

















































this permission.

Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the submitted details, prior to the commencement of the works hereby permitted, details and samples of the external roofing and facing materials to be used for the construction of the buildings hereby approved shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory appearance for the development.

3. No works shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist so that works are observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

4. All works hereby approved shall be carried out in a manner that no unnecessary damage is caused to the fabric or decorative features of the building and any damage so caused shall be rectified in accordance with a scheme to be submitted and approved by the Local Planning Authority prior to the completion of development.

Reason: In the interests of preserving the historic character, fabric and appearance of the grade II listed building and its setting.

5. All joinery shall be in timber not metal or plastic and thereafter retained in perpetuity.

Reason: In the interests of preserving the historic character, fabric and appearance of the Grade II Listed Building and its setting.

6. Notwithstanding the submitted details, a revised schedule of works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. Works shall then be carried out in strict accordance with the approved details.

Reason: To maintain the character and appearance of the property as a building of acknowledged architectural and historic interest and ensure the development would not harm the character, appearance or historic fabric of the listed building.

7. Prior to the commencement of works, a structural report for the repair works to the front elevation of the building shall be submitted to and approved in writing by the Planning Authority. This report shall be carried out by a suitably qualified surveyor.

Reason: To ensure the works would not harm the character, appearance or historic fabric of the listed building.

8. Notwithstanding the submitted details, the re-pointing of existing stonework and new stonework shall be carried out using a hydraulic lime mix (no cement). Details regarding the composition of the mortar shall be submitted to and approved in writing by the local planning authority prior to the commencement of works.

Reason: In the interests of preserving the historic character, fabric and appearance of the Grade II listed building and its character.

9. Notwithstanding the submitted details, all windows shall be of timber construction and not uPVC. Prior to the commencement of the works hereby approved, sections at a scale of 1:20 of new and replacement windows shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of preserving the historic character, fabric and appearance of the Grade II Listed Building and its setting.

10. All rainwater goods shall be of cast iron or cast aluminium upon rise-and-fall brackets and painted in black unless otherwise agreed in writing by the Local Planning Authority prior to commencement of development and thereafter retained and maintained in perpetuity.

Reason: In the interests of preserving the historic character, fabric and appearance of the Grade II Listed Building and its setting.

11. Notwithstanding the submitted details, prior to the commencement of the development hereby approved, further details of each shop front, including sections, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To achieve a satisfactory appearance for the development.

12. The development hereby permitted shall be carried out strictly in accordance with the following approved plans unless otherwise agreed in writing by the local planning authority:

- Location Plan received by the Local Planning Authority on 28/04/10
- R001-01-02 REV C received by the Local Planning Authority on 06/04/10
- R001-01-03 received by the Local Planning Authority on 06/04/10
- R001-01-04 received by the Local Planning Authority on 06/04/10
- R001-01-05 REV A received by the Local Planning Authority on 06/04/10
- R001-01-06 REV H received by the Local Planning Authority on 16/02/11
- R001-01-07 REV E received by the Local Planning Authority on 17/08/10
- R001-01-08 REV B received by the Local Planning Authority on 17/08/10
- R001-01-09 REV F received by the Local Planning Authority on 05/09/10
- R001-01-10 REV H received by the Local Planning Authority on 03/09/10
- R001-01-11 REV H received by the Local Planning Authority on 05/09/10
- R001-01-13 REV D received by the Local Planning Authority on 05/09/10
- R001-01-14 REV A received by the Local Planning Authority on 12/07/10
- R001-01-15 received by the Local Planning Authority on 08/02/11

Reason: In order to clarify the terms of the planning permission and to ensure the works are carried out as permitted.

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## EN/10/01267/CAC

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Date received	Date valid	Overall Expiry	Ward
<b>12 July 2010</b>	<b>19 July 2010</b>	<b>13 September 2010</b>	<b>Thrapston Lakes</b>

Applicant **Rosguill Developments**

Agent **Mr M McBride**

Location **71 - 75 High Street, Thrapston.**

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Proposal **Demolition of existing offices at Thrapston Town Council to allow for construction of subsequent Residential/Offices and retail development on this site and adjacent lands.**

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**Decision      Application Granted**

**Conditions/Reasons:**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of any demolition work or other development on the site, a timetable for the construction of a replacement scheme shall be submitted and approved in writing by the local planning authority. The replacement scheme shall be implemented in accordance with the timetable so approved, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the proposal would not harm the character, appearance and setting



of the conservation area and in the interest of residential amenity.

3. Prior to the commencement of any demolition work or other development on the site a method statement for the control of dust and noise during demolition shall be submitted to and approved in writing by the local planning authority. The works shall thereafter be implemented in accordance with the scheme so approved, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential amenity, the orderly development of the site and to protect the environment.

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**EN/10/01950/CND**

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Date received	Date valid	Overall Expiry	Ward
<b>20 October 2010</b>	<b>22 October 2010</b>	<b>14 January 2011</b>	<b>Thrapston Market</b>

Applicant **Mr And Mrs Bright**

Agent **Partners In Planning Ltd - Mr A Bussetil**

Location **South Reach, High Street, Denford.**

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Proposal **Erection of a dwelling and garage following demolition of existing garages and alterations to access Condition 1 – Materials Condition 2 - Landscaping Condition 3 – Trees Condition 5 - Foul and Surface Water Condition 8 Access Condition 9 - Access Drainage**

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**Decision Application Granted subject to:**

**(1) The boundary hedge to the rear of the new dwelling being tapered from 5 to 3 metres and that the tapering should start from 2 metres back from the rear elevation of the new dwelling; and**

**(2) The Head of Planning Services being authorised, in concurrence with the chairman (or vice chairman) and the ward members, to approve further works to the trees to the front of the site as detailed in the report.**

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**EN/10/01969/FUL**

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Date received	Date valid	Overall Expiry	Ward
<b>27 October 2010</b>	<b>22 November 2010</b>	<b>17 January 2011</b>	<b>Raunds Saxon</b>

Applicant **Mr Joby Simpson**

Agent **Joby Simpson**

Location **47 Holmes Avenue, Raunds.**

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Proposal **Two semi detached three storey dwellings sited on land to the side of the existing dwelling**

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**Decision Application Granted**

**Conditions/Reasons:**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of

this permission.

Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the submitted details, prior to the commencement of development, details of all roofing and facing materials shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason: To achieve a satisfactory elevational appearance for the development.

3. Notwithstanding the details already submitted, full details of the method of the treatment of the external boundaries of the site together with individual garden boundaries shall be submitted to and approved in writing by the local planning authority, implemented prior to the occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development.

4. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form or enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates fences, walls or other means of enclosure, shall take place without the prior written consent of the Local Planning Authority.

Reason: To protect the amenity of adjacent occupiers and to protect the open countryside.

5. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the local planning authority, development shall be carried out in accordance with the approved scheme. The scheme shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of 5 years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in any elevation of the proposed development without the prior written consent of the local planning authority.

Reason: To safeguard the privacy of adjoining properties.

7. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development in relation to the natural ground levels of the neighbouring residential sites and the highways (Holmes Avenue and Thorpe Street) shall be submitted to and approved in writing by the local planning authority. These details shall include cross sectional diagrams from Holmes Avenue to Thorpe Street. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity.

8. The parking spaces shown on the submitted plan shall be constructed prior to the first occupation of the building hereby approved and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety.

9. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the local planning authority (LPA) and until the scope of works approved therein have been implemented. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

(a) A Phase I desk study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a conceptual model of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

(b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

Reason: To ensure potential risks arising from previous site uses have been fully assessed.

10. Prior to the occupation of the dwellings hereby permitted, a copy of the Final Certificate (or any replacement for this) shall be provided to the local planning authority to demonstrate that the unit has been constructed to achieve a minimum under the Code for Sustainable Home of Code Level 3, the relevant BREEM and Code for Sustainable Home Level, and any replacement standards, in accordance with the submitted Sustainability and Energy Efficiency Statement, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

11. Prior to the commencement of development, proposals for the provision of foul water and surface water drainage installations to serve the development proposed shall have been submitted to and approved in writing by the local planning authority and the development shall thereafter be carried out in accordance with these details.

Reason: To safeguard public health.

12. Notwithstanding the submitted details, a Tree Protection Plan for the on site trees along the north west (side) boundary shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. This statement shall be in accordance with BS5837: 2005. The development shall thereafter be carried out in accordance with these details.

Reason: To ensure the protection of trees on site.

13. Notwithstanding the submitted details, pedestrian visibility splays of 2.0m x 2.0m shall be provided on both sides of the vehicular access. The areas of land between the required sight lines and the highway carriageway shall be cleared, levelled and retained at a height not exceeding 0.6 metres above the carriageway and driveway levels.

Reason: In the interest of highway safety.

14. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 2008 (or any Order amending or re-enacting that Order with or without modification), no gates or other form of barrier shall be erected at the point of access.

Reason: In the interest of highway safety.

15. Prior to the commencement of development the applicant or their agents or successors in title, shall submit an archaeological programme of works which is in accordance HE12.3 of PPS5 Planning for the Historic Environment. No works shall take place before the programme has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

16. The works hereby permitted shall be carried out strictly in accordance with the approved plans, 01C, 2 and site plan, received by the Local Planning Authority on 14/01.11, unless otherwise agreed in writing by the local planning authority.

Reason: In order to clarify the terms of the planning permission and to ensure the works are carried out as permitted.

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**EN/10/02165/FUL**

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Date received                      Date valid                      Overall Expiry                      Ward  
**6 December 2010      6 December 2010      31 January 2011      Rushden Pemberton**

Applicant      **Mr Martin Byford**

Agent              **Sidey Design Architecture**

Location        **1 Arundel Court, Rushden.**

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Proposal        **First floor side extension**

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**Decision              Application Granted**

**Conditions/Reasons:**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. All alterations to the elevational appearance of the building shall be carried out using materials and treatments matching those of the existing building.  
Reason: To achieve a satisfactory elevational appearance for the development.
3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application drawing number 08/022/03 received by the Local Planning Authority on 6.12.10, unless otherwise agreed in writing by the local planning authority.  
Reason: In order to clarify the terms of this planning permission and to ensure that the development is carried out as permitted.
4. Before the first occupation of the building/extension hereby permitted the first floor side windows located on the western flank wall at number 1 Arundel Court shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.  
Reason: To ensure the adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

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**EN/10/02223/FUL**

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Date received                      Date valid                      Overall Expiry                      Ward  
**20 December 2010      4 January 2011              1 March 2011              Prebendal**

Applicant      **Stepford Homes Ltd (Southern Division)**

Agent              **Peter Wilmot Architects**

Location        **Land Off, Dovecote Close, Yarwell.**

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Proposal        **Residential development to provide five new dwellings (all affordable housing) and associated works**

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**Decision              Application Granted, subject to the completion of a section 106 agreement to secure affordable housing.**

### Conditions/Reasons:

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of development cross sectional details, to illustrate the proposed differences in levels between the approved buildings, their slab levels, gardens and any retaining structures compared with the existing land levels and building heights of neighbouring properties and the adjacent highway, shall be submitted to and approved in writing by the local planning authority. The details shall include spot levels of the site and adjacent highway. Development shall be completed in accordance with the approved details.

Reason: In the interests of visual amenity.

3. No development shall take place until (1) samples of the materials to be used in the construction of the external surfaces of the building hereby permitted and (2) details of the windows and external doors to be installed have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To achieve a satisfactory elevational appearance for the development.

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of boundary treatment indicating the positions, design, materials and type of any fences, railings, walls and gates to be erected around and within the site. The approved boundary treatment shall be completed before any of the dwellings are occupied and retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of visual and residential amenity.

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority.

Reason: In the interest of visual amenity.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

Reason: In the interest of visual amenity.

7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted and approved in writing by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with PPS5 Policy HE12.

8. Notwithstanding the submitted details, prior to the commencement of development access details showing the relocation of the existing carriageway drainage gully being clear of the proposed shared vehicle access point shall be submitted to and approved in writing by the local planning authority. These details shall illustrate a carriageway / shared vehicle access which is to the local highway authority's adoptable standard. The hard surfacing shall be completed in accordance with the approved details in accordance with a timetable to be agreed in writing by the local planning authority prior to the commencement of development. Development shall be constructed in strict accordance with the approved details and approved vision splays retained thereafter.

Reason: In the interests of highway safety.

9. Before any work is commenced on the development the subject of this permission details of the

provision for foul water and surface water drainage installations to serve the development hereby permitted shall have been submitted to and approved by the local planning authority, and the development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard public health and to prevent the potential for flooding on the site and elsewhere.

10. Notwithstanding the submitted details and before commencement of development hereby permitted, a sustainable strategy shall be submitted to and approved in writing by the local planning authority to demonstrate that the development would meet requirements of Policy 14 of the North Northamptonshire Core Spatial Strategy and Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy. The development shall be implemented in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1, Policy 14 of the adopted North Northamptonshire Core Spatial Strategy and Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy.

11. Before unit 3 is first brought into occupation, the side (bathroom) window shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and this obscure glazing shall thereafter be retained permanently.

Reason: To ensure adequate standards of privacy for neighbours and occupiers.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking and re-enacting that Order), no windows or other form of opening, shall be inserted in the east facing elevation of unit 1 hereby permitted.

Reason: To ensure adequate standards of privacy for neighbours and occupiers.

