resolution. However, Members took the view that further savings, beyond the £46,300 envisaged by the proposal recommended by the Scrutiny Committee, should be achieved, and were minded to choose recommendation (a) which had been outlined in the report to the meeting of this Committee on 13 September 2010 which it was estimated would produce additional £18,200 estimated full year savings.

**RESOLVED:**

That the future delivery of services at Oundle from 1 December 2010 be via a combination of council services being delivered from Oundle Library on Tuesdays and Thursdays together with local tourism leaflet displays in businesses in the Market Place/Cross area of Oundle.

**Chairman**