

NORTHAMPTON BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

Your attendance is requested at a meeting to be held at
The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.
on Tuesday, 10 September 2013
at 6:00 pm.

**D Kennedy
Chief Executive**

AGENDA

- 1. Apologies**
- 2. Minutes**
- 3. Declarations of Interest**
- 4. Deputations / Public Addresses**
- 5. Matters of Urgency which by reason of special circumstances the chair is of the opinion should be considered**
- 6. Notice of Motion referred from the Council meeting held on 15 July 2013**
(Copy herewith)
- 7. Exclusion of Public and Press**

THE CHAIR TO MOVE:

“THAT THE PUBLIC BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

NORTHAMPTON BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

Tuesday, 9 July 2013

PRESENT: Councillor Hibbert (Chair); Councillors Beardsworth, Gowen and King
Councillor Mason (Observer)

1. APOLOGIES

Apologies were received from Councillors Ford, Begum, Aziz and Parekh

2. MINUTES

The minutes of the meeting held on the 26th March 2013 were agreed and signed by the Chair.

3. DECLARATIONS OF INTEREST

There were none.

4. DEPUTATIONS / PUBLIC ADDRESSES

There were none.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

6. INDIVIDUAL ELECTORAL REGISTRATION

The Chief Executive submitted a report to update the Committee members about progress on Individual Electoral Registration (IER). It was explained that the move to the IER would require each elector to register individually rather than via a household form; implementation of which would come into effect on the 1st July 2014. It was noted that there would be a Confirmation Dry Run (CDR) to be held on the 30th July 2013 which would indicate to Local Authorities the scale of the job in 2014.

In response to a question asked by the Committee the Chief Executive commented that whilst the Government would fund the costs of moving to the IER, there would be further costs to each Council namely due to staffing increases, improvements to the IT system and administration costs.

RESOLVED:

1. That the changes taking place to registration processes and the work Officers are undertaking to implement the changes be noted.
2. That the additional cost and resource required to implement the changes to

Electoral Registration be noted.

It was agreed that the Committee be updated about the change of conditions to the Craft workforce which was approved by the Committee on the 26th March 2013.

The meeting concluded at 6.25pm

Appendices:
1



GENERAL PURPOSES COMMITTEE REPORT

Report Title	Notice of Motion referred from the Council meeting held on 15 July 2013
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	10 September 2013
Policy Document:	No
Directorate:	Borough Secretary

1. Purpose

1.1 To consider a motion referred to the Committee from the Council meeting held on 15 July 2013.

2. Recommendation

2.1 That the Committee considers the motion referred from Council and decides whether it wishes to support the motion.

3. Issues and Choices

3.1 Report Background

3.1.1 The motion attached at Appendix A to this report was included on the agenda for the Council meeting held on 15 July 2013, however, upon approach to the guillotine, Councillor Oldham proposed and Councillor Strachan seconded that the final Motion on the agenda (as appended to this report) be debated at the next meeting of the General Purposes Committee. Councillors need to bear in mind that the motion relates to a public event that took place on 19-21 July 2013 (Delapre Alive music event). As the event has now taken place and Far Cotton Recreation Ground was not used for car parking for the event, the motion is largely academic. The motion is attached for the Committee's consideration.

4. Implications (including financial implications)

4.1 Policy

None specifically arising from this report.

4.2 Resources and Risk

The motion is very general in its nature and it is difficult, at this stage to quantify costs associated with alternative parking arrangements. Should the Council agree with going down the traffic regulation route, there will be publication and staff time costs associated with this.