13. No external construction work shall be undertaken at the site other than between the hours of 8.00am and 6.00pm Mondays to Fridays, 8.00am to 1.00pm on Saturdays and not at all on Sundays and public bank holidays.

Reason: To ensure noisy operations are not undertaken during noise sensitive times, in the interests of the residential amenity of the existing nearby dwellings.

14. Prior to the commencement of development a method statement that includes details of measures to minimise noise and dust during construction works shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the residential amenity of the existing nearby dwellings.

15. The development hereby permitted shall be carried out strictly in accordance with the approved plans: drawings 2010-14-06 received 4 January 2011; 2010-14-07a received 31 January 2011; 2010-14-08; 2010-14-09; AS1625/1 received by the local planning authority on 20 December 2010.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

Date received	Date valid	Overall Expiry	Ward
<b>24 January 2011</b>	<b>24 January 2011</b>	<b>21 March 2011</b>	<b>Oundle</b>

Applicant **Mr Neal Wilson Dyer-Gough**

Agent **Waterland Associates - Mr David Smith**

Location **15 West Street, Oundle.**

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Proposal **Reduction in size of existing shop front opening. Remodelling of existing shop front joinery and insertion of a new stone panel, with recess, to existing front facade**

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**Decision      Application Refused**

**Reasons:**

1. The proposed development, by nature of its impact on the historic fabric of the building, namely the reduction of a historic shop front would have an adverse impact on the character and appearance of a listed building; as such the proposal is considered contrary to policy HE9 of PPS5, Policy 13 of the North Northamptonshire Core Spatial Strategy and the Shop Front Design Supplementary Planning Document.
2. The proposed development, by nature of its design, lacks the balance of proportions found in a traditional shop front. The positioning of the windows and the proposed recessed door feature have an unbalanced appearance; as such the proposal is considered contrary to Policy 13 of the North Northamptonshire Core Spatial Strategy and the Shop Front Design Supplementary Planning Document.

# LICENSING COMMITTEE

Date: 9 March 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:- Glenn Harwood MBE (Chairman)  
Anna Sauntson (Vice Chairman)

Pauline Bradberry  
Richard Gell  
Glenvil Greenwood-Smith  
Andy Mercer  
Gill Mercer

Brian Northall  
Rupert Reichhold  
Ron Silver

Also present (for item 6) – Sergeant Ian Fletcher (Northamptonshire Police)

## 423. MINUTES

The minutes of the meeting held on 6 October 2010 were confirmed and signed by the chairman as a correct record, subject to the deletion of “2009” at the end of the resolution in minute 199 and the substitution of “2010”.

## 424. APOLOGIES FOR ABSENCE

Councillors Sylvia Hughes and Peter MacGovern sent their apologies.

## 425. DECLARATIONS OF INTEREST

There were no declarations of interest.

## 426. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions.

## 427. LICENSING ACTIVITY

The committee received and noted details of applications received under the Licensing Act 2003 between August 2010 and January 2011, broken down into new premises licences and licence variations, reviews, variations and removals of Designated Premises Supervisors (DPS), transfers, Interim Authority Notices, Temporary Event Notices (TENs), personal licences and changes to details.

## 428. LICENSING ACT 2003 - CRIME STATISTICS FOR LICENSED PREMISES

Further to minute 353 (12 March 2008), the committee received and noted an analysis of



criminal activity relating to licensed premises in East Northamptonshire, covering the period February 2010 to January 2011 and monthly crime volumes supplied by the police covering the period April 2010 to December 2010.

The following points and comments were made during the discussion on this item:-

- There was an excellent partnership between the Council's Licensing Enforcement Officer and the Police Licensing Unit and members paid tribute to the work undertaken
- The Pubwatch schemes for Rushden, Higham Ferrers, Raunds and Irthlingborough were working very well
- The police were now deploying more resources to meet the demands of the public with twice as many officers working shifts and attention was drawn to Operation Nightsafe. The level of violence had dropped to the lowest it had ever been and this was principally due to effective resourcing and partnership working
- The police had also targeted underage and sales to drunken people and only one incident had been highlighted in East Northamptonshire, which was by far the best local authority area in terms of fewer offences
- There had been an improvement in responsible licensees
- The Rose and Crown, Oundle now had a permanent manager and should not feature in future statistics.

The Committee welcomed the trend and thanked both the Licensing Enforcement Officer and Sergeant Fletcher for the initiatives that were being followed.

#### **429. PROPOSED CHANGES TO PART 5.7 OF THE CONSTITUTION**

The committee was reminded that an issue which had featured in discussion at licensing seminars hosted by this Council was the practice, in some councils, in allowing ward members to serve on licensing panels constituted under the Licensing Act 2003.

Legal advice had now been obtained. Provided a ward member served on the Licensing Committee, and certain conditions were met, there was merit in including ward members on panels. These conditions related to the absence of a prejudicial interest and observance of the rules of natural justice to ensure that ward members had an open mind before the hearing and did not prejudge the issue.

The Code of Practice for Licensing Procedures (part 5.7 of the constitution) did not currently allow the use of Licensing Committee ward members and it was now proposed to rectify this. Suggested wording to paragraphs 6 and 19 of the code was put forward for endorsement. The proposed changes would be considered by the Policy and Resources Committee on 14 March.

Members welcomed the report and it was

#### **UNANIMOUSLY RESOLVED:**

That the proposed changes to part 5.7 of the Constitution be endorsed.

**430. SEMINAR ON LICENSING ISSUES**

Members received the notes of the seminar held at East Northamptonshire House on 23 October 2010, set out in the appendix to these minutes at pages 735 to 739. The next seminar would be held in June 2011.

The chairman drew attention to changes in the government's approach to licensing as outlined in a Home Office publication and there was a brief discussion. This had followed consultation with interested parties and the response was welcomed.

**Chairman**

**Seminar: Licensing Issues**

**Present:-**

**Councillors –**

- Glenn Harwood MBE – ENC (**Chairman**)
- David Beaty - HBC
- Pauline Bradberry JP – ENC
- Lesley Callnor - BCW
- Alan Chantler – DDC
- Richard Gell – ENC
- Chris Lamb - KBC
- Ray Lilley – CBC
- Peter MacGovern - ENC
- Andy Mercer – ENC
- Brian Northall – ENC
- Alan Pote – KBC
- Rupert Reichhold – ENC
- Ron Silver – ENC
- Portia Wilson – NBC
- Christopher Woolmer - CBC

**BCW Licensing:**

Amanda Wilcox

**CBC**

Damian Wilkins

**DDC**

Andrea Hill

**ENC:**

- Rachel Reeds – Democratic Services
- Julia Smith – Commercial Health Manager

**KBC**

Russ Howell

		<b>Action</b>
<b>1.0</b>	<b>Apologies</b>	
1.1	Apologies were received from Cllr Ray Jackson – CBC, Cllr Glenvil Greenwood-Smith – ENC, Cllr Derek Zanger – KBC, Cllr Colin Poole – DC, Cllr Carter – DDC, Cllr Long – DDC, Cllr Deanna Eddon – DDC, Cllr Gloria Edwards-Davidson – DDC, Cllr Pat Fawcett – CBC, Cllr Ron Pinnock – ENC, Cllr Steven North – ENC, Cllr Gill Mercer – ENC, Cllr John Bailey – BCW, Cllr Sarah Peacock – ENC, Cllr Colin Wright – ENC, Cllr David Dean – BCW, Cllr Anna Sauntson – ENC, Cllr Jackson – CBC, Cllr Andrew Atkins – BCW, Cllr Geoff Timms – BCW, and John Casserley – BCW Licensing Unit.	

## **2.0 Welcome and Introductions**

2.1 Cllr Glenn Harwood welcomed everyone to the fourth Seminar, especially those who had travelled from outside Northamptonshire. All new attendees introduced themselves.

## **3.0 Notes of Previous Seminar and Matters arising**

3.1 The notes of the last Seminar, held on 25 May 2010, were received, and accepted as an accurate record.

3.2 The following comments were made under the Action column:-

- Minute 4.1: ENC had adopted new provisions under Sect 3 of the Local Government (Misc Provisions) Act 1982 with a view to developing and reviewing its policy on Sexual Entertainment Venues in 2011. Cllr Harwood had attended the LGG Licensing and Localism conference in London where it had been strongly advised that licensing authorities would be at risk were they to have a nil tolerance policy. KBC's policy was out for consultation and due to be adopted in the new year.
- Minute 7.2: Legal advice on the position of ward members sitting on panels had not yet been received – this item would go on the next agenda.
- Minutes 8 and 9 would be discussed later on the agenda.
- Minute 10.1: Licensing officers from Northamptonshire had agreed the majority of consultation question responses. Damian Wilkins was revising the policy in the light of those responses and would feed back the policy and its implications locally to individual authorities. The policy would hopefully be in place by 7 January 2011. Councillors were asked if they had responded to the consultation or delegated to officers. ENC had discussed it at a Licensing Committee meeting and felt there were parts that were not applicable to the district. NBC and DDC tended to leave responses to consultations to officers in consultation with the Licensing Committee chairman, but all committee members had been aware of the consultation.
- Minute 11.1: No overcharging had been found as a result of the Taxi and Private Hire Vehicles Fares sting at BCW. Consultation on Government proposals for licensing had been circulated to attendees.

**K.Osborne**

## **4.0 House to house collections enforcement and policies**

4.1 Progress with adoption of house to house collection policies in each district. The draft policy had been discussed at the last seminar and came to be developed in response to the considerable rise in the number of illegal collections across the county. The policy had been developed by the county as a whole. It had been adopted by ENC, was out for consultation at DDC, was to be considered by CBC in January, was on hold at SNC due to the need to align with Cherwell as part of the merger, and BCW was waiting for the NALEO guidance to come out. Julia Smith informed the group that NALEO had taken

the Northamptonshire policy as best practice.

4.2 Some enforcement activity was also taking place. ENC was going to act as a pilot for a Police operation before such enforcement action was rolled out across the whole county. The Police, Trading Standards, UK Border Agency, Revenues and Customs, and local authorities would be working in partnership.

4.3 ENC - The Chairman reported that the procedure at ENC was that applicants would be informed if the officer was 'minded to refuse' applications and that they could then request their application be considered by a panel. Refusals were usually based on the application not adhering to the 80/20 rule or a lack of provision of enough information for a decision to be made. The information on refusals and reasons for them was shared with other councils in Northamptonshire. At ENC, two or three applications were being received each week and about one illegal collection was being highlighted to the council each week.

KBC – Under advice from the Cabinet Office KBC did not have the 80/20 rule as it felt this could discriminate against some charities and that as long as professional collectors had formal agreements with the charities they were collecting on behalf of, licences would be issued. A number of collectors that had been operating illegally had come forward with legal agreements with charities and applied for licences.

4.4 ENC Licensing Enforcement Officers (LEOs) were actively engaging in house to house collections enforcement activity and the Police had offered to attend very quickly if needed by an LEO.

KBC – the Police had caught two bogus collectors in Kettering, arrested them on suspicion of theft, could not prove the allegation so let them go without any recourse to the house to house collection legislation. The authority was still waiting for the statement from officers so it could pursue its own investigation. It was felt by some that police officers were not aware of the legislation.

4.5 The group discussed a number of concerns regarding house to house collections and legislation including:

- The difficulty for residents in identifying legitimate or bogus collections.
- The fact that should someone be under investigation by the Police the local authority would have to continue to consider his/her application and could not refuse it on those grounds.
- The Act only allows local authorities to refuse for six specific reasons
- The number of those refused permits yet still proceeding with collections
- The number of collectors not applying for a licence, including some legitimate charities.
- The links of some bogus collectors with organised crime.

4.6 Members also discussed the rise in 'cash for bag' campaigns which fell outside the house to house collection legislation which had been

designed to protect philanthropic campaigns.

## **5.0 Rebalancing the Licensing Act – Update**

5.1 The consultation had ended and most authorities had responded. There had been heavy criticism from the industry on the following areas of the consultation:

- Lessening requirements for evidence from the Police
- Removing the 'vicinity' requirement for objectors
- The suggested appeal process (magistrates having the ability to direct the application back to the licensing authority).

The new bill to be released in January was expected to address some of these concerns.

5.2 Councils had also had concerns about the proposed appeals process and the possibility that the original membership of the panel could/would be repeated.

5.3 The latest version of the S182 guidance had been received. It was noted that some of the changes in the latest version suggested some items within the 'Rebalancing' consultation document had already been adopted, such as extending the amount of time the Police would have to respond to TEN applications.

5.4 A letter from the Secretary of State asking councils not to block street parties on the dates of the likely Royal wedding/Diamond Jubilee was also discussed.

## **6.0 Taxi criminal records policy**

6.1 Members were updated on progress across the county. The revised policy – which it was hoped would be adopted across the county to ensure consistency – had been brought to the last seminar. It had been adopted by ENC and CBC, it was going to DDC in December and KBC and BCW were still considering it. NBC already had a policy in place and SNC had put in hold during the merger process.

## **7.0 Alcohol harm reduction strategy**

7.1 Damian Wilkins briefed members on the background to the strategy. Once it had been put in place a number of areas had been allocated different responsibilities in the action plan by Northamptonshire Liaison Licensing Group. The action plan looked at developing committees, developing/maintaining links with licensees, strategic review of numbers and locations of licensed premises etc. The onus was being placed on licensing authorities to do more locally and each would consider its own action plan in time.

