

NORTHAMPTON BOROUGH COUNCIL



COUNCIL

Monday, 19 January 2015

YOU ARE SUMMONED TO ATTEND A MEETING OF NORTHAMPTON BOROUGH COUNCIL, WHICH WILL BE HELD AT THE GUILDHALL NORTHAMPTON ON MONDAY, 19 JANUARY 2015 AT 6:30 PM WHEN THE FOLLOWING BUSINESS IS PROPOSED TO BE TRANSACTED

1. DECLARATIONS OF INTEREST

2. MINUTES.

To approve the minutes of the proceedings of the Meeting of the Council held on 8th December 2014.

3. APOLOGIES.

4. MAYOR'S ANNOUNCEMENTS.

5. PUBLIC COMMENTS AND PETITIONS

6. MEMBER AND PUBLIC QUESTION TIME

7. CABINET MEMBER PRESENTATIONS

8. OPPOSITION GROUP BUSINESS

Councillor Beardsworth to make a statement on "Local Government must completely rethink the way they deliver services, organise themselves and otherwise serve local residents".

9. APPOINTMENTS TO OUTSIDE BODIES - NORTHAMPTON PARTNERSHIP HOMES

(Copy herewith)

10. AMENDMENT TO THE CONSTITUTION - SCHEME OF DELEGATIONS

(Copy to follow)

11. POSITION STATEMENT ON THE ADOPTION OF WEST NORTHAMPTONSHIRE JOINT CORE STRATEGY PART 1 LOCAL PLAN

(Copy herewith)

12. COUNCIL TAX BASE

(Copy herewith)

13. LOCAL COUNCIL TAX SUPPORT SCHEME - 2015/16

(Copy herewith)

14. TREASURY MANAGEMENT MID YEAR REPORT

(Copy herewith)

15. COMMITTEE PROPORTIONALITY

(Copy herewith)

16. NOTICES OF MOTION

i) Councillor Larratt to propose and Councillor Hill to second:

‘This Council notes, welcomes and supports the position of Northamptonshire County Council with regard to a North West bypass for Northampton as expressed in a motion to that Council that was approved at a meeting held on 25th September 2014 calling for the building of a north west bypass to dual carriageway standard, thus completing the Northampton ring road.

‘Furthermore this Council notes, welcomes and supports the strong desire of local residents in and to the north of Northampton for the construction of this road as expressed at a meeting of Northampton Residents Forum held on 4th November 2014 .

This Council deeply regrets that the West Northamptonshire Joint Core Strategy fails to support and provide for the development of this vital road infrastructure that will greatly assist in relieving the high level of traffic congestion and air pollution that exists in the north of the Borough and beyond.

‘This Council therefore requires the provision of a North West bypass for Northampton to be a major feature of Planning Strategy and Policy for the area, and for it to be delivered to the standard expressed by the County Council within the time span of current development strategies and plans for the area.’

ii) Councillor Marriott to propose and Councillor Mason to second that:

This Council notes that the Conservative Administration opposed the Labour Group amendment to the “Council Wide General Fund Revenue Budget 2013-16” which would have implemented a living wage for council staff from April 2013. This Council welcomes the recent Conservative Administration ‘U-turn’ by now implementing the living wage for Northampton Borough Council staff.

The Living Wage Foundation says its “*good for business, good for the individual and good for society*”.

The Mayor of London, Boris Johnson, says “*paying the Living Wage is not only morally right, but makes good business sense too. There are now over 2,200 employees working for companies with contracts from the GLA who are benefitting from the London Living Wage.*”

Local Authorities that have adopted the Living Wage include the Greater London Authority, Ashfield District Council, Barnsley Metropolitan Borough Council, Cherwell District Council, Gedling Borough Council, Oxford City Council, Thurrock Council and Winchester City Council.

This Council is also a major supplier/contractor of public services. Therefore it resolves for 1st April 2015 to:-

1. Supports the introduction of a Living Wage to all contracted and sub-contracted staff.
2. Adopt a policy of supporting the Living Wage in procurement on a case by case basis.
3. Seek accreditation as a Living Wage employer through the Living Wage Foundation.
4. Use our influence as a major local employer and provider of services to urge other local employers to pay the Living Wage.

17. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE MAYOR IS OF THE OPINION SHOULD BE CONSIDERED.

The Mayor, following a request by the Leader of the Council, has agreed an urgent item to consider the attendance of Cllrs Subbarayan, Eales, Palethorpe and Davies at Council meetings

The Guildhall
Northampton

D. Kennedy Chief Executive

Public Participation

1. Comments and Petitions

- 1.1 A member of the public (or an accredited representative of a business ratepayer of the Borough) may make a comment or present a petition on any matter in relation to which the Council has powers. A comment or presentation of a petition shall be for no more than three minutes. No notice of the nature of the comment to be made or of the petition is required except for the need to register to speak by 12 noon on the day of the meeting.

(Public comments and petitions will not be taken at the Annual Council Meeting or other civic or ceremonial meetings.)

NOTES

- i. *Comments may be on one or more subjects but each person has no longer than three minutes to have their say.*
- ii. *The same person may make a comment and present a petition on different subjects. In such instances that person will have three minutes to make their comment and a separate three minutes to present a petition.*

2. Member and Public Questions

- 2.1 A member of the public (or business ratepayer of the Borough) may ask a maximum of two written questions at each meeting, each limited to a maximum of 50 words, on any matter in relation to which the Council has powers. Each question shall:

- be submitted in writing and delivered, faxed or e-mailed to Democratic Services no later than 10.00am seven calendar days before the day of the meeting; and
- include the name and address of the questioner and the name of the Cabinet member/Committee Chair to whom the question is put.

- 2.2 At the meeting, copies of all questions and the responses to them from the public and Members will be made available to the public and press. The Mayor may allow one supplementary question, without notice, that arises directly from the original question or response.

(Questions will not be taken at the Annual Council Meeting or at civic or ceremonial meetings or meetings called to deal with specific items of business.)

NOTES

In respect of paragraph 2.1 above, questions may be rejected on certain grounds that are set out on page 4-12 of the Council's Constitution and which may be viewed at www.northampton.gov.uk/site/scripts/download_info.php?fileID=1919 or by seeking advice using the contact details below.

3. Motions

- 3.1 A member of the public may register to speak to a motion under the 'Notices of Motion' item on the agenda. Registration to speak must be made to Democratic Services by 12 noon on the day to the meeting. Speaking to a motion is restricted to three minutes per person.

(The 'Notices of Motion' item will not be taken at the Annual Council meeting or meetings called for civic or ceremonial purposes.)

4. General

A member of the public may make a comment, present a petition, ask a question or speak to a motion at the same meeting subject to the restrictions set out above.

5. Contacts

Democratic Services: e-mail democraticservices@northampton.gov.uk

Tel 01604 837722

Mail Democratic Services
Northampton Borough Council
The Guildhall
St Giles Square
Northampton NN1 1DE

MINUTES

OF THE PROCEEDINGS OF A MEETING OF NORTHAMPTON BOROUGH COUNCIL HELD AT THE GUILDHALL, NORTHAMPTON, ON Monday, 8 December 2014 AT SIX THIRTY O'CLOCK IN THE EVENING

PRESENT: HIS WORSHIP THE MAYOR Councillor Caswell (in the Chair).

COUNCILLORS: Ansell, Aziz, Beardsworth, Begum, Bottwood, Duncan, Eldred, Flavell, Ford, Glynane, Golby, Gowen, Hadland, Hallam, Hibbert, Hill, King, Lane, Larratt, Mackintosh, Markham, Mennell, Meredith, Nunn, Oldham, Parekh, Patel, Sargeant, Stone, Strachan and Yates

1. DECLARATIONS OF INTEREST

Councillor Meredith and Councillor Rahman declared a personal non-pecuniary interest in Item 9 – Treasury Management Outturn 2013-14, as Allotment Holders.

2. MINUTES.

The minutes of the Meeting of Council held on the 27th October 2014 and the minutes of the Special Council Meetings held on the 15th and 18th November were agreed and signed by the Mayor.

3. APOLOGIES.

Apologies were received from Councillors Malpas, Palethorpe, Eales, Capstick, N Choudary, Subbarayan and Conroy.

4. MAYOR'S ANNOUNCEMENTS.

The Mayor announced that his recent Gala Dinner had been greatly successful and thanked all the Councillors who had attended and noted that a large amount of money had been raised for the Mayor's Charity.

5. PUBLIC COMMENTS AND PETITIONS

Mr Justin Brown addressed Council and commented that at the previous Council meeting of the 27th October 2014, Councillor Mackintosh had referred to Northampton Borough Council as a holiday camp. Mr Brown noted that such comments showed the contempt the Leader had for working people, especially during a time when public sector workers were expected to work longer and harder for less money and asked for Councillor Mackintosh to make a public apology.

6. MEMBER AND PUBLIC QUESTION TIME

The Mayor advised that 2 questions had been received from Councillors and that the answers had been tabled in accordance with the Constitution.

Questions and answers given were as tabled (included in an updated agenda on the website) unless where stated, supplementary questions were asked – detailed below:

In response to a supplementary question relating to question 1, Councillor Hallam explained that there was not an 'acute shortage' and that they were currently awaiting grant funding in Kingsthorpe and Far Cotton.

In response to a supplementary question relating to question 2, Councillor Hallam confirmed that he and officers were conducting weekly walkabouts and that they were doing what they could to address the issue.

7. CABINET MEMBER PRESENTATIONS

Councillor Mackintosh submitted his Cabinet Member report and noted that it had been a very busy period and that the Town had recently seen a number of events organised to mark the 825th Anniversary of the Royal Charter. It was noted that the first act signed for the Alive at Delapre event had been announced and the Christmas Light switch on had been successful and well attended. He further explained that on Saturday 6th December 2014, Small Business Saturday had been marked and noted that the small businesses he had visited were pleased and their comments and feedback taken on board. Council were informed that the new Railway Station was near to completion and that a meeting had been arranged with Network Rail to discover why there had been a delay. It was noted that the draft Budget had been finalised and noted that a report would be presented to the General Purposes Committee with regards to the pay awards and that the living wage would be implemented to NBC staff from April 2015. It was also noted that Councillor Mackintosh had recently become a Patron of the Hope Centre.

In response to questions asked Councillor Mackintosh explained that with regards to the national increased use of foodbanks, everything was being done locally to ensure high levels of employment thus negating the need for foodbanks but offered his support of organisations involved in the provision of foodbanks. It was further explained that whilst there had been a decrease in crime compared to last year's figures, there was some concern with regards to how crime was recorded and assured Members that there would be continued work with the Police to ensure accuracy.

Councillor Markham submitted her Cabinet Member report and explained that the agreement with Northampton Partnership Homes was on target and that on the 25th and 26th November 2014 there had been a tenants meeting which had been successful, and thanked officers who had organised the event. She noted that there had been 206 new HIMO licensing applications had been received, with 967 addresses having been identified as needing to confirm their status as licensable. The positive progress of the Empty Homes Programme was also noted.

In response to questions asked, Councillor Markham explained a Decent Homes Hotline had been set up in order to address any problems that were being experienced by tenants. With regards to licensing of HIMO's, it was explained that there had been a landlords meeting and enforcement letters had been sent out to those whom were known to have not applied for a license and urged Councillors who suspected, or knew of an unlicensed HIMO to report it to the Council in order for it to be cross checked and necessary action taken.

Councillor Bottwood submitted his Cabinet Member report and explained that the draft Medium Term Financial Plan and Budget for 2015/16 were in the final stages and taken to Cabinet on the 17th December 2014. It was reported that there had been progress on the loan to the University of Northampton and agreements of the loan build the new Waterdside Campus had been completed. It was further reported that the Council Tax Reduction Scheme (CTRS) would continue to assist low income families and that they were continuing to look at making the system fairer, whilst delivering a balanced budget.

In response to questions asked, Councillor Bottwood stated that the Administration had spent £600,000 on the free parking scheme which had been approved as part of the Revenue Account. Referring to allotment funds, Councillor Bottwood stated that the funding for that had been from an aggregated funding pot. He also commented that he would find out and relay information to relevant Councillors as to whether the leasehold money for Council properties had been arranged.