4.3 Legal

- 4.3.1 The Green was registered under the Commons Act 2006. Its use is also governed by earlier legislation. In brief, interruption of the use or enjoyment of a Town Green or wilful damage to a Green would be an offence. However the facts would need to support this. The proposal here was to use part of the green temporarily for parking, to facilitate a local event. It is not a given that this use would amount to a material injury or interference with the recreational enjoyment of the green, giving rise to a criminal offence..
- 4.3.2 The Commons Act 2006, The Inclosure Act 1857 and the Commons Act 1876, do not contain any express statutory provision which would require the Council as the owner of the Town Green Land to consult before giving permission for the Town Green land to be used for a specific one-off type purpose. Unless there are prescribed procedures for consultation in statute, the Council has a broad discretion as to whether and how to consult. In this case it considered the event which was being supported – Northampton “Live” – was of benefit to the community and would have general support of the people in the vicinity. This was not an unreasonable view for the Council to take.
- 4.3.3 If additional residents parking under permit is required then a traffic regulation order ‘TRO’ will be needed. The Council would need to undertake consultation with the police, the Freight Transport Association, the Road Haulage Association, the County Council and any other organisation representing people likely to be affected by the TRO.
- 4.3.4 The Council is not obliged to compensate any business in the vicinity of an event for consequential disruption caused by events it holds in the normal course of its legitimate activity as a local authority.

4.4 Equality

None specifically arising from this report.

4.5 Consultees (Internal and External)

- 4.5.1 None specifically.

4.6 Other Implications

- 4.6.1 None

5. Background Papers

5.1 Agenda and minutes of the Council meeting held on 15 July 2013.

**Francis Fernandes,
Borough Secretary
0300 330 7000**

Notice of Motion referred from the Council meeting held on 15 July 2013

xi) Councillor Glynane to propose and Councillor Meredith to second:

“That this Council recognises the Town Green status of Far Cotton Recreation Ground which residents fought hard for and further recognises that this is our community space looked at with pride by residents old and young.

That this Council notes and acts upon Section 12 of the Inclosure Act 1857 [which] makes it a criminal offence to:

- wilfully cause injury or damage to any fence on a green;
- wilfully take any cattle or other animals onto a green without lawful authority;
- wilfully lay any manure, soil, ashes, rubbish or other material on a green;
- undertake any act which causes injury to the green (e.g. digging turf); or
- undertake any act which interrupts the use or enjoyment of a green as a place of exercise and recreation (e.g. fencing a green so as to prevent access).

That this Council deplores the use of Far Cotton Rec for car parking.[and] Notes that residents do not want to see our green space used for this.

This council further notes that using the Far Cotton Rec as a car park for three days will interrupt the use and enjoyment of our Town Green as a place of exercise and recreation.

That this Council should refuse the used [sic] of Far Cotton Recreation Ground for car parking and that residents wishes that it should not put to this use be respected. That this Council notes that there are other areas of land which the Portfolio holder is aware could be used, eg Land at Ransome Road [and]. Further notes that we have empty car parks at six field [sic] that could be used for park and ride, as with the British Grand Pix [sic] at Silverstone.

This Council further notes with concern that the Portfolio holder for Community Engagement has failed utterly to consult on the use of this space with Far Cotton Residents Association, Friends of Delapre Abbey, Friars and Delapre Residents Association, Businesses in Far Cotton and Delapre, Cllr Glynane, Cllr Davies and Cllr Mick Ford. Further this Council instructs the portfolio holder to put in writing why he failed to consult with each of the above groups and Councillors.

This Council is dismayed that the portfolio holder thinks that only the following Streets, as of the 1 July 2013 will have permit parking, Euston Road, Southampton Road, Penrhyn Road, Delapre Crescent Road, Thorpe Road, Eastfield Road, Playdell, Forest Road, Haines Road, Salcey Street, Stevenson Street, Queen Eleanor Road, Queen Eleanor Terrace, Pilgrim Place and London Road. The portfolio holder has failed to take into account the displacement of parking from the permit areas to adjacent areas and appears to be completely out of touch with the concerns of local residents

This Council notes that large areas will be free from permit restrictions, and this will cause noise, distress and disruption for resident [sic] over the three days when the

event will take place . This Council calls on the portfolio holder to instigate a traffic order [that] the covers the whole of Far Cotton and Delapre without delay.

This council calls on the portfolio holder to enter into discussion with businesses owners, Delapre Abbey Tea Rooms so as to agree a package of compensation for the loss of trade and income which will result from this disruption over three days.”

Upon approach to guillotine, Councillor Oldham proposed and Councillor Strachan seconded that the final Motion be debated at the next General Purposes Committee.

Upon a vote the motion was carried.

(Minute 12 of the Council meeting held on 15 July 2013 refers.)