## **8.0 Purple flag scheme**

- 8.1 Information on the scheme was circulated to all members. Julia Smith informed the group that it had been included in the alcohol harm reduction strategy for licensing authorities to consider. ENC felt it was not applicable to its towns at present, due to the expense (the cost was dependent on the population of each borough), but the Police had asked for it to be brought to all members' attention.
- 8.2 KBC – KBC's Executive was considering the scheme and felt it would fit in well with the development of the borough and its town centre. The Executive was looking specifically at whether to pay for the award or just put in place the criteria and actions it recommends to improve the night time economy without applying for the award.
- 8.3 Cheaper alternatives were discussed (although it was noted that these did not have the same recognition):
- Best Bar None which had been very successful in Northampton
  - The free BRE Toolkit which had been applied to Irthlingborough.

## **9.0 Community alcohol partnerships**

- 9.1 Trading Standards was taking the lead in the county on setting up CAPs which aimed to reduce the harm caused by young people (especially underage) drinking alcohol and causing anti-social behaviour in the community. Six month pilots in Daventry and Brackley were underway and would be reviewed before hopefully being rolled out across the county if successful. Julia Smith shared details of the type of work carried out and members noted that it was a fast growing project which had been highly successful elsewhere.

## **10.0 Future meeting date**

- 10.1 It was agreed that ENC would communicate details of the next **K Osborne** meeting, which would be held in June 2011, after the elections in May.

# **POLICY & RESOURCES COMMITTEE**

**Date:** 14 March 2011

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

**Time:** 7.30 pm

**Present:** Councillors:-

**Richard Lewis (Chairman)**  
**Glennil Greenwood-Smith (Vice-Chairman)**  
**Steven North (Leader of the Council)**  
**Philip Hardcastle (Deputy Leader of the Council)**

**Wendy Brackenbury**  
**Glenn Harwood MBE**  
**Sylvia Hughes**

**Sean Lever**  
**Andy Mercer**  
**John Richardson MBE**

## **431. MINUTES**

The minutes of the meeting held on 14 February 2011 were approved and signed by the chairman.

## **432. APOLOGIES**

Councillors David Brackenbury, Pauline Bradberry, Lisa Costello, Roger Glithero and Peter MacGovern sent their apologies.

## **433. DECLARATIONS OF INTEREST**

Councillor Andy Mercer declared a personal interest in item 7, Homelessness Grant 2010/11 – Requests for Funding, as he had recommended grants to East Northamptonshire Community Services from another body in the last year. Councillor Richard Lewis also declared a personal interest in item 7 as he knew Rev Mark Lees of East Northants Community Services. They both remained in the room and took part in the discussion and voting on this item.

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

There were no questions.



#### **435. NENE VALLEY NEWS**

Further to minute 14 (13 September 2010), the committee considered the potential impact of the revised Code of Recommended Practice on Local Authority Publicity, and the restriction on the publication of free council newspapers to no more than four times a year, on its decision to continue with a fortnightly publication of the Nene Valley News (NVN). During discussion members commented that

- The code of practice was a recommendation not a legal requirement;
- A precedent of fortnightly publication of NVN had already been set;
- NVN adhered to the seven principles set out in the code and its content was strictly monitored;
- the committee had put forward detailed reasons for continuation of a fortnightly publication at its meeting on 13 September
- the contract would include an escape clause to allow the council to terminate the contract if a successful challenge was made.

#### **RESOLVED:**

- (1) That the continuation of a fortnightly Nene Valley News for the next two years be approved.
- (2) That the completion of the procurement process be approved, subject to the inclusion of an escape clause to allow the council to terminate the contract if a successful challenge is made or the law is changed.

*(Reason – to ensure timely and effective communication with residents in East Northamptonshire.)*

#### **436. AFFORDABLE HOUSING**

The committee discussed and evaluated possible future policy options in relation to affordable housing. The options debated were:

1. Seek to take forward local lettings policies for all new affordable housing developments in villages, and for certain affordable housing developments in towns.
2. Seek to take forward/adopt targets of up to 40% for the north of the district (Rural North, Oundle and Thrapston Plan area) and 30% for the south of the district (proposed Four Towns Plan area) through the Housing Strategy, on a site-by-site basis, and in any forthcoming development plan documents.
3. Seek to deliver a broader range of affordable tenures on sites; to include the delivery of affordable rent.
4. Deliver an element of low cost market housing on sites where appropriate.
5. Deliver some affordable units off-site, subject to alternative sites being available, and further legal advice.

During discussion the following points were made:

- The importance of distinguishing between social and intermediate housing and developing separate targets for each in future plans/policies.
- Whether to set minimum as well as maximum limits on targets – It was noted that minimum targets had been rejected by the inspector on the Rural North, Oundle

and Thrapston Plan, but that members would always have the option to refuse a planning application if they did not think enough affordable housing was being proposed.

- Concern about the strength of a lack of enough affordable housing as a reason for refusal of a planning application.
- Concern that housing need and settlement need were open to interpretation and could be contradictory – it was felt that a better way of defining what the council wants and what evidence should be used to support it was needed. Officers commented that the judgement was based on the information available and that only very small villages had settlement figures.
- The importance of ensuring there was the right mix of housing in the right place and the ratio of need to delivery was in line with neighbouring areas.
- The need to prevent people being priced out of local villages.
- The affordability gap between wages and house prices had widened in rural areas.
- Although property prices had decreased in the private sector, difficulty in getting finance had driven up demand in the private rental market. Proposed changes to the benefits system would also make the private rental market harder to access.
- Whether local lettings policies should be developed for urban areas not just smaller settlements.
- How to achieve a more proportionate spread of affordable housing across the district within the current site-led process.
- By the end of 2011, new legislation would introduce a duty on the council to develop a tenancy strategy and the concept of flexible (i.e. shorter than life-time), means-tested tenancies.
- Option 4 did not fall into the definition of affordable housing and might be difficult to implement in practice as it would not be easy to design who would benefit from access to such a scheme.
- All options could be taken forward without the need to be written into development plans at this stage, albeit they would be taken forward formally as part of future plans and strategies.

#### **RESOLVED:**

- (1) That members be minded to take forward options 1, 2, 3 and 5.
- (2) That the need to develop separate targets for the two different types of affordable housing be noted.
- (3) That local lettings policies be strongly favoured.
- (4) That members' views be put forward as part of the review of the Core Spatial Strategy, Housing Strategy and Tenure Strategy.

*(Reason – to enable officers to take forward policies and targets in relation to affordable housing.)*

#### **437. HOMELESSNESS GRANT 2010/11 REQUESTS FOR FUNDING**

The committee considered two requests for funding from the Homelessness Grant 2010/11.

Bromford Carinthia Housing Association had requested £3,900 to provide a drop-in service for people living in the district who require housing related support. Members noted that

Bromford operated a support service delivering free support to people at home but wished to extend its service to provide a twice weekly drop-in facility in Rushden, which would enable households on its long waiting list or those just looking for some short term advice to access a service. The service would directly prevent homelessness by helping people to maintain their tenancies and mortgages. Members commented that they would like to see the outcomes of such projects when funded by the Homelessness Grant in the future.

East Northants Community Services (ENCS), formerly known as the Rushden Night Shelter, had submitted an application for £2,334.88 for a number of initiatives, including employer contribution towards NVQ/apprenticeship in 'Information Advice and Guidance', its food parcel collection scheme, an organisation uniform and enhanced security alarms. For the last three years (including this year), the council had provided grant funding towards ENCS's night shelter service of approximately £5,000 per year. Members commented that they sought to allocate funding from the Homelessness Grant to fund initiatives that would directly prevent or reduce homelessness and that the funding requested would go towards the general running of ENCS rather than specific homelessness prevention projects.

**RESOLVED:**

- (1) That Bromford Carinthia Housing Association's request for funding from the Homelessness Grant 2010/11 be granted.
- (2) That East Northants Community Services' request for funding from the Homelessness Grant 2010/11 be refused.

*(Reason – to prevent or reduce homelessness.)*

**438. FUNDING FOR THE HIGHAM FERRERS MASTERPLAN**

The committee considered a report seeking the release of a maximum of £50,000 to enable consultants to be commissioned to undertake a masterplanning exercise for Higham Ferrers, which would explore community priorities for the future improvement and development of the town. Masterplanning exercises had been carried out in Rushden and Raunds. These have led to clear identification of community priorities for improvement and development, including an action plan for delivery. Public consultation on a Master Plan for Irthlingborough was due to start mid-March. Members noted that the resulting town master plan would play an increasingly important role in the following activities:

- helping the town council focus its resources or activities
- providing evidence for the preparation of funding bids
- informing the allocation of any monies devolved to the town council from the New Homes Bonus
- identifying any local infrastructure requirements for the Local Infrastructure Plan or which may be suitable for inclusion in the Community Infrastructure Levy process.

Members were concerned about the degree of weight masterplans could have as material planning considerations but noted that they were not specifically Development Control documents.

**RESOLVED:**

- (1) That the request from Higham Ferrers Council for funding for consultants to prepare a master plan for the town be noted.

- (2) That officers be authorised to seek external funding for the master plan.
- (3) That if attempts to secure such funding prove unsuccessful by the end of June 2011 or require an element of match funding, up to £50,000 be released from the revenue reserve for regeneration to enable the work to take place in 2011/12.

*(Reason – Use of consultants to develop the plan will provide timely information to inform the review of the local planning framework.)*

#### **439. RUSHDEN HIGH STREET IMPROVEMENTS**

Further to the committee's decision on 11 October 2010 to allocate up to £785,000 to Rushden High Street improvements to enable design work to be carried out on phases 1, 2 and 3 and phases 1 and 2 to be implemented (minute 209 refers), members were asked to allocate part of the capital budget to enable the link between phases 1 and 2 to be completed at the same time. It was hoped that the full amount would not be needed. Officers confirmed that they and the project team had been liaising closely with local traders on the project and members were reassured that this request constituted a change in phasing rather than a change to the overall design or plan.

#### **RESOLVED:**

That the allocation of up to £250,000 from the capital budget for town centre regeneration for 2011/12 for linking phases 1 and 2 of the improvements to Rushden High Street be approved.

*(Reason - To enable work on the link between phases 1 and 2 of the Rushden High Street improvements project to proceed.)*

#### **440. CHANGES TO PART 5.7 OF THE CONSTITUTION (CODE OF PRACTICE – LICENSING PROCEDURES)**

Members considered a report recommending amendments to part 5.7 of the constitution to allow ward members serving on the Licensing Committee to sit on a panel determining a liquor, public entertainment or gambling licence for premises affecting their ward or which will have a significant impact on that ward. The changes would entitle Licensing Committee ward members to sit on a panel unless they chose not to serve and to represent the views of their constituents instead. This would be consistent with the situation which applies to Development Control Committee ward members.

#### **R.15 RESOLVED TO RECOMMEND:**

That the changes to part 5.7 of the constitution, as set out at page 745 be approved.

*(Reason – to introduce the opportunity for ward members serving on the Licensing Committee to be involved in decision making on applications affecting their ward)*

**Chairman**

## Appendix to Minute No 440

### Proposed Changes to Part 5.7 of the Constitution – Code of Practice for Licensing Procedures

(in bold italics and scored text)

6. ***Licensing Committee Members shall be entitled to*** not sit on a Panel which is to determine a licence which is within ***their*** his/her ward or which will have a significant impact on that ward, ***provided that both of the following conditions are met:-***
- (a) ***they must not have a prejudicial interest. For example, if they live near the premises, then their well-being or financial position may be affected***
  - (b) ***they must adopt an open mind about the application in advance of the hearing and, in accordance with the rules of natural justice, be fully prepared to listen to both sides of the argument at the hearing before coming to a judgement. This is to avoid any complaints about pre-determination or bias.***

However, ***if a Licensing Committee ward members choose not to serve on a panel, they*** 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 right is explained in more detail in paragraph 19).

19. Arrangements exist for parties (an applicant, the holder of a premises licence, a club representative, a person making representations, a chief officer of police or his representative) to speak for or against a licensing application at panel hearings provided they have given requisite notice under the Hearings Regulations. A ward member 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 prejudicial interest, to attend the hearing as an observer, ***or, provided they meet both of the conditions in paragraph 6, and serve on the Licensing Committee, appear as a panel member to determine the application.***

# DEVELOPMENT CONTROL COMMITTEE

Date: 23 March 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: - Pauline Bradberry (Chairman)  
Gill Mercer (Vice Chairman)

Roger Glithero JP  
Glenn Harwood MBE  
Andy Mercer  
Brian Northall  
Ron Pinnock  
Roger Powell

John Richardson MBE  
Anna Sauntson  
Phillip Stearn  
Robin Underwood  
Pam Whiting  
Clive Wood

## 441. MINUTES

### RESOLVED:

That, subject to the deletion of reasons 1, 2 and 3 for application EN/09/01626/OUT on page 717, the minutes of the meeting held on 2 March 2011 be approved and signed by the chairman.

## 442. APOLOGIES FOR ABSENCE

Councillors Albert Campbell, Wendy Brackenbury and Sylvia Hughes sent their apologies.

## 443. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

### (a) Personal Interests

Members declared personal interests in the applications below as indicated. They remained in the meeting and took part in the discussion and voting on the respective application.