Councillor Hadland submitted his Cabinet Member report and noted that as of the afternoon, Abington Street had been opened up to traffic. It was further noted that Councillor Hadland and the Leader had recently visited the Cosworth factory on St James Mill Road which had led to the creation of numerous high tech jobs and apprentices' position. Referring to the 'Regeneration' section of his report, he confirmed that there would be 6 lifts in the new multi storey car park.

In response to questions, Councillor Hadland noted that the Planning Policy Statement would continue to be reviewed. He apologised for the disruption to residents of Guildhall Road in the previous week, but stated that the issue had been resolved after one night and the road had been fully re-opened. Councillor Hadland also noted that the Delapre Abbey project had benefitted the whole of the town and that the Friends of Delapre Abbey had also played an instrumental part in building a sustainable future for the Abbey in allowing more use of the Abbey Building through the proposed change of use of the 19th Century stable block to a café/restaurant to be presented to Planning Committee on the 16th December 2014.

8. OPPOSITION GROUP BUSINESS

Councillor Marriott stated that the Administration had not gone far enough to engage the general public in the consultation process on a number of important issues. He commented that the proposed Waste-Energy in St James should have gone to the Scrutiny Committee for further investigation prior to it going to Cabinet. He stated that whilst the de-pedestrianisation of Abington Street was in the Administrations

manifesto, the cost was not included and therefore the public had not been fully consulted with as the cost was not known to them. He further stated that the Northgate Bus Station had also lead to people feeling ignored. Cabinet meetings, he commented, were no longer an opportunity for public engagement and the budget rushed through and further commented that there had been a lack of consultation with Councillors over decisions affecting them, such as the Councillor Community Fund.

In response Councillor Mackintosh stated that the biggest public consultation exercise would be the election. He reported that the Conservatives had helped people by offering free parking, worked with the Saints and provided jobs through the Cosworth project. He further noted that the Councillor Community Fund was very much liked and had been used by many to help disadvantaged people in their local areas. He suggested that Councillor Marriott come up with an alternative or move aside to let the Conservative continue with transforming the Town.

Councillor Marriott noted that was in favour of the Council Community Fund, but considered there to have been inadequate consultation. He argued that the lack of consultation was making people feel disenfranchised and there was a real need for more community engagement.

9. TREASURY MANAGEMENT OUTTURN 2013-2014

Councillor Bottwood submitted a report which informed Council of performance in relation to its borrowing and investment strategy for 2013-14.

Councillor Mackintosh seconded the report.

RESOLVED:

That Council noted the treasury management performance for 2013-14

10. NOTICES OF MOTION

Mr Craig Ryan addressed Council – Motion i) and commented that he lived with his wife and two small children in a first floor flat. He spoke of the struggle that he and his wife endured having to get two small children, shopping and pushchairs upstairs without access to lifts. He noted that the flat provided by the Council, had no garden and the nearest play area was a twenty minute walk away. He commented that he was concerned when his children played in the limited space within the flat that they may receive complaint from his neighbours and said that it would be logical to prioritise families with Housing needs. He reminded Council that since the motion related to children they should be aware that the UN Convention on the Rights of the Child that it applied to all children under the age of 18 and included their right to play.

i) Councillor Stone proposed and Councillor Mason seconded:

“This Council recognises that living in a flat for families with children can be very difficult. It often inhibits play, and isolates families that rely on neighbourhood social networks. In particular many parents struggle to access their flat with pushchair,

shopping, toddlers and children.

Even where there is a lift available the lift can be out of order making life difficult.

This Council therefore resolves to work towards a situation where families with children under 5 are not put in flats above the 1st floor”.

Council debated the motion.

Upon a vote, the motion was lost.

Councillor Ashraf declared that under the relevant constitutional procedure Motion 2 had been amended to the motion below, which had amalgamated Motions 2 and 3.

ii) Councillor Ashraf proposed and Councillor Beardsworth seconded:

“This Council notes that Cabinet gave authority to enter into contractually binding arrangements that may lead to the disposal of land and buildings at Westbridge Depot for use in connection with a ‘waste to energy’ installation.

This Council is concerned that detailed and informative consultation (as set out in the ‘Consultation Toolkit’) has not been adequate. Also there was not sufficient information about the proposal and plans in the cabinet report.

Council further notes that the St. James’ area in particular suffers terrible traffic problems, with roads already overloaded by local businesses - and that other plants of this type have a waste lorry coming or going once every 3 minutes. Contrary to statements made by this administration, Council also notes that plants of this type have not been shown to produce any net power whatsoever, and while there are environmental benefits compared to landfill, these would be undermined by an urban location.

Council recognises the significant problems plants of these types have had around the Country and the world with spillage and leaks of toxic substances into the local area.

Council further notes that the St. James’ area in particular suffers terrible traffic problems, with roads already overloaded by local businesses - and that other plants of this type have a waste lorry coming or going once every 3 minutes. Contrary to statements made by this administration, Council also notes that plants of this type have not been shown to produce any net power whatsoever, and while there are environmental benefits compared to landfill, these would be undermined by an urban location.

Council recognises the significant problems plants of these types have had around the Country and the world with spillage and leaks of toxic substances into the local area.

Council therefore resolves that a full consultation must be taken out regarding all and

any further decisions about the possibility of this power plant, and that no further steps will be taken without:

1. A full business case
2. A clear, evidence based understanding of environmental benefits, risks and problems associated with developments of this type.
3. The full and informed consent of the people of St. James, Far Cotton and the surrounding areas.

Council further resolves that to ensure that these conditions are met in an open and transparent way, all further moves towards the proposed development must be ratified both at Cabinet and Full Council.

Council also asks to the Overview & Scrutiny Committee to set up a Panel of councillors, which includes representatives from all political groups, to investigate the proposal more thoroughly and how public consultation on this issue can be improved”.

Council debated the motion.

Upon a vote, the motion was lost.

Having written to the Chief Executive, the proposers and seconders of the remaining motions were changed from the originals (printed on the agenda) to below.

iv) Councillor Beardsworth proposed and Councillor Glynane seconded:

Council recognises the need for Northampton's road system to be dramatically improved. However, Council also notes with regret the frustration caused to motorists, residents, shoppers and businesses by the extreme amount of work being done simultaneously around the town centre over the past few months.

Given the already fragile position of many of Northampton's businesses following 4 disastrous years of a Conservative administration, Council recognises that something must be done to mitigate some of the damage caused.

Council therefore resolves to work more closely with the County Council to ensure that works in Northampton are planned and scheduled more effectively in future, and further resolves to reduce the business rates of Northampton town centre businesses by 5% in each of the months where work has been going on in Abington Street, the Victoria Promenade/ Cheyne Walk junction, the Carlsberg Roundabout or the Drapery. This discount will apply to the last year and until the end of these works”.

Councillor Mackintosh proposed and Councillor Hadland seconded an amendment.

The amended motion read:

“Council recognises the need for Northampton's road system to be dramatically improved. However, Council also notes with regret the frustration caused to motorists, residents, shoppers and businesses by the amount of work necessary around the town centre over the past few months for the regeneration of the town.

Council recognises that the businesses need support and resolves to continue the already established practice of asking the Valuation Office to consider the business rates of Northampton town centre businesses in each of the months where work has been going on in Abington Street, the Victoria Promenade/Cheyne Walk junction, the Carlsberg Roundabout or the Drapery where this has not already been considered”.

The proposed amendments were accepted and became the substantive motion:

Council debated the substantive motive.

Upon a vote, the substantive motion was carried.

v) Councillor Meredith proposed and Councillor Beardsworth seconded:

The Councils are in fact assets belonging to the town and to the communities surrounding them.

Often, the sale of assets happens because of pressures on the Council, rather than because of the needs of the local community.

As such, the capital receipts generated by the sale of assets should, where possible, be spent on improving facilities in the local area. Even where this is not possible, communities should have clear information of where money generated by the disposal of assets from their community is being reinvested by the Council.

Council therefore resolves to publish this information”.

Council debated the motion.

Upon a vote, the motion was lost.

11. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE MAYOR IS OF THE OPINION SHOULD BE CONSIDERED.

There were none.

The meeting concluded at 8.54pm

Question for Full Council Monday 19th January 2015

Question 1

Question to Councillor Hallam from Councillor Marriott

In a number of areas in the town residents, who studiously separate recycling into separate boxes, have witnessed it being thrown together with their household refuse into the back of the trucks.

So, how much recyclable waste is being put into landfill?

Response

No recycle is being sent to landfill.

On rare occasions, Amey use rear loader compactors to collect both recycle and residual waste at the same time. But the waste is kept separate, as the vehicle is divided into compartments. It is understandable that members of the public might think that recycle is being mixed with residual waste and so it has been agreed with Amey that signs will be put on the rear loader vehicles to explain to the public that their recycle will not be landfilled despite being taken away in the same vehicle as their residual waste.

**Councillor Hallam
Cabinet Member for the Environment**

Question for Full Council Monday 19th January 2015

Question 2

Question to Councillor Hallam from Councillor Mason

Following the autumn, Amey have not been collecting up fallen leaves in parks and footpaths. These leaves are now decaying and so are making our streets look both untidy and dangerous.

Would you please explain why the leaves have not yet been collected?

Response

Amey remove fallen leaves from streets as part of the routine street cleaning programme during the Autumn and at this time of year. If there are any specific areas where members have any specific issues, please let me know the location and the areas will be inspected and appropriate action taken.

**Councillor Hallam
Cabinet Member for the Environment**

Agenda Item 7



Report of the Leader of the Council

Northampton Borough Council

19th January 2015

Last year's Christmas events saw our town centre become even more vibrant during the festive season. The German Market, the Carol Service on the Market Square, the Frost Fair, Christmas lights on the Wellingborough Road, extended free parking and the reopening of Abington Street to traffic all contributed to creating a fun and convenient place for people to shop, and a better environment for local traders.

On Christmas Day I visited staff and volunteers at The Hope Centre to thank them for the valuable work they do in supporting the homeless in our town. I was also pleased to support the Mayor on his visit the Gossett Ward at Northampton General Hospital and send our best wishes to the patients and staff there on Christmas Day.

Event planning for this year is already well underway, and we can look forward to another exciting programme of events in 2015. At the end of last year the first two headline artists, Jesse J and Alfie Boe, were announced for this year's Alive@Delapre, and the third act will be announced shortly.

On 6th December the Cabinet and I supported Small Business Saturday by visiting more than 20 local firms to find out about their needs and plans for the future. Small businesses are vital to our economy, particularly in Northampton where we have a higher than average proportion of small and medium enterprises. Our town boasts an unusually large number of entrepreneurial people with enormous drive and energy to takes to make their businesses thrive. During the past year in particular, the Council has also worked with companies in the town centre, or those seeking premises there, through its Business Incentive Scheme. This has helped more than 20 businesses start up, make improvements, relocate or expand, creating dozens of jobs in the process.

The Council's draft budget was approved by Cabinet on 17th December. The proposals set out in the draft budget include a freeze in Council Tax for the fifth year in a row, even more support for local businesses, investment in local job creation and the Borough Council becoming a living wage employer.

On 5th January we formally handed control of the Borough Council's housing stock to Northampton Partnership Homes. The launch of Northampton Partnership Homes came at the end of many months of hard work, and sees the completion of one of this administration's key manifesto commitments. Northampton Partnership Homes has been created to give tenants a better and more effective service in the future and make sure they have a greater say. The change is needed to help raise the standard of council-owned social housing in our town, which has been below standard and failing many of our residents for far too long.

On 12th January Northampton's new Railway Station is due to be officially opened to commuters. The new station is a fantastic new asset for our town and will provide a fitting welcome for people visiting Northampton.

Community Safety

On 18th December members of Northampton Borough Council's Licensing Sub-Committee met to conclude their expedite of review of the premises licence for Nu Bar and Faces Bar on 18th December following a serious incident in the town centre in the early hours of 12th December. The Council's Sub-Committee agreed to suspend the licence of both bars pending a full review on the day of the incident, which was convened within the rules of the Licensing Act 2003. We take our role as a licensing authority very seriously and this action was taken in response to a request from Northamptonshire Police following an incident in which a number of people were injured, some seriously. The incident on 12th December was something that we do not expect to see in our town, and we will make sure that as the licensing authority, we take the appropriate actions to ensure people coming to Northampton are safe as they enjoy their night out.