Member	Application	Nature of Interest
Pauline Bradberry	EN/10/01183/OUT	Knows the agent and the applicant
John Richardson	EN/10/01183/OUT	The agent is a senior partner in the firm where his son works
Andy Mercer, Gill Mercer, Ron Pinnock and Robin Underwood	EN/10/02130/FUL	All know the public speaker on the application

**(b) Informal Site Visits**

The following councillors declared that they had undertaken informal site visits for these applications:

- Ron Pinnock for EN/10/02130/FUL
- Anna Sauntson for EN/10/01122/FUL

**444. PUBLIC SPEAKERS**

The following people spoke on the applications as indicated: -

- (i) Mr K Pawlowski on application EN/10/01122/FUL – 87A Addington Road, Irthlingborough.
- (ii) Mr D Eyton Williams on application EN/10/01883/FUL – 130 Finedon Road, Irthlingborough.
- (iii) Mr D Jenney on application EN/10/02130/FUL – Open space adjacent to 5 Walmer Close, Rushden.

**445. PLANNING APPLICATIONS**

The committee considered the planning applications report, with updated information on some of the applications and representations made by public speakers at the meeting. The full decision on the applications are included (on the page indicated) in the appendix to these minutes.

**(i) EN/10/01122/FUL – 87A Addington Road, Irthlingborough (See Page 749)**

The committee considered the effect that the new vehicular access and location of the boundary hedge would have on highway safety and it was agreed that the application be **refused** for the reasons detailed in the report.

**(ii) EN/10/01183/OUT – Land rear of 28, 30 and 32 Western Avenue, Easton On The Hill (See Page 749)**

Members were minded to grant the application but were concerned that the adjacent site would have a separate access onto Westfields and it was agreed that the application be **deferred** for negotiations with the applicant to discuss whether the access could be shared with the adjacent site to the west.

**(iii) EN/10/01392/FUL – The Cabin, Tandee Nurseries, Barnwell Road, Thurning (See Page 750)**

The committee considered that there were no issues with this application and agreed that it be **granted** with the conditions detailed in the report.

**(iv) EN/10/01883/FUL – 130 Finedon Road, Irthlingborough (See Page 750)**

Members discussed the concerns raised by local residents and the town council about highway safety and the size of the proposed dwellings and it was agreed that the application be **deferred** for a formal members' site visit on Monday 4 April 2011 at 10am.

**(v) EN/10/02130/FUL – Open space adjacent to 5 Walmer Close, Rushden (See Page 751)**

The committee discussed the application again following the members' site visit on 14 February, including matters regarding surveillance; national and local planning policies, including policy 13 of the Core Spatial Strategy; future ownership and maintenance of the open space; the powers available to the council to serve a section 215 notice on the present owners to maintain the land to an acceptable standard; and the local support for the site to remain open space.

Having considered these issues it was agreed that the application be **refused** on the grounds of loss of open space contrary to advice under PPS17 and policy 13 of the Core Spatial Strategy.

**(vi) EN/11/00052/FUL – The White House and Collyweston Garage, 95 Main Road, Collyweston (See Page 751)**

Members noted that the application had been re-submitted because the northern boundary of the site had been revised owing to land ownership issues. The objections of the parish council were also noted. It was agreed that, because the number of dwellings had not increased, the application be **granted** with the conditions detailed in the report and two additional conditions to remove permitted development rights for extensions and to ensure the submission of a Sustainable Waste Management Plan.

**RESOLVED:**

That the above planning applications be dealt with as indicated in the appendix to these minutes at pages 749 to 753.

**446. APPEAL DECISION MONITORING REPORT**

Members noted the council's planning appeal decisions from 14 February to 4 March 2011.

**Chairman**



**List of applications determined by  
DEVELOPMENT CONTROL COMMITTEE - 23 March 2011**

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**EN/10/01122/FUL**

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Date received	Date valid	Overall Expiry	Ward
15 June 2010	15 June 2010	10 August 2010	Irthlingborough Waterloo

Applicant **Mr K Pawlowski**

Agent **John Spencer Technical Drawing Services**

Location **87A Addington Road, Irthlingborough.**

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Proposal **New vehicular access (Re-submission of 10/00235/FUL)**

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**Decision Application Refused**

**Reason:**

The proposed vehicular access fails to achieve the required 36 metre visibility splays, by reason of its proximity to a bend in the road and the presence of a mature hedge on neighbouring land outside the applicant's control. In the absence of any reasonable or enforceable mechanism for the local planning authority to ensure that the required visibility can be provided and retained in perpetuity; the proposed access would present a danger to highway safety. As such, the proposed access is therefore contrary to the Northamptonshire County Council Highway Authority Standing Advice working draft 2008 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

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**EN/10/01183/OUT**

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Date received	Date valid	Overall Expiry	Ward
24 June 2010	30 September 2010	25 November 2010	Fineshade

Applicant **Mr P Walmsley**

Agent **Richardson - Mr M Thompson**

Location **Land Rear Of 28, 30 And 32, Western Avenue, Easton On The Hill.**

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Proposal **Outline: Residential development of eight dwellings (all matters reserved except access)**

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**Decision Application Deferred for negotiations with the applicant to discuss whether the access could be shared with the adjacent site to the west.**

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**EN/10/01392/FUL**

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Date received                      Date valid                      Overall Expiry                      Ward  
30 July 2010                      4 August 2010                      29 September 2010                      Barnwell

Applicant     **Mr And Mrs Craighead**

Agent         **Southam And Sons**

Location     **The Cabin, Tandee Nurseries, Barnwell Road, Thurning.**

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Proposal     **Retention of six linked portacabins to provide single storey temporary residence for on site supervision and security for existing plant centre - EN/06/02290/FUL**

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**Decision         Application Granted**

**Conditions/Reasons:**

1. This permission shall be limited to a period of time expiring on 04/08/2013 and at the expiration of that period the temporary dwelling shall have been completely removed from the site and the site restored to its former condition.  
Reason: To enable the impact of the development to be re-assessed at the expiry of this period.
2. The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the tree nursery business associated with the site, or a widow or widower of such a person, or any resident dependants.  
Reason: In view of the exceptional circumstances justifying the grant of planning permission in this instance.

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**EN/10/01883/FUL**

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Date received                      Date valid                      Overall Expiry                      Ward  
14 October 2010                      14 October 2010                      9 December 2010                      Irthlingborough Waterloo

Applicant     **Mr Patrick Mullen - P.Mullen Properties Ltd**

Agent         **DLP Design Ltd - Mr D Eyton-Williams**

Location     **130 Finedon Road, Irthlingborough.**

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Proposal     **The erection of two detached properties in the land to the side and rear of No.130 Finedon Road including new garaging for No. 130 together with associated landscaping**

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**Decision         Application Deferred for a formal members' site visit on Monday 4 April 2011 at 10.00am.**

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**EN/10/02130/FUL**

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Date received      Date valid      Overall Expiry      Ward  
26 November 2010    2 December 2010    27 January 2011      Rushden Bates

Applicant    **David Wilson Homes (South Midlands) - Miss S Feely**

Location    **Open Space Adjacent To 5 Walmer Close, Rushden.**

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Proposal    **Erection of one detached dwelling**

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**Decision      Application Refused on the grounds of loss of open space contrary to advice under PPS17 and policy 13 of the Core Spatial Strategy.**

**Reason:**

The development of this plot would lead to the loss of open space. This would be contrary to guidance contained within PPG17 which states that when an area of open space is to be developed upon, an assessment should be undertaken which clearly shows that this open space is surplus to requirements. The development would also be contrary to Policy 13 of the adopted North Northamptonshire Core Spatial Strategy which states that development should not lead to the loss of open space unless a site of equivalent quality and accessibility can be provided, serviced and made available to the community prior to use of the existing site ceasing.

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**EN/11/00052/FUL**

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Date received      Date valid      Overall Expiry      Ward  
17 January 2011    24 January 2011    21 March 2011      Fineshade

Applicant    **Conquest Homes LLP**

Agent        **Peter Wilmot Architects - Mr Daniel Bent**

Location    **The White House And Collyweston Garage, 95 Main Road, Collyweston.**

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Proposal    **Redevelopment of former Collyweston garage site, comprising nine dwellings, garaging, single storey outbuilding for plot 2 and associated works (Amendments to previously approved planning permission EN/07/02435/FUL)**

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**Decision      Application Granted with two additional conditions to remove permitted development rights for extensions and to ensure the submission of a Sustainable Waste Management Plan.**

**Conditions/Reasons:**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to the commencement of development, a schedule and samples of all external materials to be used within the development including facing, roofing and fenestration shall have been submitted to and approved in writing by the local planning authority and the development shall thereafter be carried out in accordance with the approved details. Notwithstanding the information already submitted, blue slate shall not be used as a roofing material within the development.

Reason: To achieve a satisfactory elevational appearance for the development.

3. Prior to the commencement of development, details of the proposed boundary treatments for the site shall have been submitted to and approved in writing by the local planning authority and the development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure an acceptable elevational appearance and to protect neighbouring amenity.

4. The Development hereby approved shall be implemented in accordance with the levels details on drawing 2709/19a, received by the Local Planning Authority on 21.01.11.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.

5. Prior to the commencement of development, a comprehensive landscaping scheme for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall thereafter be implemented in accordance with the approved details in the first planting season following the occupation of the development. Any trees that die or become diseased within a 5 year period of implementation shall be replaced on a like-for-like basis.

Reason: To ensure a reasonable standard of development.

6. The landscaping scheme required by condition 5, shall incorporate substantial planting to the north east boundary of the site adjoining 21 Westonville and to the southern most boundary of the site to the rear of plots 6 – 8.

Reason: To protect neighbouring amenity and to achieve appropriate screening and transition between the built and undeveloped environment.

7. Pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular access hereby approved and thereafter retained. These measurements are taken from and along the highway boundary. The areas of land forward of these splays shall be reduced to and maintained at a height not exceeding 0.6m above the carriageway level.

Reason: In the interests of highway safety.

8. No work shall commence until details, including a layout plan demonstrating works to improve the public footpath fronting the site have been submitted to and approved in writing by the local planning authority. Works shall thereafter be carried out in accordance with these details and the footpath brought into use prior to first occupation of any of the dwellings hereby approved.

Reason: In the interests of highway safety.

9. Prior to the commencement of development, details of all proposed surfacing materials, means of drainage to prevent the discharge of water to the public highway and street lighting facilities shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with these approved details.

Reason: In the interests of highway safety.

10. Remediation of the site shall be carried out in accordance with the approved remediation strategy. No deviation shall be made from this scheme without the express written agreement of the LPA. On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide validation and certification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards.

11. If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.

Reason: To ensure all contamination within the site is dealt with.

12. Notwithstanding the submitted information, all roof lights and first floor windows within the east facing elevation of plots 8 and 9 shall be fitted with obscure glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and a means of restricted opening, details of which shall have been submitted to and approved in writing by the local planning authority prior to the commencement of development. The windows shall thereafter be retained in this manner unless otherwise agreed in writing by the local planning authority.

Reason: To protect neighbouring amenity.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order amending or re-enacting that order with or without modification), no additional openings shall be inserted within the east facing elevations of plots 8 and 9 unless otherwise agreed in writing by the local planning authority.

Reason: In order to safeguard neighbouring amenity.

14. The development hereby permitted shall be carried out strictly in accordance with the approved plans: 2709/02a, 2709/20, 2709/21, 2709/22, 2709/23, 2709/24 received by the Local Planning Authority on 21.01.11 and 2709/19a received by the Local Planning Authority on 08/03/11 unless otherwise agreed in writing by the local planning authority.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted

15. Notwithstanding the submitted details and before commencement of the development hereby permitted, a sustainability strategy, including a Site Waste Management Plan, shall be submitted to and approved in writing by the local planning authority to demonstrate that the development would meet requirements of Policy 14 of the North Northamptonshire Core Spatial Strategy, Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy and the Site Waste Management Plans Regulations 2008. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1, Policy 14 of the adopted North Northamptonshire Core Spatial Strategy, Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy and the Site Waste Management Plans Regulations 2008.

16. Details of external lighting within the courtyard area shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The external lighting shall be installed in accordance with the approved details prior to the first occupation of any of the dwellings hereby permitted.

Reason: In the interests of crime prevention and the amenities of the users of the parking area.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the residential development hereby permitted shall take place without the prior written approval of the Local Planning Authority.

Reason: To prevent overdevelopment of the site.

# PLANNING POLICY COMMITTEE

**Date:** 28 March 2011

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

**Time:** 7.30pm

**Present:** Councillors: - Roger Powell (Vice Chairman) in the chair

David Bateman

Tony Boto

Albert Campbell

Lisa Costello

Michael Finch

Roger Glithero JP

Philip Hardcastle

Dudley Hughes JP

Steven North

Ron Pinnock

Phillip Stearn

## 447. MINUTES

The minutes of the meeting held on 24 January 2011 were approved and signed by the vice chairman.

## 448. APOLOGIES FOR ABSENCE

Councillors David Brackenbury (Chairman), Eloise Lucille and Pam Whiting sent their apologies.

## 449. DECLARATIONS OF INTEREST

### Personal

Members declared personal interests in the items below as indicated. They remained in the meeting and took part in the discussion and voting when the respective item was considered.

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>
Albert Campbell	All planning policy matters regarding Raunds	Lives in Raunds
Michael Finch	All planning policy matters regarding Stanwick	Lives in Stanwick
Dudley Hughes	All planning policy matters regarding Raunds	Lives in Raunds and his wife is also a district councillor
Roger Powell	All planning policy matters regarding Rushden	Lives in Rushden

#### **450. CORE STRATEGY ISSUES PAPER**

The committee was informed that the Joint Core Strategy (JCS) was currently being reviewed and an Issues Paper had been produced by the Joint Planning Unit (JPU), as part of the review, to enable local communities to participate in strategic plan making for the North Northamptonshire area, including East Northamptonshire.

The Issues Paper contained a number of questions inviting local planning authorities, businesses and local residents to comment on the future shaping of the JCS. Officers had prepared draft responses to the relevant questions and members were asked to consider these and to also prioritise a list of issues, which the new strategy plan could influence.

Members considered the draft response to the questions and requested that the following comments and points be added to the response before it was submitted to the JPU:

- To create employment, policies should enable older buildings to be converted for business use, where appropriate, particularly disused barns
- It was agreed that flexibility and sustainability should be added to the criteria based approach when drawing up village boundaries. The criteria should allow different responses for different villages and it was important that the council should have a direct input into this process
- A firmer statement was required for housing targets and the council should directly influence what the future targets should be for East Northamptonshire
- There was some local concern about extending development at Rushden to the east of the A6 bypass where a new settlement could develop separately from the main town
- Rushden was running out of brownfield sites for housing development in the town centre and sites currently allocated for employment use could be re-allocated for housing with employment uses re-located
- Future housing development in the towns should be based on sustainability with enough locally based jobs to sustain growth.

For the list of issues (appendix 2), it was agreed that:

- (a) the third bullet point be amended to include “suitable sustainable” to renewable energy developments and local peoples’ views should be taken account of;
- (b) trees in the highway be supported and these should be planned from the outset of a project. It was also considered that, because saplings were planted too close together in existing landscape schemes, many did not survive; and
- (c) a new bullet point be added to encourage the incorporation of photovoltaic and green roofs on commercial buildings.

#### **RESOLVED:**

- (1) That the submitted draft response to the Issues Paper consultation be agreed and the comments made by members detailed in the pre-amble above be incorporated into the council’s response.
- (3) That the following three issues be forwarded to the JPU as the council’s top three priorities for East Northamptonshire in the revised JCS:
  - more services and jobs provided locally, reducing people’s need to travel

- public transport that is better joined up, faster and runs more often, both within and between towns and in the rural area
- in towns – bigger gardens, more public parks and green routes, river restoration (taking rivers back out of culverts).

*(Reason – to support the development of the strategic planning framework for North Northamptonshire and therefore have a positive impact on environmental, social and economic issues).*

#### **451. NEIGHBOURHOOD PLANS - UPDATE ON BID**

Members were notified that the council had recently submitted a bid for Neighbourhood Plan Vanguard status for Raunds and Oundle. The two towns had been chosen because of the different ways in which their masterplans had developed and the likely planning solutions required. If successful, the pilots would be supported by funding of £20,000 and the council would be able to influence the future development of Neighbourhood Plans.

The Department of Communities and Local Government had indicated that the council would hear the outcome of the bid by late March 2011 and members would be notified by e-mail when a decision was known.

#### **452. SHARED STATEMENT OF AMBITION FOR THE HISTORIC ENVIRONMENT IN EAST NORTHAMPTONSHIRE**

The committee was informed that the council had been approached by English Heritage, on behalf of the East Midlands Heritage Forum (EMHF), to prepare a 'Shared Statement of Ambition' for the historic environment in East Northamptonshire. All local authorities within the East Midlands had been asked to participate.

The statement would be an agreed set of priorities with key partners to support funding bids and be a focus for resource allocation and partnership working.

Members were asked to consider and approve a proposed Statement of Ambition for the historic environment in East Northamptonshire.

#### **RESOLVED:**

- (1) That the submitted draft Shared Statement of Ambition for East Northamptonshire be approved.
- (2) That the EMHF be requested to consider the feasibility of a common policy with other local authorities in the East Midlands regarding the impact of development and wind farms on the historic environment.

*(Reason - To support the Council's Corporate Outcomes).*

#### **453. SUPPLEMENTARY PLANNING DOCUMENTS**

Members considered two supplementary planning documents (SPD) on biodiversity and open space.



### **(a) Biodiversity**

A consultation draft Biodiversity SPD produced by the Joint Planning Unit (JPU) was considered by this committee for initial comments on 20 September 2010. The draft had also been considered by Corby, Kettering and Wellingborough Councils.

At its meeting on 7 December 2010, the North Northamptonshire Joint Planning Committee (NNJPC) considered and incorporated the comments on the draft document submitted by the district and borough councils, the local community and stakeholders. The NNJPC recommended that the revised draft document should be adopted by the four constituent North Northamptonshire districts and boroughs as an SPD.

#### **RESOLVED:**

That the submitted draft Biodiversity SPD be adopted.

*(Reason – to assist in improving biodiversity throughout the district (and wider North Northamptonshire) and therefore have a positive impact on the character and appearance of towns, villages and their surroundings and also on people's quality of life).*

### **(b) Open Space**

A draft Open Space SPD had been prepared to supplement policies of the adopted Core Spatial Strategy (CSS) and members were asked to approve the draft for public consultation.

The document set out the council's approach to providing open spaces in new developments and securing financial contributions from developers. It also provided a greater opportunity for town and parish councils and the local community to be involved in the process of local open space provision.

Members considered the draft document and requested that the following comments and points be added to the document before it was published for consultation:

- for clarification, it should mention that the RNOT plan had not yet been adopted by the council
- developers should be encouraged to provide bigger residential gardens rather than LAPs (where these were unlikely to be used) for future housing developments in towns.

In addition, members requested that the evidence base be updated regarding the following sites and facilities:

- other sites in the district, such as Stanwick Lakes, should be added to the list of high value amenity green space sites
- the new leisure and community facility at Kings Cliffe should be added to the list of high value sports facilities.

It was also considered that the inclusion of examples of the evidence base within the consultation draft could be confusing to consultees.

**RESOLVED:**

That, subject to appendices I and J being removed, the submitted draft Open Space SPD be approved for public consultation after the district elections in May 2011.

*(Reason – to assist in improving open space provision throughout the district and therefore have a positive impact on quality of life and appearance of towns, villages and their surroundings)*

**Chairman**

# SCRUTINY COMMITTEE

**Date:** 4 April 2011

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

**Time:** 7.30 pm

**Present:** Councillors: - Phil Stearn (Chairman)  
Sarah Peacock (Vice Chairman)

David Bateman  
Tony Boto  
Michael Finch  
Richard Gell  
Marian Hollomon  
Dudley Hughes

Barbara Jenney  
Gill Mercer  
Brian Northall  
Ron Silver  
Clive Wood

## 454. MINUTES

The minutes of the meeting held on 15 December 2010 were approved and signed by the chairman.

## 455. APOLOGIES FOR ABSENCE

Councillor Duncan Reid sent apologies.

## 456. DECLARATIONS OF INTEREST

There were no declarations of interest under Section 50 of the Local Government Act 2000.

## 457. PERFORMANCE UPDATE

The committee received the first performance update since the introduction of the new reporting framework. The final report to the committee contained

- Performance indicators which were consistently underperforming
- Over performance and service area achievements
- Audit recommendations that had not been implemented on time
- Risk actions not completed on time
- Other supporting statistics relating to performance.

The report set out what was being done about under-performing areas and future action plans. A summary of the internal audit reports issued up to the end of December 2010 and indicators relating to the performance of internal audit that were previously reported to the Audit and Risk Management Committee were also received.

It was reported the risk register had been restructured and a much more updated version would be seen at future performance clinics. Information on accessing and using the risk register would be submitted to the next meeting of the committee and included in induction

training. New procurement rules were also being drafted and would be submitted to the Policy and Resources Committee for consideration in June.

**RESOLVED:**

That the performance reported for quarter 3 and the progress of internal audit be noted.

**458. ANNUAL INTERNAL AUDIT PLAN 2011/12**

Richard Gaughran, the Head of the Welland Internal Audit Consortium (WIAC) was introduced to the committee. He presented the draft annual internal audit plan which set out all of the audit entities identified by the consortium for the council with a risk score high enough to warrant auditing in 2011/12.

It was reported that budget reductions would impact on the number of audit days the WIAC would be able to deliver and that in future ICT audits would be carried out using the WIAC's internal resources rather than resource bought in from KPMG as in previous years. The ICT audits had yet to be finalised as the WIAC was still working with ICT managers to identify the pieces of work that would have the greatest impact and the team was capable of carrying out to a sufficiently high standard. Members raised concerns about the high level of funding for ICT and asked that a report be brought to the next committee meeting with more detail.

**RESOLVED:**

That the Annual Internal Audit Plan for 2011/12, as at pages 763 to 772, be approved.

*(Reason – CIPFA Code of Practice for Internal Audit advises obtaining acknowledgement of agreement with the Annual Internal Audit Plan by Members)*

**459. PROPOSED CONSTITUTIONAL CHANGES**

The committee considered proposed changes to the constitution following the abolition of the Audit and Risk Management Committee and the Performance Panel, and the tightening of internal procedures relating to confidential papers. It was noted that, since the report had been circulated, new legislation had extended the requirement for the council to approve the accounts by 30 June to 30 September.

**RESOLVED:**

That the following recommendations that will be put to the Policy and Resources Committee be endorsed:

- (1) recommend that full council adopts the changes to the terms of reference of committees and the Finance Working Party as set out in appendices 1 to 3 to the report.
- (2) recommend that changes be made to article 7 and part 4.4 of the constitution to reflect the above adjustments and that any further consequential changes, if required, be made to other parts of the constitution to also reflect the adjustments.
- (3) recommend that a change be made to part 5.2 of the constitution regarding confidentiality.











## How the committee operates

The Scrutiny Committee is a standing committee of the council and its role is to undertake, manage and co-ordinate the overview and scrutiny process - a responsibility created by the Local Government Act 2000.

The Scrutiny Committee's terms of reference are set out in Article 7 of the council's constitution<sup>1</sup>, Part 4.4 of which empowers the committee to operate in its own right and/or set up time limited working parties to review or scrutinise decisions and to support the work of the council and its policy committees.

East Northamptonshire Council continues to operate committee arrangements and, although the scrutiny process is arguably more relevant in a council operating under executive arrangements, where decisions are taken by a small group of councillors forming a 'cabinet', it still fulfils a valuable role.

This is because the council's scrutiny committee has the necessary time, resources and freedom from routine committee business to undertake in-depth investigations and can report and make recommendations to the council as a result. Scrutiny Committee members have a significant role in developing new policy through their in depth investigations and the recommendations arising from them. The committee also has power to "call-in" a decision that has been made by a policy committee. The Scrutiny Committee cannot reverse a policy committee's decision but can recommend that the committee reconsiders the decision or that the matter be referred to the full council. The committee can also act in a

confirming or supportive way – when it agrees with a particular approach.

The Local Government Act 2000 makes a clear distinction between those councillors who make policy decisions and others whose role is to challenge and scrutinise those decisions. For this to be effective, members of the Scrutiny Committee must retain their independence and need to develop an effective questioning approach. To provide this separation of roles, none of the members of the Scrutiny Committee serve on the council's primary policy committee, the Policy and Resources Committee.

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<sup>1</sup> [www.east-northamptonshire.gov.uk/constitution](http://www.east-northamptonshire.gov.uk/constitution)











## Other aspects of scrutiny

### Fourth Option Special Interest Group (FOSIG)

I currently represent the council on the Local Government Association's Fourth Option Special Interest Group. This group gives a voice to local authorities, like East Northamptonshire Council, which have chosen to make "alternative arrangements" by retaining their committee structures, rather than adopt a cabinet or executive management structure.

### Northamptonshire Overview and Scrutiny Board

The vice-chairman and I currently represent the council on the Northamptonshire Overview and Scrutiny Board.

We look to the board to not only look at issues put forward by the Public Service Board and the work of the Public Service Board itself, but to work together with the other districts and boroughs on scrutinising common issues, such as highways.

### The role of scrutiny in the committee system

Members believe that Scrutiny Committee activity can make a significant impact on service improvement and policy development locally and will continue to do so as the current committee grows in experience and confidence.

The committee has the necessary time and resources to carry out in-depth inquiries. We encourage the policy committees to make use of scrutiny investigations to look at issues of concern.

We believe that all members of the council need to be aware of the way in which the "call-in" procedure operates and it is important that this continues to form part of induction training for all newly elected members.

Members are satisfied with the independence of the committee and the support provided to us by officers to date.

## **Work programme for 2011**

During 2011, the continuing difficult economic situation means there will be increased pressure on limited resources and the council has an even greater need to demonstrate value for money in the future. We will seek to structure our work programme in a way that ensures priority is given to reviewing the progress we have made towards achieving the priority outcomes set out in the new Corporate Plan for 2011-2015.

We will reviews the new framework after the first performance clinic and hope it will enable us to become more involved in the scrutiny of services where performance is less than satisfactory.

We look forward to considering matters of concern to local communities, looking in depth at more of the council's services and receiving regular performance and audit reports.

We will continue to monitor our training needs and set target dates for follow-up reports from officers on earlier studies, where that's appropriate.

## **Conclusion**

The ninth year of operation for the Scrutiny Committee has been a period of consolidation and continued learning. Whilst there have not been any significant reviews this year, we believe that, during the year, the committee has continued to make a significant contribution to the work of East Northamptonshire Council and we look forward to building on this during the year ahead.