Serious Acquisitive Crime continues on a downward trend with a decrease of 11.8% since April 2014, with burglary showing a 13.9% reduction and vehicle crime a 12.6% reduction. Recorded violence against the person has increased due to changes in national recording, and it is not expected to see decreases until a full 12 months baseline has been collated. Anti-Social Behaviour (ASB) continues to show reductions, particularly in relation to Personal ASB (-7.8%) and Environmental ASB (-6.1%).

Councillor David Mackintosh
Leader of the Council



Cabinet Member Report for Housing

Northampton Borough Council

19th January 2015

Northampton Partnership Homes

The Management Agreement between the Borough Council and Northampton Partnership Homes (NPH) came into effect on 5th January. NPH will operate independently as an Arms Length Management Organisation (ALMO) and is responsible for the day to day management of the town's Council housing stock as well as delivering a financially sustainable way to improve these homes in the future. Under the new structure, tenants will play a direct part in making decisions about the housing service and how money is invested to improve their homes.

Although management responsibility for the housing stock and service pass to the new company, Northampton Borough Council will still own the housing stock and be responsible for some housing functions as well as wider, strategic issues related to housing. Tenants will also remain as tenants of the Council, with all their existing rights protected.

Housing and Wellbeing Service

A review of the structure of the housing service which remains with the Borough Council has been carried out, and a draft structure and business plan for the Housing and Wellbeing Service has been developed which should:

- Provide the Council with sound strategic advice on housing matters
- Ensure there is capacity to work in partnership with NPH
- Focus the work of the housing options service more clearly on preventing homelessness, and reducing the use of Bed and Breakfast accommodation
- Build on the work with private sector landlords, to both create new initiatives to support them, and to carry out enforcement where required.

The new structure includes a permanent Head of Service, and managers to lead on Private Sector Housing and Housing Options. This post will be advertised in January, with the appointment made by the Appointments and Appeals Committee. The new structure is expected to be in place by March 2015.

Landlords' Forum

The Borough Council hosted a Landlords Forum at Franklin's Gardens last year. The event was attended by more than 70 landlords and was well received by private landlords and lettings agents who own or manage private residential lettings across the town. There was a very full agenda with speakers on a wide range of subjects of

interest to local landlords. The event included external speakers who advised landlords about property management issues, energy efficiency and financing for private rental property. There was a guest speaker who spoke about Oxford's experience raising HMO standards and officers from the Borough Council spoke about planning policies and HMO licensing.

Councillor Mary Markham
Cabinet Member for Housing



Town Centre Operations

The Christmas free parking offer was well received by visitors, and initial figures indicate an increase in parking and footfall in the town centre during the festive season.

On 12th January Campbell Square car park will be closed for one week to allow for resurfacing as part of our ongoing improvements to car parks around the town. Motorists who usually use Campbell Square car park are advised to use Upper Mounts car park which is the nearest alternative car park.

On 19th January Abington Place car park will be closed for one week for resurfacing and motorists are advised to use St Michael's multi-storey car park on Abington Square, which is the nearest alternative car park. Notices were put up before Christmas in the two car parks to inform motorists of the planned closures

The new heating system has been installed at North Gate bus station, and has been in operation over the Christmas and New Year period to make the facility even more comfortable for those using it. The installation was completed on time ahead of the onset of winter weather.

Regeneration

On 8th December 2014 the top of Abington Street has reopened to traffic for the first time in decades. The newly reopened section of Abington Street has 30 additional parking bays that are free to use for up to two hours, as well as dropping off points and seventeen disabled parking bays. The temporary barriers that are currently in place will be replaced with permanent barriers once final assessments are completed.

There has already been great interest from businesses seeking to locate on the newly re-opened Abington Street, and we hope this will see the street thrive once again. We would like to thank all of the businesses on Abington Street for their patience through the reopening process.

Preparations are underway for manufacturing at Cosworth's new facility in the Northampton Waterside Enterprise Zone. New machinery is arriving and being calibrated, then tools will be set and catalogued to ensure each provides the exacting level of precision needed. The Borough Council built the new facility and handed it over last week to what is one of the UK's best known performance motoring brands. The new Advanced Manufacturing Centre will be right at the cutting edge of precision engineering, creating around 70 direct jobs with more in the supply chain. The new 38,000-square-foot facility will house an advanced flexible manufacturing system

capable of producing complex machined components for high-performance, limited production road vehicles.

In December we announced twelve more grants through the Borough Council's Business Incentive Scheme. The grants, worth a total of £120,000, will create almost 70 new jobs and unlock just under £600,000 in private sector investment to the local economy.

In just nine months, the Business Incentive Scheme has helped 36 businesses expand and grow and reduced the number of vacant or empty units in the town. The Borough Council has committed £305,000 in grants, which will lead to £1.6m of private sector investment by the private sector, creating over 120 jobs for local people. Plans to extend and expand the scheme that has helped almost 40 businesses since April 2014, have been announced as part of the budget proposals for 2015/16.

As well as continuing the scheme permanently after April, the Borough Council is proposing the creation of a mentoring system that would help support new businesses through their difficult first months of trading. The Borough Council, working with business partners, will provide an expert to work with new businesses to help give them the best possible start.

Planning

In December planning permission was given for the conference centre and 100 bed hotel, as well as giving the go ahead to 255 homes and a small number of retail units on land surrounding Sixfields Stadium. The development of Sixfields Stadium is essential for the future prosperity of Northampton Town Football Club. It will allow them to generate income all year round and maximise revenue, putting the club on a sound financial basis from which to develop and move forward.

The Planning Section has been given the "Smarter Planning Champion" status by DCLG for actively encouraging and providing IT supports for applicants to submit planning applications via the planning portal. Over 75% of planning applications have been submitted through the Portal to the Borough. This status has only been given to 60 Local Planning Authorities in England.

Councillor Tim Hadland
Cabinet Member for Regeneration, Enterprise and Planning



Cabinet Member Report for Community Engagement

Northampton Borough Council

19th January 2015

Events

The line-up of Christmas events in the town last year saw our town centre come alive during the festive season. In 2014 the Borough Council did even more to help attract visitors into our town and make the town centre a great place for people to shop and enjoy. Highlights included the German Market, the Festival of Carols on the Market Square, the Christmas lights switch on and the Frost Fair.

Planning is already underway for the 2015 calendar of events, including the Alive at Delapre concerts, Chinese New Year, International Women's Day, Diwali and of course Christmas 2015.

The people's tenor, Alfie Boe has been confirmed as the second headline act to perform at this summer's Alive@Delapre concerts on Sunday 19th July. Alfie's distinctive voice has helped him conquer the world's most prestigious opera stages, lead the cast of Les Miserables for nearly a year, and steal the show at the Queen's Diamond Jubilee Concert at Buckingham Palace. Every year Alive@Delapre brings some of the biggest and best artists to Northampton, and we are happy to be adding Alfie Boe to this year's event which already includes singer Jesse J.

Culture & Heritage

During December two exhibitions opened at Northampton Museum & Art Gallery. '70 80 Prints takes a close up look at the museum's collection of prints from the 1970s and 1980s and 'Home' showcases work by local artists depicting the town and the surrounding area which brings to a close the 825th anniversary of Northampton having gained a Royal Charter.

Christmas craft workshops for children took place during December at Northampton Museum & Art Gallery. December also saw the second of a series of paranormal events at Abington Park Museum.

This month will see the first of a series of Battlefield Talks commencing with 'The Battle of Northampton (1460)' and the first of two Beginners Ukele workshops with local musician and singer, Sara Spade.

Forums

The Forums have been involved in a number of projects. The Pensioners Forum and the Youth Forum, in partnership with our museums, have been working together on a WW1 oral history project to capture stories that will be digitally archived. Plans for

Holocaust Memorial Day are being finalised, which include a funded documentary being put together by Reelscape Community and Abbeyfield's year 10 drama students. The film will to be shown at the Borough Council's evening event at The Guildhall on 27th January.

Partnership Support

The grant process for 2015/16 is currently open, and the application process will close on the 30th January 2015. The funding pot will be divided against the corporate priorities and outcomes which are aligned to Northampton Borough Council's Corporate Plan.

Customer Services

Tenancy Management have two allocated desks within the One Stop Shop (OSS) where all new property signups are completed. This has helped Housing Officers and Rent Income Officers identify vulnerable tenants and make direct referrals to our Partners within OSS, helping prevent debt, financial exclusion and homelessness. The Citizens Account is being promoted and floor walkers are working closely with Tenancy Management to support new tenants sign up for the Citizen Account. Having Tenancy Management present enables direct referrals where vulnerabilities are identified providing a seamless end to end service.

Customer Services arranged a bespoke training on Safeguarding Children and Vulnerable Adults. This was delivered jointly by Housing Management and Housing Solutions to all Customer Service staff empowering staff to make direct referrals reducing risks by ensuring all relevant information being reported as quickly as possible. The Safeguarding Children and Vulnerable Adults training portal has also been completed by all staff.

Councillor Brandon Eldred
Cabinet Member for Community Engagement



Cabinet Member Report for Finance

Northampton Borough Council

19th January 2015

Budget

On 17th December 2014 Cabinet approved the draft budget for 2015/16, which is out for consultation until 31st January and will go before Full Council on 23rd February.

Thanks to strong financial management and careful savings, the budget will yield a surplus for the first time since the financial downturn. This £1.8 million surplus will be committed to reserves in preparation for future financial challenges in years to come.

Internal cost savings and efficiency measures amounting to £2.5m will balance the Borough Council's budget and enable our share of council tax to be frozen for the fifth successive year.

The proposals also include that the Borough Council will also become a Living Wage Employer, ensuring that all directly employed staff are paid the nationally-set living wage, which is calculated according to the basic cost of living in the UK, and is designed to provide sufficient income for a person to have a minimum acceptable standard of living.

The budget proposals will support the continued growth of the local economy with further investment of £1.25m over the next five years in the Business Incentive Scheme. During its first year, the scheme has already helped 36 small businesses to establish or expand, has filled empty units and created jobs. Coupled with the town centre's free parking offers, it has made a strong contribution to the renewed vitality of the town centre and is now to be made a permanent grant fund.

There will be further investment in preparing sites in the Enterprise Zone to make them ready for development and more attractive to inward investors. Since its inception, the Northampton Waterside Enterprise Zone has created almost 700 new posts, including many in construction as part of the wider regeneration of the town through Northampton Alive. In the next financial year, £130,000 will be made available to invest in providing further technical support and advice that will make the brownfield sites on the Enterprise Zone more attractive for developers.

£50,000 more will be invested in promoting business opportunities in Northampton through the Northampton Alive regeneration programme, which will help to cement the town's reputation as a place to do business. The programme currently includes 45 major projects that are changing the face of Northampton, including the development of an Advanced Manufacturing Facility for Cosworth and a new Waterside Campus for the University of Northampton.

New Homes Bonus

The Borough Council has been awarded New Homes Bonus funding of £3,835,835 for 2015/16. The Bonus is awarded by the Department of Communities and Local Government to 'ensure that those local authorities which promote and welcome growth can share in the economic benefits, and build the communities in which people want to live and work.' In previous years, the Borough Council has used the new homes bonus funding to contribute to various initiatives

to support economic growth in Northampton, including free parking and the business incentive scheme, which has helped 36 businesses expand, created 120 jobs and reduced the number of vacant or empty units in the town.

Councillor Alan Bottwood
Cabinet Member for Finance



Cabinet Member Report for the Environment

Northampton Borough Council

19th January 2015

Environmental Services

The winter maintenance programme is progressing, with a major effort being put into pruning shrubberies in walkways and areas close to where people live, and in our major parks.

Planning for the activities on offer in our parks this year is underway ahead of better weather. The Borough Council is now planning a series of activities and opportunities for our town's parks which will be announced shortly.

Environmental Health

The new service for clearing fly-tipping from shared alleyways dealt with 40 service requests during November, and cleared a total of 6.3 tonnes of waste. Between September and November a total of 32 fixed penalty notices were served.

Licensing

The Licensing Department has seen a significant increase in the number of premises licences being reviewed. This has led to strict conditions and suspensions being imposed on some licensees, most notably following the disturbance in Bridge Street on 12th December last year.