**Councillor Phillip Stearn**  
***Chairman***  
***On behalf of the Scrutiny Committee***

February 2011



# EAST NORTHAMPTONSHIRE STANDARDS BOARD

**Date:** 6 April 2011

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

**Time:** 7.30 pm

**Present:** Graham Blagden (Chairman)

**East Northamptonshire Councillors:** Glenvil Greenwood-Smith    Brian Northall  
Barbara Jenney    Roger Powell

**Town and Parish Councillors:** Don Campbell                                  Prudence Goss  
Sue North

**Independent Members:** Hilary Daniels                                  Graham Matthews

## 463. MINUTES

The minutes of the meeting held on 2 February 2011 were approved and signed by the chairman.

## 464. APOLOGIES FOR ABSENCE

Councillor Arthur Whittaker sent his apologies.

## 465. DECLARATIONS OF INTEREST

No interests were declared.

## 466. ANNUAL GOVERNANCE STATEMENT – INTIAL DRAFT

Members considered the outline draft Annual Governance Statement (AGS) for 2010/11 and commented on the proposed evidence to support the six principles of good governance. The final AGS no longer needed to be included in the published and audited accounts, but the council still needed to ensure it has one in place. The board reviewed the draft statement in detail and made suggestions regarding what should be included.

## 467. ACTIVITY REPORT OF THE MONITORING OFFICER

The Monitoring Officer reported on ethical matters she had dealt with since the last meeting. It was noted that 10 enquiries had been recorded from parish and town council clerks and councillors, district councillors and the general public. There were 18 vacant town or parish council seats, which were unlikely to be filled before the elections due to be held on 6 May. Dates were expected to be agreed shortly with NCALC for joint training sessions on the current code of conduct for all councillors

The board was updated on progress with past complaints. The Assessment Sub-Committee for the complaint reported verbally at the last committee meeting had been held. The complaint had been referred for 'other action' and the appropriate meeting was being organised with the town council concerned. Of the other two complaints noted in the last activity report, the 'other action' requested of the Monitoring Officer had been taken in both cases and both sub-committees were content that no further action was required.

The letter outlining the board's view on declarations of interests by dual-hatted councillors had been agreed with, and signed by, the chairman of the board and the leader of the council. It had been sent to the Secretary of State and the two local MPs. A response had been received from Greg Clark, Minister for Decentralisation including a handwritten note stating that the council's concerns would be taken into account.

**Chairman**

# **POLICY & RESOURCES COMMITTEE**

**Date:** 11 April 2011

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

**Time:** 7.30 pm

**Present:** Councillors:-

<b>Richard Lewis</b>	<b>(Chairman)</b>
<b>Glenvil Greenwood-Smith</b>	<b>(Vice-Chairman)</b>
<b>Steven North</b>	<b>(Leader of the Council)</b>
<b>Philip Hardcastle</b>	<b>(Deputy Leader of the Council)</b>

<b>David Brackenbury</b>	<b>Sylvia Hughes</b>
<b>Wendy Brackenbury</b>	<b>Peter MacGovern</b>
<b>Pauline Bradberry</b>	<b>Andy Mercer</b>
<b>Roger Glithero JP</b>	<b>John Richardson MBE</b>

## **468. MINUTES**

The minutes of the meeting held on 14 March 2011 were approved and signed by the chairman.

## **469. APOLOGIES**

Councillors Glenn Harwood MBE and Sean Lever sent their apologies.

## **470. DECLARATIONS OF INTEREST**

Councillor Pauline Bradberry declared a personal interest in item 10 (Housing Contract) as a board member of Spire Homes.

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

There were no questions.

## **472. MINUTES OF SUB-COMMITTEES & WORKING PARTIES**

The committee received the minutes of the following meetings:-

- (a) Personnel Sub-Committee – 22 March 2011 and
- (b) Finance Working Party – 30 March 2011.

and considered the recommendations in the minutes of the Finance Working Party. All the minutes are shown on pages 810 to 827 and form part of this minute.

The chairman of the Personnel Sub-Committee paid tribute to the responsible approach shown by the council's staff in their response to the need to make financial savings, and their acceptance of changes to employee benefits.

**RESOLVED:**

That the recommendations in minute 5.4 of the Finance Working Party, relating to the Treasury Management Strategy Statement and Investment Strategy, and set out below, be approved:-

*That the Treasury Management Strategy Statement and Investment Strategy from 2011/12 to 2013/14 be approved and the: -*

- (i) council's annual Minimum Revenue Provision Statement in Section 5 of the Treasury Management Strategy Statement be agreed;*
- (ii) types of investment the council can use be agreed; and*
- (iii) criteria for assessing the suitability of investment counterparties be agreed.*

and it was further

**R.17 RESOLVED TO RECOMMEND**

*That the Prudential Indicators (as set out in appendix A on pages 784 to 788) be approved.*

*(Reason - compliance with the CIPFA Code of Practice on Treasury Management and the 2003 Prudential Code for Capital Finance in Local Authorities).*

**473. DISCRETIONARY HOUSING PAYMENTS POLICY AND PROCEDURE**

The committee considered a revised Discretionary Housing Payments (DHP) Policy and Procedure. DHP covered the payment of further financial assistance with housing costs from a grant given by the Department of Work and Pensions (DWP). The grant had increased from £6,6647 to £13,950 in 2011/12 but it was not comparable to the loss of benefit due to changes in the housing benefit scheme so an increase in applications for discretionary awards was expected.

The payment of DHP enabled local residents to retain affordable homes, prevent homelessness, and provide the ability to support the most vulnerable in the community.

The revised DHP Policy and Procedure provided the following changes:-

- greater clarification and transparency
- a procedure to ensure fair and consistent allocation

- a clear separation of duties between the Senior Benefit Officer and Benefit Manager in decision making
- an approach and audit trail should the council be challenged on its decision making.

The financial implications of the approach were noted by members, particularly that the homelessness prevention grant for 2011/12 was £50,000 compared with £30,000 in 2010/11. If DHP awards reached the DWP grant allocation, the council might have to consider allocating a sum from the homelessness prevention grant to enable further awards of DHP to be made. Members emphasised that representations should be made to the DWP for the full cost of awards to be met by the government.

In considering the policy and procedure, the committee agreed that the second sentence in paragraph 13.1, relating to overpayments, should be deleted.

**RESOLVED:**

- (1) That, subject to the deletion of the second sentence in paragraph 13.1, the Discretionary Housing Payments Policy and Procedure be approved.
- (2) That the DHP awards be closely monitored against the DWP grant allocation and the situation be reviewed later in the year to enable consideration to be given to making representations to government.

*(Reason – To ensure East Northamptonshire acts fairly, reasonably and consistently when deciding a Discretionary Housing Payment application and to take the opportunity, at the appropriate time, to lobby government on funding)*

**474. NEW WASTE & RECYCLING COLLECTION SERVICE PRIORITIES**

The Waste Manager submitted a draft policy document covering the use, storage and presentation of wheeled bins, following the council's decision to change the method of containment and collections with the award of the new contract to commence on 1 August 2011.

The document incorporated a series of 14 policies, outlined in appendix B of these minutes at pages 789 to 800. It was recognised that any resident who may be adversely affected by the new service due to a disability would be entitled to the assisted collection service whereby the containers were removed, emptied and replaced in the storage location on collection day. It was also important that all information about the new scheme was communicated to all residents. The waste management team would continue to monitor and educate users of the service in line with the new policies.

Members raised a number of issues on the proposed policy and asked several questions, including -

- The effect, if any, of the government's intention to remove legal powers for councils to charge fines for non-compliance with policies (it was acknowledged that the proposed policy did not refer to fines)
- Whether polystyrene items were included in the types of waste covered in paragraph 4.3.2 (The Head of Environmental Services undertook to check this point)
- Difficulties experienced by householders who do not have front gardens.

The committee concluded that it would not be appropriate to cover every situation in the policy and be too prescriptive. Wording such as “exceptional other circumstances” was designed to provide flexibility and give the officers the maximum discretion.

**RESOLVED:**

That the wheeled bin policy document be approved.

*(Reasons*

- (1) To ensure consistency of approach to all users of the waste management service.*
- (2) To provide service standards for both users and contractors in the day to day operation of the service.*
- (3) To ensure the optimum efficiency is gained from the introduction of the new service*
- (4) To provide a framework within which households unable to use the non standard service will be managed.)*

**475. HOUSING CONTRACT**

Further to minute 261 (8 November 2011) members considered a report from the Housing Strategy Manager on the member led project to consider options for housing services and guide the tender process. The report sought approval to:-

- (a) Extend the current housing contract, should it be needed, from 30 December 2011 to 30 June 2012 at a cost of either £40,000 or £35,000 (with no Evening Telegraph advertising) and
- (b) Provide specialist/technical and internal support for the project – which would involve a competitive dialogue process at a cost of up to £25,850.

Members felt that expenditure of £35,000 on (a) above was the preferred option.

**RESOLVED:**

- (1)** That an extension of the housing contract with Spire Homes, should it be needed, be agreed - on the terms set out in appendix 1 submitted to the Committee - from 31 December 2011 to 30 June 2012 at the latest.

*(Reason – to ensure that East Northamptonshire Council has a housing service in place post 31 December 2011)*

- (2)** That expenditure of up to £60,800 be agreed, to cover the extension of the housing contract and the project support.

*(Reason – to enable the chosen procurement process of competitive dialogue to continue)*

**476. MEMBER EMPOWERMENT FUND**

Further to minute 259 (8 November 2010), proposals for establishing a member empowerment fund (MEF) which would give each ward member the ability to support local community projects or activities taking place in their wards, were considered by the

committee. The MEF aimed to support projects that helped local communities improve their lives, their environment and local facilities.

A budget of £20,000 had been allocated in the 2011/12 budget, equating to £500 per member. It was proposed that -

- the MEF be available from 1 June 2011 to coincide with the start of the new council
- it would operate through an application process similar to that in use under the previous community grant schemes
- the scheme would run across the whole term of office i.e. four years with provision for individual members' un-spent allocations to carry-over from one year to the next
- approval of applications rest with the Executive Director and Head of Customer and Community Services (as it was not lawful for a single member to have delegated power in fourth option councils) but the relevant ward member(s) would need to endorse applications
- individual members be allowed to pool all or part of their applications up to a maximum of £2,000 if a proposed activity or project runs across more than one ward
- an eligibility criteria be applied (as set out in appendix C of these minutes)

Members welcomed this scheme and asked that it should allow for any unspent allocations at the end of a councillors' term of office to be carried forward and applied to the same ward. It was recognised that members would have a significant role in the preparation and support of applications to the MEP so that the administration at officer level would be kept to a minimum.

**RESOLVED:**

- (1) That approval be given to implement a member empowerment fund as detailed in the report to the committee, to commence on 1 June 2011.
- (2) That the grant criteria set out in appendix C to these minutes at pages 801 and 802 incorporating the carry forward of unspent allocations - be adopted.

It was further

**R.18 RESOLVED TO RECOMMEND:**

That the Executive Director and the Head of Customer and Community Services be authorised to approve applications and authorise payments for the MEF.

*(Reason – to support projects and activities by community-based groups that improve the quality of life and the local environment.)*

**477. PRIVATE SECTOR HOUSING – DISABLED FACILITIES GRANTS**

The committee considered three options for the funding of private sector housing requirements from April 2011.

It was noted that –

- The council's funding allocation from the government for 2011-12 would be £167,000 - the same as the previous year – and the funding would not be ring-fenced

- A review of Disabled Facilities Grant (DFG) allocations and means testing criteria had been commissioned by the Department of Communities and Local Government (DCLG) and details of that review were outlined, although the methods to be used had not yet been announced
- Some £253,000 would need to be carried over to the 2011-12 budget from the private sector renewal grant amount approved in June 2010
- Members had decided to consider the introduction of a case review panel in 2011 to prioritise DFG applications

Members considered that option 2 outlined in the report should be chosen. This involved the following, with total available budget of £353,000, made up from the highlighted elements :-

- Approval of the carry forward of £253,000 of committed spend based on the 2010-2011 budget to ensure payment for mandatory applications were not paid out of the 2011-2012 budget. This left a shortfall of **£51,000** that would have to be paid out of the new budget.
- Inclusion in the money to be carried forward the additional allocated funding on 23 March 2011 by DCLG of **£4,100**.
- Retention of the budget of **£300,000** with an additional amount of **£100,000** to be allocated as a priority need budget that the review panel would assess for. Any approved grants after this amount would be deferred for payment until the next financial year unless further assessed by a review panel in that year.
- At this level of funding a proportion of applicants may not receive their grant funding for up to 12 months from it being approved but, for those cases deemed the most serious, the review panel would be required to assess their case. It was unlikely that the level of demand would decrease nor will the council's DFG funding allocation from the government increase, as a result applicants might have to wait longer than the statutory 12 month maximum period. No discretionary grants could be made and the council's grant policy would require amending.

Members felt strongly that representations should be made to other bodies – especially the government – to request assistance with funding DFGs to prevent vulnerable residents requiring greater medical and residential care.

#### **RESOLVED:**

- (1) That option 2 (as outlined above), be applied

*(Reason – To determine budget position for 2011-2012)*

- (2) That full proposals for the Case Review Panel be brought back to the next meeting of this committee.

*(Reason – To prioritise DFG applications)*

- (3) That the Head of Environmental Services write again to the new Head of Public Health and to Nene Commissioning and also to the new government to request their assistance with funding DFGs to prevent vulnerable residents requiring greater medical and residential care.



*(Reason – To express East Northamptonshire Council's concern at the level of funding and changes in public health)*

#### **478. PAYROLL CHANGES**

Further to Personnel Sub-Committee minute 13.1 (22 March 2011), it was reported that, following the resignation of the Payroll Officer, consideration had been given to the delivery of payroll in a different way. The benefits to the council were seen as –

- Reduced cost of delivering the service (total savings of £18,173 in 2012/13 envisaged on the recommended solution)
- A more resilient service (not reliant on one person).

Corby Borough Council (CBC) already delivered the shared finance service ENCOR, and CBC had capacity in its current payroll team to also deliver this council's payroll service. An alternative solution – outsourcing payroll to another provider – had also been considered but this approach was not considered to be cost effective.

The committee welcomed this initiative and thanked the officers for their prompt action.

#### **RESOLVED:**

That approval be given to entering into a 2 year contract/service level agreement with Corby Borough Council to deliver payroll services.

*(Reason – the recommended course of action is the most cost-effective and has the least risk.)*

#### **479. PROPOSED CONSTITUTIONAL CHANGES**

Further changes to the constitution and associated documentation were proposed to take account of:-

- (a) The abolition of the Audit and Risk Management Committee and the Performance Panel and the tidying up of the terms of reference of the various committees and working parties.
- (b) A tightening of procedures relating to confidential (pink) papers (part 5.2 of the constitution).
- (c) The removal of references to council and committee forward plans (parts 1 and 4.3 of the constitution).

The Scrutiny Committee had endorsed the proposals.

Reference was also made to the arrangements for the approval of the annual statement of accounts in 2011. A change in the legislation would now enable the committee to consider this matter at its September meeting.

#### **R.19 RESOLVED TO RECOMMEND:**

- (4) That the changes to the terms of reference of committees and the Finance Working Party as set out in appendices D to F at pages 803 to 808 be approved.

- (5) That changes be made to article 7 and part 4.4 of the constitution to reflect the adjustments set out in the preamble and that any further consequential changes, if required, be made to other parts of the constitution to also reflect the adjustments.
- (6) That the changes to Parts 5.2, 1 and 4.3 of the constitution as set out in appendix G at page 809 be approved

*(Reason – to ensure that the constitution and associated documentation are continuously kept up to date, especially once a new council is elected in May 2011)*

#### **480. 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 3 of Part 1 of Schedule 12A of the Local Government Act 1972, may be disclosed.

#### **481. PEST CONTROL SERVICE**

Consideration was given to five options for the future delivery of the pest control service.

Members favoured the following option:-

*Introduce fees for those pest treatments for which a charge is not currently levied and increase existing fees to result in a service which is effectively provided at 'no cost' to the Council. This could be considered not only for the provision of pest treatments but also in respect of drainage investigations. This could be undertaken for a trial period of possibly two years.*

The likely income levels from adopting this option were outlined to the committee. Members discussed the approach to be taken on charging and whether concessions should apply. They took the view that, in relation to the treatment of rats, concessions would only apply to the first visit, and there should be a charge only for subsequent visits. Concessions would not apply to other treatments.

##### **RESOLVED:**

- (1) That the above preferred option be adopted and that the committee review the position at the end of the first year, after monitoring of income levels.
- (2) That the Head of Environmental Services be authorised, in consultation with the Lead Member for Environmental Services, to determine charges for pest control, taking into account the views of the committee.

#### **482. THANKS OF CHAIRMAN**

The chairman thanked the officers for their support over the last 4 years and particularly since he had become chairman. He also thanked the members of the committee, especially

those who were not seeking re-election in May. He paid tribute to the work of Councillor John Richardson, who had served the council for 38 years.

### **Chairman**

## PRUDENTIAL INDICATORS

### 1. Background:

- 1.1. There is a requirement under the Local Government Act 2003 for local authorities to have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities (the "CIPFA Prudential Code") when setting and reviewing their Prudential Indicators. It should be noted that CIPFA undertook a review of the Code in early 2008 with a fully revised version being published in 2009 to incorporate changes towards implementing IFRS.

### 2. Estimates of Capital Expenditure:

- 2.1 This indicator is set to ensure that the level of proposed capital expenditure remains within sustainable limits and, in particular, to consider the impact on Council Tax.

<b>Capital Expenditure</b>	2010-11	2010-11	2011-12	2012-13	2013-14
	Approved £m	Revised £m	Estimate £m	Estimate £m	Estimate £m
General Fund	3.035	2.299	3.059	1.557	0.890
<b>Total</b>	<b>3.035</b>	<b>2.299</b>	<b>3.059</b>	<b>1.557</b>	<b>0.890</b>

### 3. Ratio of Financing Costs to Net Revenue Stream:

- 3.1 This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet borrowing costs. The definition of financing costs is set out at paragraph 87 of the Prudential Code.

- 3.2 The ratio is based on costs net of investment income.

<b>Ratio of Financing Costs to Net Revenue Stream</b>	2010-11	2010-11	2011-12	2012-13	2013-14
	Approved %	Revised %	Estimate %	Estimate %	Estimate %
General Fund	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

*Note: this ratio can be negative for Councils in a net investment position and the wording of the above paragraph will need to be amended accordingly.*

### 4. Capital Financing Requirement:

- 4.1 The Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose. The calculation of the CFR is taken from the amounts held in the Balance Sheet relating to capital expenditure and it's financing. It is an aggregation of the amounts shown for Fixed and Intangible

assets, the Revaluation Reserve, the Capital Adjustment Account, Government Grants Deferred and any other balances treated as capital expenditure\*\*.

<b>Capital Financing Requirement</b>	31/3/10	31/3/10	31/3/11	31/3/12	31/3/13
	Approved	Revised	Estimate	Estimate	Estimate
	£m	£m	£m	£m	£m
General Fund	-2.401	-2.401	-2.401	-2.401	-2.401
<b>Total CFR</b>	<b>-2.401</b>	<b>-2.401</b>	<b>-2.401</b>	<b>-2.401</b>	<b>-2.401</b>

\*\* in line with CIPFA's guidance, any investments or other items not falling within the classification of fixed or intangible assets, but financed from capital resources must be included within the CFR for the purposes of this calculation.

Note: The CFR can be a negative amount in situations where resources were required to be set aside under the 1989 Act regime that exceeded the underlying need to borrow.

4.2. In order to ensure that over the medium term net borrowing will only be for a capital purpose, the Council should make sure that net external borrowing does not, except in the short term, exceed the Capital Financing Requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years.

4.3. The Council's Chief Finance Officer confirms that this Council had no difficulty meeting this requirement in 2009-10 nor are difficulties envisaged for the current or future financial years.

## 5 Actual External Debt:

5.1 This indicator is obtained directly from the Council's balance sheet. It is the closing balance for actual gross borrowing plus other long-term liabilities. This Indicator is measured in a manner consistent for comparison with the Operational Boundary and Authorised Limit.

<b>Actual External Debt as at 31/3/2011</b>	£m
Borrowing	0.000
Other Long-term Liabilities	0.000
<b>Total</b>	<b>0.000</b>

## 6. Incremental Impact of Capital Investment Decisions:

6.1 This is an indicator of affordability that shows the impact of capital investment decisions on Council Tax. The incremental impact is calculated by comparing the total revenue budget requirement of the current approved capital programme with an equivalent calculation of the revenue budget requirement arising from the proposed capital programme.

<b>Incremental Impact of Capital Investment Decisions</b>	2010-11	2010-11	2011-12	2012-13	2013-14
	Approved	Revised	Estimate	Estimate	Estimate

	£	£	£	£	£
Increase in Band D Council Tax	4.93	1.93	3.01	2.04	1.17

## 7 Authorised Limit and Operational Boundary for External Debt:

7.1 The Council has an integrated treasury management strategy and manages its treasury position in accordance with its approved strategy and practice. Overall borrowing will therefore arise as a consequence of all the financial transactions of the Council and not just those arising from capital spending reflected in the CFR.

7.2 The **Authorised Limit** sets the maximum level of external borrowing on a gross basis (i.e. not net of investments) for the Council. It is measured on a daily basis against all external borrowing items on the Balance Sheet (i.e. long and short term borrowing, overdrawn bank balances and long term liabilities). This Prudential Indicator separately identifies borrowing from other long term liabilities such as finance leases. It is consistent with the Council's existing commitments, its proposals for capital expenditure and financing and its approved treasury management policy statement and practices.

7.3 The Authorised Limit has been set on the estimate of the most likely, prudent but not worst case scenario with sufficient headroom over and above this to allow for unusual cash movements.

7.4 The Authorised Limit is the statutory limit determined under Section 3(1) of the Local Government Act 2003 (referred to in the legislation as the Affordable Limit).

<b>Authorised Limit for External Debt</b>	2010-11	2010-11	2011-12	2012-13	2013-14
	Approved £m	Revised £m	Estimate £m	Estimate £m	Estimate £m
Borrowing	4.800	4.800	4.800	4.800	4.800
Other Long-term Liabilities	0.200	0.200	0.200	0.200	0.200
<b>Total</b>	<b>5.000</b>	<b>5.000</b>	<b>5.000</b>	<b>5.000</b>	<b>5.000</b>

7.5. The **Operational Boundary** links directly to the Council's estimates of the CFR and estimates of other cashflow requirements. This indicator is based on the same estimates as the Authorised Limit reflecting the most likely, prudent but not worst case scenario.

<b>Operational Boundary for External Debt</b>	2010-11	2010-11	2011-12	2012-13	2013-14
	Approved £m	Revised £m	Estimate £m	Estimate £m	Estimate £m
Borrowing	4.800	4.800	4.800	4.800	4.800
Other Long-term Liabilities	0.200	0.200	0.200	0.200	0.200
<b>Total</b>	<b>5.000</b>	<b>5.000</b>	<b>5.000</b>	<b>5.000</b>	<b>5.000</b>

**8. Adoption of the CIPFA Treasury Management Code:**

8.1 This indicator demonstrates that the Council has adopted the principles of best practice.

<b>Adoption of the CIPFA Code of Practice in Treasury Management</b>	
The Council approved the adoption of the CIPFA Treasury Management Code at its meeting on 29 April 2002. The Council has incorporated the changes to the revised CIPFA Code of practice into its treasury policies, procedures and practices.	

**9. Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate Exposure:**

9.1 These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. This Council calculates these limits on net principal outstanding sums.

	2010-11 Approved %	2010-11 Revised %	2011-12 Estimate %	2012-13 Estimate %	2013-14 Estimate %
<b>Upper Limit for Fixed Interest Rate Exposure</b>	100.00	100.00	100.00	100.00	100.00
<b>Upper Limit for Variable Rate Exposure</b>	100.00	100.00	100.00	100.00	100.00

9.2 The limits above provide the necessary flexibility within which decisions will be made for drawing down new loans on a fixed or variable rate basis; the decisions will ultimately be determined by expectations of anticipated interest rate movements as set out in the Council's treasury management strategy.

**10 Maturity Structure of Fixed Rate borrowing:**

10.1 This indicator highlights the existence of any large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates and is designed to protect against excessive exposures to interest rate changes in any one period, in particular in the course of the next ten years.

10.2 It is calculated as the amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate. The maturity of borrowing is determined by reference to the earliest date on which the lender can require payment.

<b>Maturity structure of fixed rate borrowing</b>	<b>Lower Limit %</b>	<b>Upper Limit %</b>
under 12 months	0	100
12 months and within 24 months	0	100
24 months and within 5 years	0	100
5 years and within 10 years	0	100

10 years and above	0	100
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**11. Upper Limit for total principal sums invested over 364 days:**

11.1 The purpose of this limit is to contain exposure to the possibility of loss that may arise as a result of the Council having to seek early repayment of the sums invested. The revised limits for 2010/11 onwards also reflect the overall lower level of investments held by the Council and the need to maintain a sufficient balance for cashflow purposes.

<b>Upper Limit for total principal sums invested over 364 days</b>	2010-11	2010-11	2011-12	2012-13	2013-14
	Approved £m	Revised £m	Estimate £m	Estimate £m	Estimate £m
	<b>6.000</b>	<b>6.000</b>	<b>6.000</b>	<b>6.000</b>	<b>6.000</b>





East  
Northamptonshire  
Council

Appendix B

# Wheeled Bin Policy



The use, storage and  
presentation of wheeled bins

If you would like to receive this publication in an alternative format (large print, tape format or other languages) please contact us on 01832 742000.

Document Version Control

<b>Author (Post holder title)</b>	Charlotte Tompkins
<b>Type of document (strategy/policy/procedure)</b>	Policy
<b>Version Number</b>	1.0
<b>Document File Name</b>	Wheeled Bins
<b>Issue date</b>	
<b>Approval date and by who (SMT / committee)</b>	Waste Procurement Board 10.03.11 – CMT 15.03.11
<b>Document held by (name/section)</b>	
<b>For internal publication only or external also?</b>	Internal and external
<b>Document stored on Council website or Eunice?</b>	Website
<b>Next review date</b>	

Change History

<b>Issue</b>	<b>Date</b>	<b>Comments</b>
1.0	March 2011	

*NB: Draft versions 0.1 - final published versions 1.0*

Consultees

<b>Internal</b>	<b>External</b>
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)
Cllr Harwood	
Waste Project Board	
Environmental Health	
Customer Services	

Distribution List

<b>Internal</b>	<b>External</b>
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Links to other documents

<b>Document</b>	<b>Link</b>

Additional Comments to note

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## **Executive Summary**

**This policy details the approach taken to the use, storage and presentation of wheeled bins on collection day.**

## **1.0 Introduction**

- 1.1 To ensure that all residents are fairly treated with regard to the management of the waste and recycling collection service it is necessary to develop a series of policies to give guidance on how non standard issues are to be resolved.