The Licensing service was part of the co-ordinated management of the town centre during the busy run up to Christmas focussing on ensuring taxi's and private hire vehicles comply with their conditions.

A multi-agency check of taxis and private hire vehicles was undertaken on 28th November. 29 vehicles were stopped and checked, of which only 36% were compliant. Of the non-compliant there were nine prohibitions. Three were also believed to be claiming benefit fraudulently and reported to the appropriate department.

Carbon Management

Work is underway to upgrade the lighting in our car parks to make it more energy efficient. The work will have the double benefit of lowering the authority's carbon footprint and reducing our electricity usage and therefore the cost to the tax payer.

Councillor Mike Hallam
Cabinet Member for the Environment



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

19th January 2015

Agenda Status: Public

Directorate: Chief Executive

Report Title	APPOINTMENTS TO OUTSIDE BODIES
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1. Purpose

- 1.1 To facilitate the replacement of Councillor Beardsworth as a Council-nominated Director of Northampton Partnership Homes
- 1.2 To facilitate the replacement of Councillor Ford as a Council-nominated Member of Northampton Town Football Supporters Trust

2. Recommendations

- 2.1 To replace Councillor Beardsworth as a Council-nominated Director of Northampton Partnership Homes with Councillor Lane
- 2.2 To replace Councillor Ford, as a Council nominated Member of Northampton Town Football Supporters Club with Councillor Eldred

3. Issues and Choices

3.1 Report Background

- 3.1.1 The Leader of the Council has requested the Chief Executive to bring forward this report in order that the Council may replace Councillor Beardsworth on the Board of Northampton Partnership Homes.
- 3.1.2 The Council is required to nominate 5 Directors of Northampton Partnership Homes and has the ability to remove any Director at any time.

3.1.3 The Council is required to make a replacement nomination in order to maintain the balance in the Board between Directors nominated by Tenants, Employees or the Council, and Independent Directors.

3.1.4 The Leader of the Council has requested that Councillor Lane be proposed for nomination at this meeting of Council.

3.1.5 The Leader of the Council has requested that Councillor Eldred be proposed for nomination at this meeting of Council to replace Councillor Ford as the nominated Member of Northampton Town Football Supporters Club.

4. Implications (including financial implications)

4.1 Policy

4.1.1 None

4.2 Resources and Risk

4.2.1 None

4.3 Legal

4.3.1 None

4.4 Equality

4.4.1 None

4.5 Other Implications

4.5.1 None

5. Background Papers

5.1 Memorandum and Articles of Association, Northampton Partnership Homes

David Kennedy, Chief Executive

Appendices:
1



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

19th January 2015

Agenda Status: Public

Directorate: Borough Secretary

Report Title	Amendment to the Constitution - Scheme of Delegations
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1. Purpose

- 1.1 To make changes to the constitution to enable the council to implement various aspects of the Anti-Social Behaviour, Crime and Policing Act 2014.

2. Recommendations

- 2.1 Authorise the Borough Secretary, in consultation with the Constitutional Review Working Party to amend part 8 of the Constitutional Scheme of Delegations to include provisions contained within the Anti-Social Behaviour, Crime and Policing Act 2014 and any subsequent amendments or statutory implementation of the Act and to enable appropriate delegations to be exercised by Northampton Partnership Homes in consideration of its housing management function.
- 2.2 To delegate the power to the Chief Executive to designate an Officer of the Council to issue Community Protection Notices where appropriate
- 2.3 To authorise the Borough Secretary, in consultation with the Constitutional review Working Party, to make any other changes to the constitution to enable the implementation of the new powers.

3. Issues and Choices

3.1 Report Background

- 3.1 Cabinet, at its meeting on 10th December 2014 considered new anti -social powers following the enactment of the Anti-Social Behaviour, Crime and

Policing Act 2014. A copy of the report is attached and contains the detailed background and explanation of the powers involved.

3.2 There is a need to make constitutional changes to enable and empower the Council to implement the various changes to the report. The implementation of the act is fluid and some changes are yet to be made by statutory instrument, and which will be drafted into the Scheme of delegations once available.

3.3 NPH now manages the Councils Housing stock and as such need the formal authority to exercise certain of the Council's powers under the legislation is so far as it relates to their housing management function.

4. Implications (including financial implications)

4.1 Policy

4.1.1 These are covered in the attached Cabinet report.

4.2 Resources and Risk

4.2.1 See attached Cabinet Report

4.3 Legal

4.3.1 See attached Cabinet Report

4.4 Equality

4.4.1 See attached Cabinet Report

4.5 Other Implications

4.5.1 N/A

5. Background Papers

5.1 None

**Francis Fernandes
Borough Secretary
0300 330 7000**



CABINET REPORT

Report Title	ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 - NEW ANTI-SOCIAL BEHAVIOUR POWERS
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	10 December 2014
Key Decision:	YES
Within Policy:	YES
Policy Document:	YES
Directorate:	Customers & Communities
Accountable Cabinet Member:	Cllr David Mackintosh
Ward(s)	Borough wide

1. Purpose

- 1.1 To inform members of the powers available to the local authority under the Anti-Social Behaviour (ASB), Crime and Policing Act 2014.
- 1.2 To suggest that Cabinet recommend to Full Council that changes are made to the Scheme of Delegations in the Constitution to ensure that the functions of the Council under the Anti-Social Behaviour, Crime and Policing Act 2014 are included within the Scheme of Delegations.

2. Recommendations

That Cabinet:

- 2.1 Notes the new powers and interventions provided by the Anti-Social Behaviour, Crime & Policing Act 2014.
- 2.2 Recommends to Full Council that the Scheme of Delegations in the Constitution is amended to include the functions of the Council under the Anti-Social Behaviour, Crime and Policing Act 2014, upon receipt of a report from officers recommending the detail of such changes.

- 2.3 Agrees that the Council should actively contribute to and support the work of the Northamptonshire ASB and Hate Crime Group in developing a county-wide strategy and framework for dealing with anti-social behaviour under the powers provided by the Anti-Social Behaviour, Crime & Policing Act 2014.
- 2.4 Agrees that the maximum fixed penalty level for offences committed under the Anti-Social Behaviour, Crime & Policing Act 2014 is £100, with a discount of £20 for prompt payment.

3. Issues and Choices

3.1 Report Background

- 3.1.1 In March 2014 Parliament passed the ASB, Crime and Policing Act. The Act has received Royal Assent and the commencement date for the majority of the ASB provisions was 20/10/2014.
- 3.1.2 The overarching aim of the Act is to provide more effective powers to tackle ASB. Furthermore, the Act is designed to enable authorities to act at a much earlier stage; some of the tools are very much designed to facilitate early intervention, and in some instances even with the potential to take action before a problem occurs.
- 3.1.3 The Act replaces 19 powers dealing with ASB with 6 broader powers, which are intended to streamline procedures and allow a speedier response to ASB issues. These are outlined in Appendix 1.
- 3.1.4 The purpose of these powers is to make it easier for victims and communities to achieve a positive outcome in addressing ASB, reducing the opportunities for repeat violations. The Act has 14 parts:
- Parts 1-6 deal with ASB
 - Parts 7-10 deal with Dangerous Dogs, Firearms, Protection from Sexual Offences and Prohibition on Forced Marriages.
 - The remainder of the Act addresses policing, extradition, criminal justice and court fees.
- 3.1.5 The new powers see a fundamental change in the way ASB can be tackled with powers that are broader and less prescriptive, but are more open to interpretation. The government have specifically avoided defining ASB in its entirety, but have chosen to apply a specific test to each of the new ASB tools, preferring this to be tested and further specified in case law by their use.
- 3.1.6 The comprehensive detail on how the new powers will be implemented will be contained within a new county-wide strategy.
- 3.1.7 Public Spaces Protection Orders (PSPO's) replace Designated Public Spaces Orders and Dog Control Orders. Existing 'Orders' can remain in place for 3 years following the commencement of the legislation. However, they can be reviewed and amended to reflect the new legislation at any time during the 3 year period. Any new PSPO's will be subject to extensive public consultation.

3.2 County-wide approach to the new act and implementing the powers

- 3.2.1 A county-wide approach has been formed to respond to the 2014 Act and introduce the new powers. This will ensure consistency and uniformity of approach and utilise resources effectively.
- 3.2.2 The Office of the Northamptonshire Police and Crime Commissioner (P&CC) is active in the implementation of these new arrangements and powers. On taking up office, the P&CC made a commitment to set up a Victims' Commission, aiming to give victims of crime and witnesses of crime a say in how perpetrators should be punished. This will help shape the new community remedy document. This is required by the act and will be a much simpler and effective list of out-of-court solutions for how perpetrators of ASB and low level crime should be punished.
- 3.2.3 The co-ordinating group for the new arrangements is the County ASB and Hate Crime Group (the County Group), whose membership includes officer representatives from each of the district and borough councils, County Council, Northants Police and Office of the P&CC. It is chaired by the Deputy Chief Executive of Kettering Borough Council and is accountable to the County Chief Executives' Group.
- 3.2.4 The County Group is engaged in the development of the strategy referred to in 3.1.6 above. It is envisaged that this will be finalised towards the end of this calendar year. It will be presented to a meeting of this committee for formal approval and will replace our existing ASB strategy.
- 3.2.5 The Act makes provision for an individual to ask for a case review of the response to a complaint of anti-social behaviour. This will be known as a community trigger. A threshold has to be met by the victim, which covers:-
- Three complaints in the previous six month period,
 - The persistence of anti-social behaviour,
 - The harm or potential harm caused by the ASB, and
 - The adequacy of response to the ASB.

The partner agencies must decide if the threshold has been met before undertaking a review. The County Group is compiling procedures for how the community triggers will be dealt with across the county and these will be incorporated into the emerging strategy. It is important to note that the 'Trigger' cannot be used to report general acts of crime, including hate crime and does not replace the council's complaints procedure.

- 3.2.6 To support a multi-agency approach to managing ASB cases, this Council uses a web-based system called E-Cins, managed by Community Safety. This allows NBC, the police and eventually other partners such as housing providers to maintain up-to-date case history and set and manage tasks in relation to individual cases, victims and perpetrators. The system is presently used by the Anti-Social Behaviour Unit, Neighbourhood Wardens, Environmental Health Officers and some Housing Officers, and is being rolled out to other teams across the Council who have involvement in ASB-related cases.

- 3.2.7 Officers from a number of NBC teams have joined colleagues from other agencies at training sessions covering the act and the new powers and responsibilities.

3.3 Issues

- 3.3.2 The Community Protection Notice can be issued by any authorised Council officer, the Police or registered providers of social housing, (if designated by the relevant local authority) to deal with particular problems negatively affecting the community including environmental anti-social behaviour.
- 2.5 In order to ensure that Council officers can lawfully use the powers within and take actions pursuant to the 2014 Act, it is necessary to change the Scheme of Delegations to Officers in the Council's Constitution to ensure that the functions of the Council under the Anti-Social Behaviour, Crime and Policing Act 2014 are included within the Scheme.
- 2.6 It is therefore suggested that Cabinet recommends to Full Council that the Scheme of Delegations in the Constitution is amended to include the functions of the Council under the Anti-Social Behaviour, Crime and Policing Act 2014, upon receipt of a report from officers recommending the detail of such changes.
- 3.3.3 The Act introduces new pieces of legislation for which fixed penalty notices may be used as an alternative to prosecution; the legislation does not prescribe the amount of each fixed penalty except to give an upper limit of £100, nor does it make use of the fixed penalties compulsory. We are able to make the decision as to whether we adopt and use the new fixed penalty notices and set the amount locally.

Fixed penalty notices are a valuable tool to our enforcement officers, enabling us to take clear action on an offence without a full court action, but also leaving the door open to prosecution if not paid. They are a good deterrent to others. As such it is recommended that these fixed penalty notices are adopted.

It is also recommended, to avoid confusion or error that fixed penalty notices are set at £100, with an early payment incentive to reduce cost to £80 if paid within 10 working days.

3.4 Choices (Options)

- 3.4.1 Do nothing – This is not an option as local authorities have a statutory responsibility to respond the Anti-Social Behaviour, Crime & Policing Act 2014
- 3.4.2 Recommend to Full Council, the inclusion of the functions of the Council under the Anti-Social Behaviour, Crime and Policing Act 2014 within the Scheme of Delegation in the Constitution. This will ensure that appropriate officers are designated to enforce the requirements of the legislation.

- 3.4.3 Support the work of the County ASB and Hate Crime Group in developing a county-wide strategy and framework for dealing with ASB under the new powers.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 A new Countywide ASB strategy referred to in 3.1.6. and 3.2.4 is being developed, and this will replace the existing ASB strategy.

4.2 Resources and Risk

- 4.2.1 It is expected that the new powers will be widely publicised and as such expectations on local authorities will rise. This combined with the new community Trigger powers may potentially increase the workload for the Community Safety team, and particularly the Anti-Social Behaviour Unit and also Environmental Health. The full extent of the impact of the new Act will not be known until sometime after introduction. Resource implications will need to be kept under review.
- 4.2.2 Income from any Fixed Penalty Notices has to be spent back on services related to the offence. The income derived will be directly proportionate to the resources deployed in enforcing Fixed Penalty Offences. The maximum fixed penalty notice is £100, and it is recommended that a discount is given for early payment.
- 4.2.3 The risk of not meeting the new statutory obligations can be challenged by way of Judicial Review

4.3 Legal

- 4.3.1 The Act permits NBC and its Partners to use and apply the powers as detailed in the legislation.
- 4.3.2 Section 17 of the Crime and Disorder Act 1998 states it shall be the duty of each authority to exercise its various functions to do all that it reasonably can to prevent, crime and disorder in its area.
- 4.3.3 In order to use the powers and interventions as provided by the Act, amendments are required to the Scheme of Delegation. The Scheme of Delegations is contained within the Constitution. The power to make amendments to the Constitution is reserved to Full Council.

4.4 Equality and Health

- 4.4.1 Incidents of ASB will continue to be dealt with in line with the emerging strategy and in line with our equalities framework.
- 4.4.2 These legislative changes are designed to have a significant community impact in preventing and limiting anti-social behaviour.

4.5 Consultees (Internal and External)

- 4.5.1 LGSS Legal Services
- 4.5.2 LGSS Finance
- 4.5.3 Portfolio Holder for Community Safety
- 4.5.4 Director of Customers & Communities
- 4.5.5 Head of Communities & Engagement
- 4.5.6 Environmental Health Manager
- 4.5.7 Housing Services Manager

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 The act and the emerging strategy will contribute to the achievement of corporate outcomes and associated strategies as follows:-

Invest in safer, cleaner neighbourhoods by creating an attractive, clean and safe environment - Perpetrators of ASB will be dealt with effectively and the victims of ASB are supported. This will support the achievement of lower levels of ASB and crime and in turn contribute to a safer town.

Creating empowered communities by increased capacity of our partners in the voluntary sector to better support communities - The revised strategy will ensure that partners will have a standard and formalised approach to responding to the problems associated with ASB.

Community Safety Partnership Strategy - to provide a quality service for the victims, ensuring that effective processes and procedures are put in place, supported by robust partnership engagement.

Partnership Working - The working relationships between the council and its partners for community safety are strong and the act and revised countywide strategy will help to formalise and strengthen the joint work required to deal with ASB effectively.

5. Background Papers

Home Office: Anti-Social Behaviour, Crime and Policing Act: Reform of anti-social behaviour powers. Statutory Guidance for frontline professionals
<https://www.gov.uk/government/publications/anti-social-behaviour-crime-andpolicing-bill-anti-social-behaviour>

Debbie Ferguson
Community Safety Manager
Ext 8731

Anti-Social Behaviour, Crime and Policing Act 2014

Outline of the new powers

New Power	Old Powers	Test	Details
Civil Injunction	<ul style="list-style-type: none"> ▪ Anti-social Behaviour Order (ASBO) on application ▪ Anti-Social Behaviour Injunction (ASBI) ▪ Drinking Banning Order (DBO) on application ▪ Individual Support Order (ISO) ▪ Intervention Order 	<ul style="list-style-type: none"> • On the balance of probabilities; • Behaviour likely to cause harassment, alarm or distress (non-housing related anti-social behaviour); or • Conduct capable of causing nuisance or annoyance (housing-related anti-social behaviour); and • Just and convenient to grant the injunction to prevent anti-social behaviour. 	<ul style="list-style-type: none"> • Civil order in County Court or High Court for over 18s and Youth Court for 10-17yr olds • Positive requirements can be included aimed at getting the perpetrator to address the underlying causes of their anti-social behaviour • Local councils, social landlords, police (including BTP), Transport for London, Environment Agency & NHS Protect can apply • Breach is not a criminal offence
Criminal Behaviour Order (CBO)	<ul style="list-style-type: none"> ▪ Anti-Social Behaviour Order on conviction (CRASBO) ▪ DBO 	<ul style="list-style-type: none"> • If the court is satisfied beyond reasonable doubt that the offender has engaged in behaviour that has caused or likely to cause harassment, alarm or distress to any person; and • The court considers that making the order will help prevent the offender from engaging in such behaviour. 	<ul style="list-style-type: none"> • Issued by any criminal court for any criminal offence • Crown Prosecution Service (CPS) is most likely to be the applicant whether through their own initiative or following a request from the police or council • Breach is criminal offence and must be proved to a criminal standard of proof, that is, beyond reasonable doubt • The ASB does not have to relate to the criminal offence being dealt with but maybe linked as a cause/effect • Consultation requirement with Youth

New Power	Old Powers	Test	Details
Dispersal Power (Police power)	<ul style="list-style-type: none"> ▪ Dispersal Order ▪ Direction to leave 	<ul style="list-style-type: none"> • Contributing or likely to contribute to members of the public in the locality being harassed, alarmed or distressed (or the occurrence of crime and disorder); and • Direction necessary to remove or reduce the likelihood of the anti-social behaviour, crime and disorder. 	<p>Offending Teams for under 18s</p> <ul style="list-style-type: none"> • Powers for Police Officers in uniform and PCSOs if designated by the Chief Constable • Dispersal for up to 48 hours within a specified area • Under 16s can be returned home or taken to a place of safety • Powers to confiscate any item that could be used to commit ASB, crime or disorder • Breach is a criminal offence
Community Protection Notice (CPN)	<ul style="list-style-type: none"> ▪ Litter clearing notice ▪ Street litter control notice ▪ Defacement removal notice 	<p>Behaviour has to:-</p> <ul style="list-style-type: none"> • Have a detrimental effect on the quality of life of those in the locality; • Be of a persistent or continuing nature; and • Be unreasonable 	<ul style="list-style-type: none"> • Applies to individuals aged 16 and over, organisations & businesses • Council officers, police officers, PCSOs (if designated) & social landlords (if designated by the council) can issue them • CPN follows a written warning when behaviour persists • Breach is a criminal offence
Public Spaces Protection Orders (PSPO)	<ul style="list-style-type: none"> ▪ Designated Public Place Order (DPPO) ▪ Gating Order ▪ Dog control Order 	<p>Behaviour being restricted by the order has to:-</p> <ul style="list-style-type: none"> • Be having, or be likely to have, a detrimental effect on the quality of life of those in the locality; • Be persistent or continuing in nature; and • Be unreasonable. 	<ul style="list-style-type: none"> • Council makes a PSPO after consultation with the police, P&CC and other relevant bodies (In East Northamptonshire these have usually been requested by Town and Parish Councils but made by ENC.) • Can be enforced by police officers, PCSOs & council officers • Breach is a criminal offence • Will replace any existing DPPOs & need to be renewed after 3 years • Order must be published in accordance with regulations (usually by notice in local

New Power	Old Powers	Test	Details
Closure Power	<ul style="list-style-type: none"> ▪ Premises Closure Order ▪ Crack house closure Order ▪ Noisy Premises Closure Order ▪ S161 Closure Order 	<p>The following has occurred, or will occur, if the closure power is not used:-</p> <p>Closure notice (up to 48 hours)</p> <ul style="list-style-type: none"> • Nuisance to the public; or • Disorder near those premises. <p>Closure order (up to 6 months)</p> <ul style="list-style-type: none"> • Disorderly, offensive or criminal behaviour; • Serious nuisance to the public; or • Disorder near the premises. 	<p>paper)</p> <ul style="list-style-type: none"> • Police and Council can move quickly to close premises which are being used, or likely to be used, to commit nuisance or disorder. • Closure notice - up to 48hrs (can be issued by ENC) • Closure Order - up to 3 months in first instance, can be extended to six months (Both require Magistrates approval). • Breach is a criminal offence
Absolute Ground for Possession (social and private landlord power)	NEW POWER	<p>The tenant, a member of the tenant's household, or a person visiting the property has met one of the following conditions:-</p> <ul style="list-style-type: none"> • Convicted of a serious offence (specified in Schedule 2A to the Housing Act 1985); • Found by a court to have breached a civil injunction; • Convicted for breaching a Criminal Behaviour Order (CBO); • Convicted for breaching a noise abatement notice; or • The tenant's property has been closed for more than 48 hours under a closure order for ASB 	<ul style="list-style-type: none"> • Social landlords and private sector landlords can apply • Can apply to the tenant, a member of the tenant's household or a person visiting the property • Grounds include: <ul style="list-style-type: none"> i. Convicted of a serious offence ii. Found by a court to have breached a civil injunction iii. Convicted for breaching a CBO iv. Convicted for breaching a noise abatement notice v. Tenant's property has been closed for more than 48hrs under a closure order for ASB

Appendices



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL
19th January 2015

Agenda Status: Public

Directorate: Regeneration, Enterprise and Planning

Report Title	West Northamptonshire Joint Core Strategy Adoption
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1. Purpose

- 1.1 The West Northamptonshire Joint Core Strategy Part 1 Local Plan was adopted on 15th December 2014. The report seeks to clarify Northampton Borough Council’s position in relation to its adoption; in particular Policies N5 and N6 and the strategic highways infrastructure which the Council’s members on the West Northamptonshire Joint Strategic Planning Committee did not feel were adequately addressed in the Core Strategy adoption process.
- 1.2 A Council resolution on these issues will be a material consideration for the decision maker in the determination of related Planning Applications.

2. Recommendations

- 2.1 That Council confirms an objection to the allocation of the site for 1000 dwellings in Policy N5 ‘Northampton South SUE’ and makes this known to the decision maker in the determination of the associated planning applications.
- 2.2 That Council confirms an objection to the allocation of the site for 1300 dwellings in Policy N6 ‘Northampton South of Brackmills SUE’ and makes this known to the decision maker in the determination of the associated planning applications
- 2.3 That Council confirms an objection to the limited provision of the North-West bypass as set out in Policy T7 of the Joint Core Strategy and requests that Northamptonshire County Council invests in updating its strategic transportation modelling to better assess impacts of development on Northampton’s highways and also plans and provides for a significant upgrade and as well as addressing the missing links of the North-West bypass, to be completed as soon as possible.

2.4 That Council, subject to confirmation of the recommendations above, notes and supports the adoption of the West Northamptonshire Joint Core Strategy Local Plan Part 1 as part of the Development Plan for the purposes of determining planning applications.

3. Issues and Choices

3.1 Report Background

West Northamptonshire Joint Strategic Planning Committee and Joint Planning Unit

3.1.1 In early 2007 Northampton Borough, Daventry and South Northamptonshire Councils supported the creation of a West Northamptonshire Joint Planning Unit. The Unit was set up with a view to co-ordinating strategic planning in the area. In particular it sought to address the need for a long term plan. The Plan would manage growth within the constituent partner authorities and in particular that associated with Northampton, consistent with the emerging East Midlands Regional Spatial Strategy.

3.1.2 The Unit's remit and function, together with that of a West Northamptonshire Joint Strategic Planning Committee was formally clarified through a West Northamptonshire Joint Strategic Planning Memorandum of Intent dated May 2008. This was signed by the three councils together with Northamptonshire County Council. Principal elements of the Memorandum were taken forward in a Statutory Instrument 'The West Northamptonshire Joint Committee Order 2008' July 2008. In March 2010 an Agreement between the Councils updated the Memorandum of Intent.

3.1.3 In terms of representation, the numbers of voting members of the Committee are Northampton Borough 4, South Northamptonshire 3, Daventry 3 and Northamptonshire County Council 2 votes. Decisions are made on a majority basis with the chair (rotated annually between the three district Councils on a rolling basis) having the casting vote.