Under Section 46 of the Environmental Protection Act 1990, the Council may specify the container type and frequency of collections with regard to material covered as the statutory duty under this act.

**Definition: Residual waste is that waste that cannot be recycled, composted at home or placed in a compostable waste wheeled bin.**

**Definition: Curtilage means the enclosed area immediately surrounding a property.**

## **2.0 Statement of intent**

The intention of this policy is to give clear guidance to both officers and members on factors to be taken into account when determining both the appropriate container type and collection frequency and also when dealing with issues around misuse of the containers and finally under what circumstances containers are to be removed.

This policy also describes the circumstances upon which a container with additional capacity may be granted and what arrangements are to be made for replacement containers.

Where residents wish to apply for any non standard arrangements for waste and recycling collections they must make their application in writing to the waste team. All refusal decisions be delegated to officers in line with this policy in the form of a minded to letter. Applicants then have 21 days to appeal to the Head of Environmental Services against the decision. On the expiration of the 21 days if no appeal has been received the decision becomes final.

## **3.0 Scope**

This policy covers the general policies for the standard service and the use of wheeled bins, isolated or inaccessible properties (restricted access), assisted collections, sack collections, materials allowed in wheeled bins, requests for larger residual wheeled bins, locations unsuitable for wheeled bins, multi-occupied properties.

## **4.0 Policy Statements**

### **4.1 Standard Service Policy 1.**

- 4.1.1 The standard service for residual waste (waste that cannot be recycled or composted) will be a fortnightly collection using 180 litre wheeled bins, one bin per household, where the property is deemed suitable to accommodate the container. Policies allowing exceptions to the standard service are listed below.

- 4.1.2 Those properties covered by the residual wheeled bin service will also receive a separate collection of dry recyclable waste. The standard service for dry recyclable waste will be a fortnightly collection using 240 litre wheeled bins, one bin per household, where the property is deemed suitable to accommodate the container. Policies allowing exceptions to the standard service are listed below.

- 4.1.3 Those properties covered by the residual wheeled bin service will also receive a separate collection of food waste. The standard service for food waste will be a weekly collection using a 25 litre container.
- 4.1.4 Those properties covered by the residual wheeled bin service will also be able to subscribe to a garden waste collection service using a 240 litre bin, one bin per household. N.B This is an opt in service which attracts an additional charge to residents.
- 4.1.5 The standard service requires wheeled bins and sacks to be presented for collection at a suitable location at the edge of the property (curtilage) or at a point designated by the Council. Policies allowing exceptions to the standard edge-of-property collections are listed below.
- 4.1.6 The Council will provide the containers for the standard service storage and collection of household waste and recyclable materials, free of charge to domestic customers.
- 4.1.7 The bin remains the property of East Northamptonshire Council at all times. If the householder moves to another property, the bin must not be taken with them, but should be left for the new householder's use. Only bins supplied by the Council will be emptied.

## **4.2 Wheeled Bins – General Policy 2.**

- 4.2.1 Residual bins will have dark grey bodies and dark grey lids. Dry Recyclable bins will have dark grey bodies and green lids. Garden waste ('Green Waste Club') bins will be brown bases and brown lids. Food Waste containers will be green with the internal kitchen caddy being brown.
- 4.2.2 Only those wheeled bins provided by the Council will be emptied. Council bins will be clearly identified as such.
- 4.2.3 Wheeled bins must be presented on the day of collection by 7.00 am. Apart from assisted collections, wheeled bins that are not presented will not be emptied.
- 4.2.4 Wheeled bins must be presented with closed lids. If a wheeled bin is presented with the lid open but can be safely emptied, it will be emptied but the householder will be notified of the problem and asked to present the bin with the lid closed in future. If a bin is repeatedly presented with the lid open, and the householder has previously been notified of the problem, the bin will not be emptied until the next scheduled collection (assuming the problem has been resolved). Residual waste presented outside a wheeled bin will not be taken.
- 4.2.5 After emptying, with the exception of assisted collections, the refuse collector will return the wheeled bin to the point at which it is presented.
- 4.2.6 The wheeled bins remain in the ownership of the Council. Wheeled bins must remain on the property apart from when they are emptied, or taken away by the Council, e.g. for repair. The householder has responsibility for keeping the wheeled bins safe while they are on the property and to protect them from misuse. The Council will make a reasonable charge for the repair or replacement of any wheeled bin that has been

misused. Bins which require replacement as a result of reasonable wear and tear will not attract a charge.

- 4.2.7 At new properties, the initial provision of wheeled bins will be free of charge to the householder.
- 4.2.8 When a householder moves house, the wheeled bins must be left behind for the use of the next occupier.
- 4.2.9 Wheeled bin lids will have an identifying feature to allow the visually impaired to distinguish between residual and compostable waste bins

#### **4.3 Materials allowed in Wheeled Bins Policy 3.**

- 4.3.1 The following items are prohibited from wheeled bins: hazardous waste (such as some lightbulbs and batteries), liquids including paint and oil, rubble, stone, soil or heavy metal items. If any bin is too heavy to be lifted by the vehicle, the bin will be left at the point of presentation with an indication as to why the wheeled bin was not emptied.
- 4.3.2 The types of waste allowed in the dry recyclable bin are paper, cardboard, glass, plastics (to include low grade plastic such as yoghurt pots or food trays), cans, cartons (Tetrapak and similar cartons). Textiles and shoes are not to be placed into the dry recyclables bin.
- 4.3.3 The types of waste allowed in the food waste container are kitchen waste includes: vegetable peelings, fruit peel and cores, cooked or uncooked meat, fish and bones, tea bags, coffee grounds and any other food scraps (cooked or uncooked).
- 4.3.4 Green garden waste is not allowed in the residual bin.
- 4.3.5 The types of waste allowed in the subscription based 'Green Waste Club' bin are green garden waste. Green garden waste consists of the following: garden plants, weeds, hedge trimmings, small branches, leaves, grass cuttings, bark, houseplants and compost. Bedding from vegetarian pets, e.g. rabbits, guinea pigs, is also allowed.

#### **4.4 Requests for larger residual wheeled bins Policy 4.**

- 4.4.1 Large families of five persons or more permanently residing at a property will be able to apply for a 240 litre **residual** wheeled bin on request. Requests must be made in writing and will be reviewed annually.
- 4.4.2 A household with a child or children using disposable nappies will be able to apply for a 240 litre residual wheeled bin on request. Requests must be made in writing and will be reviewed annually.
- 4.4.3 A household with an occupier who has been in receipt of a clinical waste sack collection service will be allowed a 240 litre residual wheeled bin on application. (Low grade clinical waste to be placed into residual waste containers)

#### **4.5 Locations Unsuitable for Wheeled Bins Policy 5.**



4.5.1 For operational reasons, certain properties will not receive a wheeled bin service for the following reasons:

- i) The property is physically incapable of storing containers, anywhere within its boundary.
- ii) The property is in multiple occupation (flats), in which case an alternative sized container may be used for shared use (i.e. 1100 litre).
- iii) Exceptional other circumstances
- iv) very steep hills, narrow lanes, remote location, difficult location to access.
- v) Where there is no suitable point at the edge of the property to present wheeled bins for collection, the householder will be offered a sack collection
- vi) Where the wheeled bins must be brought up or down flights of steps or up or down steep paths/drives to be emptied.
- vii) Where in the Council's opinion a property is so isolated or inaccessible (for example, a considerable distance from the public highway along a track or a driveway
- viii) Should a householder wish to have a wheeled bin in such circumstances, the situation at each property will be considered on its own merits. Householders who would like to have a wheeled bin issued for storage purposes will be issued with them.

#### **4.6 Requests for Smaller Dry Recycling Bins Policy 6.**

4.6.1 A 180 litre compostable bin will be issued upon request for reasons such as: the 240 litre is too heavy to manoeuvre; narrow entries round the property; bins have to be wheeled through the house; small or no garden.

#### **4.7 Refusal of a Dry Recyclable Bin Policy 7.**

4.7.1 A householder may decline to have a recycling bin. However, no additional residual capacity will be offered.

#### **4.8 Multi-Occupied Properties Policy 8.**

4.8.1 Multi-occupied properties will be supplied with standard-size wheeled bins, larger wheeled bins or sacks as appropriate. A Council Officer will visit the property to discuss and agree the best arrangement.

#### **4.9 Assisted Collections Policy 9.**

4.9.1 An assisted collection will be offered to people with disabilities and people with mobility problems, where there is no one else in the household over 16 able to take

the wheeled bin or sack to the edge of the property. A district nurse, health visitor, care-worker, social worker or housing warden will need to validate requests for an assisted collection. Requests must be made in writing and will be reviewed annually.

- 4.9.2 Where an assisted collection is provided, the refuse collector will collect the refuse (wheeled bin or sack) from the normal point of storage. After emptying the wheeled bin, the refuse collector will return it to the normal point of storage.

#### **4.10 Sack Collections Policy 10.**

- 4.10.1 The standard service for households that remain on sack collections will allow a maximum of two sacks per collection. This will also be a curtilage collection. Large families of five persons or more permanently residing at a property will be allowed four sacks per week on request. Requests must be made in writing and will be reviewed annually.

- 4.10.2 Households that remain on sack collections will receive new sacks in rolls (52 sacks per roll, two rolls per year per household)

#### **4.11 Bin Collection Times Policy 11.**

- 4.11.1 Wheeled bins should only be put out no earlier than 6pm on the day prior to the day of collection, and not left at the curtilage for any longer than necessary.

- 4.11.2 Wheeled bins should be put out for collection at the end of the property, at the point nearest to the highway (curtilage) but not on the highway, or at the collection point decided by the Council.

- 4.11.3 Wheeled bins should be available for collection on the collection day by placing them at the curtilage of the property or a place designated by the Council, by no later than 7.00 am.

- 4.11.4 If the bin is not at the correct collection point at the time that the collection vehicle arrives the bin will not be emptied, it will be emptied on the next scheduled collection.

- 4.11.5 Wheeled bins should not be placed on the highway, where they will obstruct cars, pedestrians or refuse collection vehicles. (This provision excludes private drives where it is up to the residents to find a suitable location). Care should be taken not to obstruct access by emergency vehicles.

#### **4.12 Side Waste Policy 12**

- 4.12.1 Any residual waste placed by the side of the residual waste bins will not be collected unless it meets one of the following criteria

- i) Collections have been delayed more than the scheduled number of days (i.e. Bank Holidays / Contractor failures (landfill) / suspension of service due to bad weather)
- ii) The first collection after Christmas/New Year Recyclables

The collectors will leave a note attached to the bin explaining why the side refuse has been left, asking the resident to place all waste in the bin for the next collection. Collectors will not return to collect side refuse left after the scheduled collection.

4.12.2 Any recycling waste placed by the side of the recycling bins will be collected.

#### **4.13 Missing / Stolen Containers Policy 13.**

4.13.1 The bins remain the property of ENC and may not be removed. Residents are entrusted to keep and maintain the container in a safe, clean and tidy condition.

4.13.2 The Council will replace any bins that they lose or damage whilst carrying out their normal duties, excluding any damaged as a result of prohibited waste being placed in the container.

4.13.3 Any bins that become faulty through fair wear and tear will be repaired or replaced free of charge by East Northamptonshire Council.

4.13.4 The resident will be responsible for replacing any bins that are damaged by his or her misuse. The Council will replace these on behalf of the resident and an appropriate charge will be made.

4.13.5 The resident will be responsible for keeping the bins safe and replacing any bins that are lost or stolen in line with the following policy:

The Council will replace the first bin reported as lost or stolen free of charge, but will issue a warning letter at the same time saying the next one will be charged for (if within the next 12 months), and will be replaced and an appropriate charge will be made.

#### **4.14 Contaminated Bins Policy 14.**

4.14.1 If you place non-recyclable materials in your green or brown-lidded recycling bins that cannot be recycled the following procedure will be put in place for heavily contaminated bins (of more than 5%):

- i) Your collection will be refused and you will be left a note advising you of this fact. If you want the bin emptying you will be required to remove all the contamination before the next scheduled emptying, and place it in your waste bin, so that it can be emptied on your next waste collection day.
- ii) Should you not be willing to undertake this you will need to contact the Council to make special arrangements for this to be collected with the refuse for which a charge will be made to reflect the cost of landfill.

## **4.0 Policy outcomes**

### **4.1 Outcomes and links to the corporate outcomes**

- A good quality of life where the district will be; cleaner, healthier, safer, sustainable
- A good reputation with customers
- High quality service delivery

- Strong community leadership
- Effective management
- Knowledge of our customers and communities

#### **4.2 Behaviours**

The policy contributes to the following corporate outcomes:

- Good reputation with customers and regulators
- Good quality of life in East Northamptonshire – cleaner, safer, prosperous, healthier and sustainable
- Effective partnership working
- Members and staff with the right knowledge, skills and behaviours



























