3.1.4 Through a mixture of the Memorandum of Intent and Statutory Instrument leading Queen's Counsel's advice is that the respective Council's Executive decision making powers for the purposes of plan making have been vested in the West Northamptonshire Joint Strategy Planning Committee. This means the Committee is the Local Planning Authority with responsibility for the statutory stages of the Joint Core Strategy's adoption.

Joint Core Strategy – pre examination hearings

3.1.5 It has taken 8 years for the Joint Core Strategy to move from its initiation to its adoption. Key stages when representations have been sought have been Issues and Options in September 2007, Regulation 25 consultation January 2009, the Emergent Plan August 2009, Pre-Submission February 2011 and Proposed Modifications August 2013. Understandably given the time taken and the fact that there are four partners working together there have been a number of significant factors that have impacted on partnership dynamics and content of the Core Strategy. Such factors are the change in Government, the

'localism' agenda, revocation of the East Midlands Regional Plan, the advent of the National Planning Policy Framework and change in the Committee's representatives.

- 3.1.6 Notwithstanding the current 'duty to co-operate' requirement, Northampton Borough Council has had a longstanding commitment to facilitating joint working and producing a strategic plan. The Council has recognised that it has been in the interests of the town, and its citizens, for the Council to co-operate with Daventry, South Northamptonshire and Northamptonshire County Councils to agree Northampton's long term planning. To this end, prior to the more formal agreement between the Councils and significant injection of funds following a review of the Unit by Addison Associates initiated in 2008, it gave significant in kind support through formal and informal secondment of staff in the early years of the Joint Planning Unit. This was often at short notice and to the detriment of timely progression of Northampton's planning policy work, e.g. Central Area Action Plan.
- 3.1.7 The Council has always sought to work co-operatively with the other Councils in the partnership and the Joint Planning Unit. It understands that with four partners there will be competing priorities and tensions in resolving these. Although it might be more time consuming, the Council has always been supportive of a consensus approach to the contents of the Core Strategy. It recognises that with all partners squarely behind it, the Plan's prospect of success is likely to be much greater. On this basis, the Council's formal representations on the Core Strategy for the most part were limited, providing overall support whilst identifying essentially minor amendments to policy content.

Joint Core Strategy – examination hearings

- 3.1.8 As the Examination Hearings proceeded, the Inspector appointed by the Secretary of State identified a number of issues related to the potential soundness of the Core Strategy. He required the Joint Strategic Planning Committee to address these to enable the Joint Core Strategy to be found sound. These issues included: the Sustainability Appraisal requiring more work around options testing; identifying and meeting Objectively Assessed Housing Needs consistent with the National Planning Policy Framework; and meeting strategic employment needs around Northampton.
- 3.1.9 The Joint Planning Unit undertook the work associated with these issues. Once completed the Unit sought to work with partner Council officers and respective members of the Joint Strategic Planning Committee to identify appropriate evidence based 'sound' modifications. This process in dealing with housing allocations around Northampton was an uncomfortable one. This was partly due to the significant time constraints which limited debate and consensus building. Northampton Borough's committee members had significant reservations about the robustness of the transport modelling and the associated appropriate transport infrastructure in particular.
- 3.1.10 In addition, after considering representations made at the Examination Hearings, the Council's members had greater concerns than previously identified to officers about the appropriateness of the submitted Core

Strategy's allocations in Policy N5 on land south of Northampton (Collingtree) and Policy N6 on land south of Brackmills (Hardingstone).

- 3.1.11 Time constraints caused by the Examination process meant that either the Committee had to propose modifications, or risk the Plan being found unsound by the Inspector. If found unsound the Core Strategy preparation would have had to recommence at the beginning of the statutory processes, leading to significant delay in attaining an adopted Core Strategy. This would have associated risks to the development management process in addition to requiring a further significant resource for completion. Notwithstanding these issues, the Council's members felt unable to support the modifications proposed by the Unit to the Joint Committee.
- 3.1.12 Ultimately overall consensus between the partner Councils was not reached. The decision to publish proposed modifications was approved by the Joint Strategic Planning Committee on the chair's casting vote (Daventry), with both Northampton Borough and Northamptonshire County Council voting against issuing the modifications.
- 3.1.13 The Council, through the Leader who considered a report in February 2014, made representations to the proposed modifications. In summary, these recognised and supported the need to address an extended Plan period to 2029 and the amount of objectively assessed housing need identified for Northampton. However, the Council did not consider it appropriate to identify additional sites to accommodate these houses in Strategic Urban Extensions around Northampton. This was primarily due to a lack of certainty over the robustness of strategic transport modelling related to the whole of the network around Northampton.
- 3.1.14 The transport model used by the County Council was old and at the outset wasn't designed to cover such a long period or the volume of development proposed in the revised Core Strategy. It had a number of 'patches' added to allow some estimation of impacts to occur for the purposes of strategic plan making. However, these amendments would not be considered robust enough to be used for development management purposes in identifying the mitigation measures required. This was a concern to the Council as it could either or both significantly under-estimate wider impacts and thus associated infrastructure required to mitigate the impacts of development (making allocations undeliverable when assessed through the development management process), as well as undermine long term delivery by committing to sites which ultimately might require such expensive infrastructure post 2029 that development would become unviable.
- 3.1.15 To overcome this uncertainty associated with the traffic modelling, for additional housing in the period 2026-2029 the Council considered it more appropriate for the forthcoming Part 2 Northampton Related Development Area Local Plan to allocate the necessary sites. This would allow the partner Councils, developers and local communities more time to appraise the options using more robust evidence and come to a consensus on the most appropriate sites to allocate.

3.1.16 The Council was unable to make further comment on the policies N5 and N6 as there were no substantive changes to the original wording of these policies. As such any comment would have not been considered to be 'duly made' and given limited weight by the Inspector in his deliberations. Nevertheless, the Inspector was aware of a letter provided by the Leader requesting that he gave weight to the concerns of local residents in relation to the Urban Extensions.

3.1.17 The Inspector considered the Council's representations to the proposed modifications, along with those of the County Council and all other participants (both verbal at the Hearings and written submissions) on the strategic housing and transport discussions. At the Hearings, the Inspector revisited each of the Northampton Related Development Area Sustainable Urban Extension's policies.

Joint Core Strategy – Inspector's report and adoption

3.1.18 The Inspector considered all duly made representations submitted at all the statutory stages and addressed them in his report issued in September 2014. Notwithstanding the Council's objections, which were drawn out extensively at the Hearings, he identified that subject to proposed modifications (which had been appropriately considered through the Examination process) that the Joint Core Strategy was sound for the purposes of adoption.

3.1.19 Subsequently the West Northamptonshire Joint Core Strategy Part 1 Local Plan was adopted by the West Northamptonshire Joint Strategic Planning Committee on the 15th December 2014. The decision to adopt was carried on the chair's casting vote (South Northamptonshire). South Northamptonshire and Daventry District supported the adoption and Northampton Borough and Northamptonshire County Councils did not.

Joint Core Strategy – post adoption

3.1.20 The Joint Planning Committee's decision to adopt means that the Joint Core Strategy now forms part of the Development Plan for the purposes of determining planning applications. In relation to taking forward the concerns of the Council's members of the Joint Strategic Committee, the options for the Council are relatively limited.

Option 1 – Do nothing

3.1.21 Through this approach, the Joint Core Strategy would (unless successfully challenged in whole or in part by others) continue to be regarded as part of the Development Plan. In terms of Section 38(6) of the Planning and Compulsory Purchase Act 2004, decisions must be made in accordance with the development plan unless material considerations indicate otherwise. The plan would have significant weight in the short term due to its adoption in conformity with the National Planning Policy Framework.

3.1.22 In terms of positive outcomes, this would provide a great deal of clarity in the determination of planning applications. It would also allow the Council to proceed with the work on the Northampton Related Development Area Local

Plan 'Part 2' to finally replace all policies in the 1997 Northampton Local Plan. Again, this would provide greater certainty and allow policies at the local level to address local issues and be fully compliant with up to date requirements. The Part 2 plan would allocate development sites for housing and employment, plus identify the boundaries of safeguarded areas such as important landscapes, greenspaces, district and local shopping centres, etc.

3.1.23 In relation to negative outcomes of Option 1, the position of the Council's Joint Strategic Planning Committee members voting against the adoption of the Core Strategy however may give an indication that the Council did not support any of the Joint Core Strategy. At a time when development viability on some sites and for some uses is still fragile, this uncertainty could affect investor confidence. This could undermine potential development prospects in the town in areas where the Council would welcome investment.

3.1.24 Option 1 would also belie the Council's members' objection to the allocation of particular sites for housing and also growing concerns about lack of identification of appropriate transportation infrastructure required to facilitate growth in and around Northampton.

3.1.25 Taking account of these factors Option 1 is not considered an appropriate way forward

Option 2 – Judicial review of the Plan's adoption – either in part or in full

3.1.26 Through this approach the Joint Core Strategy would be challenged through the Courts. In terms of outcome if successful this approach would either strike out parts or all of the Joint Core Strategy.

3.1.27 The validity of newly adopted plans can only be challenged via s. 113 of the Planning and Compulsory Purchase Act 2004 within a 6 week time limit. Under criterion (3), the challenger must be "a person aggrieved". As the Council delegated its Executive function of Development Plan adoption to the West Northamptonshire Joint Strategic Planning Committee and had representation on the Committee, Counsel considers based on case law it unlikely it will be able to meet the test of being "a person aggrieved". Counsel's opinion is that this is not really an option open to the Council.

3.1.28 Taking account of this advice Option 2 is not considered an appropriate way forward.

Option 3 – Council resolution confirming objection to policies N5 and N6 of the Joint Core Strategy and the inadequacy of the transport model for identifying the scope of strategic highways infrastructure including a North West by-pass in association with development.

3.1.29 In terms of outcome on the positive side, a resolution of the Council to object to policies N5 and N6 of the Joint Core Strategy and also around the inadequacy of the transport model for the purposes of identifying necessary highways infrastructure would constitute a material planning consideration in the determination of planning applications, provided it is founded on matters that relate to the use and development of land.

- 3.1.30 The weight that can be attached to it by the decision maker will be a matter for them, however the more grounded that the objection is in material planning considerations, the greater the likely weight that it will be given. In terms of risk in dealing with the wider Council's concerns about the policies, this is considered the lowest risk option. It focuses on individual policies/areas of development rather than seeking to undermine the whole plan, and is a low cost option.
- 3.1.31 The objection is a material consideration that the decision maker may take into account if relevant to a particular application; however Council should be mindful that in relation to S38(6) that as it is newly adopted, the Plan is the starting point for the determining of applications and will have substantial weight. In addition, the resolution should not be seen as binding on members of the Council who sit on Planning Committee, prejudicing the decision maker's (including Planning Committee's) ability to weigh up all the facts when determining an application. The resolution is not in any way planning policy itself. The Planning Committee must not pre-determine an application, but have an open mind at Committee taking account of all the evidence placed before them.
- 3.1.32 In planning circles it is recognised that for the purposes of plan making, the bar set for the testing of technical issues such as transport is likely to be lower than that associated with the determination of a planning application. So whilst the Inspector came to his conclusions on the appropriateness of information placed before him, he recognised that additional work would have to be done to address development impacts. For instance in relation to Policy N6 (paragraph 142 of his report) he identified that appropriate technical analysis and on site measures, as well as contributions to offset impacts elsewhere would be necessary. Planning Committee in determining the planning application for the development of the site consistent with Policy N6 was within its rights (on the basis of information that it had before it) to refuse the planning application due to a lack of evidence indicating significant harm from the development on the transportation network would not arise.
- 3.1.33 The Council's Joint Strategic Planning Committee's members considered that the transport, impact on setting of the existing settlements, increased flooding risk and social infrastructure implications of the policy N5 and N6 allocations are so significant that these sites should not be allocated in the Core Strategy.
- 3.1.34 In addition as set out above, the transport modelling used to support the Joint Core Strategy has been subject to criticism from the Council in representations made to the proposed modifications. The Council's Joint Strategic Committee members conclude that the model's likely inability to realistically address impacts of proposed development is such that it significantly underestimates the highways infrastructure around the town required to support all the proposed development. On this basis they consider the proposals for the North West by-pass as set out in the Joint Core Strategy's Table 7 as insufficient. This is due to three factors; its capacity as a single carriageway, the lack of a complete continuous connection between the A4500 and the A43; and the timing for those sections identified for delivery after 2021.

3.1.35 Option 3 is considered the most appropriate way forward. It gives a clear indication of the Council's position in relation to the Joint Core Strategy, which as a material consideration may be given weight by decision makers determining planning applications.

4. Implications (including financial implications)

4.1 Policy

4.1.1 Adoption of the West Northamptonshire Joint Core Strategy Part 1 Local Plan by the West Northamptonshire Joint Strategic Planning Committee means that it is now part of the Development Plan. It replaces a number of 'saved' policies in the Northampton Local Plan 1997. This means that in accordance with S36(8) of the Planning and Compulsory Purchase Act 2004 that planning applications have to be determined in accordance with its policies unless material considerations indicate otherwise.

4.1.2 A Council resolution supporting the Joint Core Strategy, but objecting to policies N5 and N6 as well as the transport infrastructure is capable of being a material planning consideration that the decision maker may give weight to in the determination of any relevant planning applications.

4.2 Resources and Risk

4.2.1 The West Northamptonshire Joint Core Strategy has commanded considerable resource (£millions) in its adoption from the partner Councils and in particular Northampton Borough Council as it is the largest contributor. The proposed recommendations are considered the most appropriate balance between marking out the Council's position as a point of principle which can be weighed up by decision makers, whilst also providing clarity in relation to the rest of the Joint Core Strategy which will reduce uncertainty and risk to investors and decision makers.

4.2.2 In relation to the determination of planning applications, the decision maker (including Planning Committee) may consider that the weight attached to the Council's resolutions is such that on its own or in association with other material planning considerations the applications placed before it must be refused. There is a risk that this will reduce Council income (through lost/deferred New Homes Bonus/Council Tax/business rates/planning applications fees) and increase expenditure (appeal costs). Planning Committee will receive the appropriate advice at the time in officers' reports on the weight that it should place on the Council's resolutions compared to other material planning considerations and the development plan.

4.3 Legal

4.3.1 None in addition to those identified in Policy and Resources and Risk.

4.4 Equality

4.4.1 The West Northamptonshire Joint Core Strategy was subject to full Equality Impact Assessment. The Council's position could ultimately affect the timing and location of housing delivery to meet Northampton's needs. Affordable housing in particular meets the needs of those who have higher representation rates in relation to minority ethnic groups and those with a disability. The Council's position of supporting meeting the delivery of objectively assessed housing in the period to 2029 means that any adverse impacts identified are likely to be temporary as housing will by default through the planning process be provided elsewhere in or adjacent to the Borough.

4.5 Other Implications

4.5.1 None

5. Background Papers

5.1 West Northamptonshire Joint Core Strategy Part 1 Local Plan December 2014

5.2 Leader's Report 'Response to proposed main modifications to the pre-submission version of the West Northamptonshire Joint Core Strategy' 19th February 2014

**Steven Boyes, Director of Regeneration, Enterprise and Planning,
01604 838531**

Addendum to 19th January 2015 Council Report: West Northamptonshire Joint Core Strategy Adoption.

Correspondence has been received in relation to the report from a number of individuals representing organisations. The correspondence includes general comment, reference to factual errors requiring amendment, as well as suggested additional points required to be brought to Council's attention.

Factual Errors

The version of the report published on the internet contained some factual errors in relation to dwelling numbers in the Sustainable Urban Extensions policy references.

Response:

The factual errors were observed prior to the Council report being sent to print, so have been corrected in any printed reports produced by the Council. The updated report was made available on the Council's website around 9.30am on 13th January 2015.

Robert Boulter for Hunsbury and Collingtree Residents' Alliance, Collingtree Part Residents' Association and Wootton Brook Action Group. E-mail to Steve Boyes 13/01/15 and 11/01/15

Issue:

Sought clarity as to whether:

- 1) paragraphs 2.1 and 2.2 of the report would be the wording of the Council's objections to site allocation policies N5 and N6.
- 2) consideration by the planning officer and Planning Committee of the objection as a material consideration covers the whole of the policy N5 and N6 sites
- 3) Council's objection would be a material consideration for applications within the policy N5 and N6 boundaries, even if they were not necessarily called a 'Sustainable Urban Extension' or only relating to part of the sites
- 4) given report deadlines, sufficient time exists for incorporation of Council's decision as a material consideration within the 28th January 2015 Planning Committee reports related to the determination of policy N5 site applications.

In addition a further e-mail was sent advising that a petition would be submitted related to the Council agenda item – seeking additional resolutions to:

- a) state that the adoption of the Joint Core Strategy by the West Northamptonshire Joint Strategic Planning Committee (JSPC) is not

considered binding on Northampton Borough Council, or incorporated into the Council's development plans

- b) in conformity with articles in the Statutory Instrument related to the JSPC to call a meeting of the JSPC with a motion to rescind the decision to adopt the Joint Core Strategy
- c) seek legal advice with a view to challenging the adoption resolution and if such advice identifies it as possible, a challenge is made by 26th January 2015 and the opportunity of financial support from the petitioners is tested.
- d) determine if these actions are sufficient to delay or defer decision by the Planning Committee on the 28th January 2015 of the Bovis application related to the Policy N5 site, or whether there are other actions that NBC Cabinet can take to postpone the applications.

Response:

Subject to the recommendations being approved

- 1) Yes
- 2) Yes
- 3) Yes
- 4) Yes, reference will be made to the Council recommendations and if necessary either a verbal or written update provided on the Council resolution at Planning Committee.

In relation to the Petition:

- a) In practical terms such a resolution is unlikely to achieve anything greater than the resolutions currently proposed in the Council report. The fact is that on its adoption by the JSPC that the JCS became part of the Development Plan. It will remain as such, either in whole or in part until either:
 - i. a successful legal challenge is made by an aggrieved person to its adoption
 - ii. the Plan is rescinded by the Secretary of State after considering a request from the JSPC, or any of the constituent Local Planning Authorities if the JSPC Statutory Instrument is revoked or reviewed
 - iii. policies in the JCS are replaced through the adoption of a future Local Plan

In relation to:

- i. this will run its course should such an application be made to the Courts
- ii. in the short term given that the Secretary of State did not disagree with the Planning Inspector acting on his behalf in considering the Plan to be sound and has also subsequently indicated to the Council that he did not wish intervene by using his call in powers between publication of the Inspector's report and adoption by the JSPC such a request will undoubtedly fail, particularly so if all partners on the JSPC do not support such a request. Clearly as Daventry and South Northamptonshire Council members of the JSPC were unequivocal in their support of adoption of the JCS at the 15th December 2014 JSPC meeting, a full partner agreement will not be forthcoming. In any event, even if there was full partner agreement, the Secretary of State has indicated through correspondence that the best way to deal with perceived issues is through early review of an adopted JCS.
- iii. Review of strategic policies within the JCS would have to occur either through a single document approach such as a replacement JCS or individual Local Plans by the Councils delivered in a co-ordinated manner through the duty to co-operate, e.g. Joint timetabling of consultation and agreed position statements/consistent Local Plan policies.

Richard O'Driscoll Director for and on behalf of Collingtree Park Golf Course Limited to Steve Boyes 12th January 2015

Issue:

- 1) Paragraph 1.1 - Reference should be made for the avoidance of doubt in the Council paper to policies N5 and N6 as being adopted within the JCS. In addition the purpose of the 15th December JSPC meeting was to adopt the JCS subject to the Inspector's report and its main modifications; the meeting was not to discuss allocations or strategic highways infrastructure.
- 2) The JCS Inspector's report is a key document should be identified as a background report.
- 3) There has been over 8 years to bring these matters to the JSPC and to object to something that does not exist is inappropriate, as the transportation modelling has been used extensively to determine large scale planning applications recently given consent.
- 4) The JCS is either adopted or not, these are the only legal options available and it is adopted therefore the Plan for NBC.

- 5) Paragraph 3.1.1 - reference needs to be made to Northampton Borough Council being the worst Council in England in 2003 and to the West Northamptonshire Development Corporation being set up.
- 6) Paragraph 3.1.2 – further reference needs to be made to content in the Statutory Instrument of the role of the JSPC.
- 7) Paragraph 3.1.5 – The proposed allocation for Collingtree was larger in the Emergent JCS in between the stages of the Plan adoption there has been a change in government and the NBC administration. Perhaps a timeline needs to be included within the report.
- 8) Paragraph 3.1.10 – need to provide clarity as to what the greater concerns the members had in relation to N5 and N6. One can assume that they expressed these concerns to the Inspector and he considered their points?
- 9) Paragraph 3.1.11 - Due to the period for adoption and time between stages, it is difficult to suggest that there were time constraints.
- 10) Paragraph 3.1.13 – The Council made representations to the modifications and the Inspector considered them.
- 11) Paragraph 3.1.16 – The issue that the Leader was asking the Inspector to be sympathetic to was to increase the area of land to the available allocation to the west to accommodate homes and create an access link onto the Old Towcester Road.
- 12) Paragraph 3.1.14 – The transport model used by the County Council is the same for the North Northants JCS and major recent applications within Northampton.
- 13) Paragraph 3.1.20 - Concerns of the Council's JSPC have been addressed by the Inspector and Policy N5 found sound
- 14) Paragraph 3.1.33 – In relation to the Council's JSPC concerns the site has been subject to scrutiny and consultation over eight years or more and dealt with by Inspector in his report paragraphs 129 and 131-133. The Inspector has taken into account the Council's Leader's and JSPC members concerns.
- 15) The recommendation is discriminatory in its impact as it causes disadvantages to the owner of the site who is considered to be within a recognised minority ethnic group.

Response

- 1) Policies N5 and N6 being within the adopted JCS is addressed throughout the report. It is clear within the report that the Council's JSPC members

feel that due to the formal stages of adoption process they did not feel they were allowed to sufficiently raise their concerns which were further intensified through their attendance in the Examination Hearings sessions with the Inspector.

- 2) It is considered that appropriate reference is made to the contents of the Inspector's report in having a bearing on the recommendations made. The report is clear in paragraphs 3.1.18 that the Inspector considered all duly made representations and the fact that the members objections were drawn out extensively at the Hearings.
- 3) Notwithstanding the time, the report represents the concerns of the current NBC JSPC members whom have not been on the Committee at all stages of the adoption process. The transport modelling used for wider strategic planning purposes and that related to site specific applications are different, whilst localised impacts on the network can be understood in relation to individual sites, an understanding of the completed whole 2029 completed development scenario on the whole network is not considered by the members to be sufficiently robust; the model was never designed at the outset to assess this quantum and timescale for development.
- 4) Correct, the Plan has been adopted and therefore forms part of the Development Plan for Northampton.
- 5) Not relevant to the decision being made, so doesn't warrant inclusion.
- 6) Sufficient information on the role of the Committee is provided throughout the report.
- 7) The report is clear enough about the timescale of stages in 3.1.5.
- 8) The issue is that NBC JSPC members were unable to air these greater concerns due to the timing of their appointment on the Committee which did not facilitate them making a duly made representation and the Inspector not allowing JSPC members speaking against policies supported by resolutions from the JSPC.
- 9) This does not sufficiently recognise the complexity of the issues and the associated work required by the Inspector to make the Plan sound. To be consistent with the Inspector's requirement of revisiting the whole plan and assessing options with an open mind, substantial additional evidence was required. This took a significant time and resulted in the reconvening of Examination hearings being postponed due to the work not being finished. Only at the point of all the evidence being in front of them could JSPC members debate the options. Even after postponement, time was very short and NBC JSPC members did not feel that their concerns were given sufficient time to allow agreement between partners to be established prior

to the proposed modifications coming to a formal decision meeting of JSPC.

- 10) As indicated in paragraph 3.1.16, the Council was unable to make duly made representations on elements of the JCS as these were not being amended.
- 11) Whilst the Leader's letter did relate to this matter it also addressed the Council's sympathies with the submissions made by the Parish Council and resident's groups in relation to the allocation, which covered wider issues than the additional land to the west and are consistent with NBC JSPC members' wider concerns.
- 12) See comment in response 3).
- 13) Whilst the Inspector considered all the representations in front of him, NBC JSPC member specific concerns have not been specifically addressed as they were not submitted as duly made representations.
- 14) See response to 13)
- 15) This is an unavoidable outcome of a recommendation made that is based around the merits of the site as an allocation for the development proposed. It is absolutely in no way motivated by or related to the ethnic characteristics of the site's owners.

John Lougher Regional Managing Director South Midlands Region for and behalf of Bovis Homes. Letter to Steve Boyes 14/01/15

Issue:

- 1) Paragraph 3.1.16 does not report that the Leader's letter/ report dated 19/02/14 did not object to the allocation in principle but rather to his support for the alternative means of access(para.3.2.63)- a point which was considered and rejected by the Inspector (IR para .130)
- 2) Paragraph 3.1.33 does not advise that N5 has subsequently achieved full technical sign-off; this cannot be other than highly relevant to Council's consideration of the recommendation.
- 3) The report fails to mention the Council's existing 5-year housing land supply deficit; again this is a highly relevant consideration to the proposed resolution.

Response:

- 1) The report identifies that the Leader of the Council wrote to the JCS Inspector requesting that he give weight to the concerns of local residents. The report also advises that, notwithstanding the concerns of residents

which NBC JSPC members echo and which were discussed at length during the examination, the Inspector concluded that the plan was sound.

- 2) The transport, impact on the setting of existing settlements, increased flooding risk and social infrastructure implications of policy N5 have been addressed in studies submitted in support of the allocation and have been addressed in the Inspector's report. Notwithstanding this, which is identified in the Council report the JSPC members still have concerns which they do not feel have been adequately addressed, hence the recommendations in the Council report. Further reports have been submitted in association with the subsequent planning application, nevertheless the fact is that the application together with the robustness of its supporting evidence has not yet been considered by the Planning Committee.
- 3) The Council has acknowledged that it cannot currently demonstrate a 5 year housing land supply in the Northampton Related Development Area 5 Year Housing Land Supply Assessment published in April 2014. Certainly whilst members of the Council are aware of the potential implications of not having a 5 year housing land supply, this might not be the case for all Council members.

On this basis, it is considered an important risk which Council needs to be aware of in its consideration of the recommendations. If confirmed the recommendations could well cause at the very least delay in the planning application determination process, or ultimately should the decision maker consider based on all the material planning considerations in front of them that the application should be refused, result in the site not coming forward in the short term for development. Government is clear that housing targets need to be met. This, because of the Council's lack of a 5 year housing supply will mean that the Council and its neighbouring areas could well be at risk of development proposals on sites not in residential use currently, and which normally might not be considered appropriate for such development, with the associated issues that this brings.

Mr Andrew Wintersgill Senior Associate for and on behalf of David Lock Associates, planning consultants for Bovis Homes. 15th January 2014

Makes reference to and appends Bovis Homes letter above.

Issues:

- 1) Concerns as to impacts on the Plan led system and also identifies the associated risks related to 5 year housing land supply and also potential need to address displacement of the dwellings on these sites in the wider Northampton Related Development Area. An example of a recent allowed

appeal on an unallocated housing site in West Haddon citing weight attached to meeting the 5 year housing supply is attached.

- 2) In relation to the 28th January 2015 Planning Committee reports related to applications on the Policy N5 site it is suggested that the weight attached to the Council's recommendations if approved should be very limited when balanced up against other relevant material planning considerations including the technical evidence to support the application and the lack of a 5 year housing land supply.

Response:

- 1) It is recognised that the recommendation in the context of the plan adoption process could ordinarily be regarded as unusual. Nevertheless, it is as a result of the specific and unique issues related to the adoption process as set out in the report. As in the response to 3) John Lougher, the risks of not being able to show a 5 year housing supply, as the appeal decision referred to by Mr Wintersgill indicates, in itself can bring risks associated ultimately with land which might otherwise not be considered suitable being granted consent for residential development. In this case it would have resulted in Daventry Council having to dedicate additional significant resource of defending an appeal against refusal.
- 2) It is for the planning committee with available advice of officers to determine the weight that it wishes to give to individual material planning considerations.

Appendices



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL
19 JANUARY 2015

Agenda Status: Public

Directorate: Chief Finance Officer

Report Title	COUNCIL TAX BASE 2015 -2016
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1. Purpose

1.1 The report sets out the calculation of Northampton Borough Council’s Tax Base for the year 2015/16 under the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) regulations 2003 (SI 2003/3012) and amendments made in the Local Government Act 2012.

2. Recommendations

2.1 That Council approve the tax base for 2015/16 at 61,926.81 Band D equivalent properties and associated parish tax bases within this report.

	2015/16	2014/15
Billing	2,506.72	2,402.29
Collingtree	506.88	508.64
Duston	5,358.06	5260.40
Great Houghton	284.39	279.44
Hardingstone	761.18	757.93
Upton	2,181.34	2,006.64
Wootton & East Hunsbury	n/a	6,214.60
Wootton, Wootton Fields & Simpson Manor	2,889.67	n/a
East Hunsbury	3,368.24	n/a
West Hunsbury	1,602.17	1,585.70
Hunsbury Meadow	489.23	475.24
Northampton (Unparished)	41,978.93	41,160.27
Total tax base	61,926.81	60,651.14

3. Issues and Choices

3.1 Report Background

3.1.1 A summary of movement in the tax base is summarised below.

14/15		15/16
70,554.19	Tax Base (Band "D" equivalent)	71,350.36
224.17	Growth in tax base (note 1)	197.84
584.72	Planning Assumptions (note 2)	506.94
-12.73	Exemptions & Discounts (note 3)	-41.73
-9,016.19	Council Tax Reduction Scheme (note 4)	-8,302.70
-1,683.02	Non-Collection (note 5)	-1,783.90
60,651.14	Taxbase for Council Tax	61,926.81

3.1.2 Note 1 - Movement in the tax base in last year

3.1.3 Note 2 - There is an allowance of 50% applied to the estimated new build to allow for part year liability.

3.1.4 Note 3 - Revised figure following review

3.1.5 Note 4 - Includes no increase in caseload

3.1.6 Note 5 - The non-collection rate of council tax has been increased from 2.7% to 2.8% for the 2015/16 tax base setting. This is due to the estimated non-payment of the additional debit raised in respect of changes to the exemption, discounts, Local Council Tax Reduction Scheme and taking into consideration the current financial climate. The collection rate is reviewed each year as part of the tax base setting process.

3.1.7 There is an estimated surplus to be apportioned on the Collection Fund, as detailed in the draft budget report to the December Cabinet, of £100,000 for NBC (which would equate to £465,698 for NCC and £87,511 for PCC).

3.2 Issues

3.2.1 The report represents the application of a prescribed process.

3.3 Choices (Options)

3.3.1 To not set a tax base would render the authority unable to set a council tax.

3.3.2 The methodology used to calculate the tax base, has taken into account the previous decision by Council in 2013/14 in relation to the level of reductions awarded for Exemptions and Discounts.

3.3.3 The methodology used to calculate the tax base, has taken into account the recommendation to Council with respect to the Local Council Tax Reduction Scheme.

3.3.4 Each of these previous decisions, either individually or as a whole, could be reconsidered by Full Council and the discounts reinstated. Any decision to change the current position would have a negative financial impact on the

budget report and tax base. The value of the removal of discounts is shown as a band D equivalent in appendix 1.

3.3.5 To approve the recommendations in the report

4. Implications (including financial implications)

4.1 Policy

4.1.1 None

4.2 Resources and Risk

4.2.1 No resource required. The base has to be determined by the 31st January 2015 by Full Council

4.2.2 That the above policy position in respect of the Local Council Tax Reduction Scheme be kept under review in respect of future years

4.2.3 That the above policy position in respect of discretionary discounts and exemptions be kept under review in respect of future years

4.3 Legal

4.3.1 These are covered within the body of the report.

4.4 Equality

4.4.1 No direct impact on equality context, however any resulting impact on options/ consultations for budgets will have to be considered individually.

4.5 Other Implications

4.5.1 None

5. Background Papers

5.1 None

Ian Tyrer, Revenues Manager
Extension 7451, ityrer@northampton.gov.uk

Appendices 4



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL
19th January 2015

Agenda Status: Public

Directorate: Chief Finance Officer

Report Title	Local Council Tax Support Scheme – 2015/16
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1. Purpose

1.1 That Council approve the proposed amendment to the local Council Tax reduction scheme from an 15% reduction in support in 2014/15 to a 21% reduction in 2015/16

2. Recommendations

2.1 That Council endorse the recommendation contained in the Cabinet report attached no later than the 31st January 2015.

3. Issues and Choices

3.1 Report Background

3.1.1 See Cabinet Report attached

4. Implications (including financial implications)

4.1 Policy

4.1.1 See Cabinet Report attached

4.2 Resources and Risk

4.2.1 See Cabinet Report attached

4.3 Legal

4.3.1 See Cabinet Report attached

4.4 Equality

4.4.1 See Cabinet Report attached

4.5 Other Implications

4.5.1 See Cabinet Report attached

5. Background Papers

5.1 See Cabinet Report attached

**Robin Bates, LGSS Head of Revenues & Benefits (ext. 7119)
Glen Hammons, Section 151 Officer, Northampton Borough Council**

Appendices:
3



CABINET REPORT

Report Title	LOCAL COUNCIL TAX REDUCTIONS SCHEME
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	17 th December 2014
Key Decision:	Yes
Within Policy:	Yes
Policy Document:	No
Directorate:	Finance
Accountable Cabinet Member:	Alan Bottwood
Ward(s)	All

1. Purpose

- 1.1 This report recommends the Council Tax Reduction Scheme for 2015/16, including amendments.
- 1.2 The report follows a period of consultation and provides the recommended scheme for approval at Council.

2. Recommendations

- 2.1 That Cabinet approve the proposed amendment to the scheme from a 15% reduction in Council Tax Reduction Scheme (CTRS) in 2014/15 to a 21% reduction in 2015/16.
- 2.2 That Cabinet recommends the CTRS amendment for approval at Council on the 20th January 2015.

3. Issues and Choices

3.1 Report Background

- 3.1.1 Local Authorities are required to set up their own CTRS from the general funding allocation. This allocation is reducing annually at a forecasted rate of approximately 10% per annum until at least 2018, possibly longer.
- 3.1.2 Reduced funding means the Council is required to consider how to meet its commitment to the CTRS.
- 3.1.3 Central Government suggested that Local Authorities could meet the funding deficit by implementing other changes, to ensure that Local Authorities maximise their opportunities to be financially efficient with the current budgetary pressures. As part of the implementation of the CTRS from 1st April 2013 we have already:
- Reconfigured funding, in particular its transfer of services to Local Government Shared Services (LGSS)
 - Used the new flexibility over Council Tax to remove the reliefs in respect of second homes and some empty properties; and other reforms of the council tax system, including the use of an electronic leaflet and removal of expensive printing costs traditionally associated with the annual billing process.
- 3.1.4 Under management from the Department for Communities and Local Government (DCLG), using devolved power under the Local Government Finance Act 1992 (as amended); Northampton Borough Council has been operating a means tested local reduction. This saw a 15% reduction in the support available to working age customers in 2014/15.
- 3.1.5 Local Authorities are expected to ensure their CTRS is suitable for its local community and promotes the Governments position on Welfare Reform, by protecting the vulnerable and encouraging work for those of working age.
- 3.1.6 Pensioners will not be affected by the proposed changes to our CTRS and will remain fully protected. This means that NBC will continue to administer protection for year 2015/16 for approximately 6,675 residents.
- 3.1.7 Claimant's aged between 18 and 62 are classed as working age (not of pensionable age) and are subject to the CTRS. Approximately 10,822 customers fall into this group and will be affected for collection and financial purposes by a reduction of their existing award. The reduction is applied by a reduction in benefit after all calculations have been made.
- 3.1.8 A full income disregard of War Widows Pension and War Disablement Pension will continue. This was originally adopted as part of the 2013/14 CTRS in Northampton. Protection for working age customers in receipt of these benefits will also continue.
- 3.1.9 Additional protection will continue for those in receipt of disablement benefits and **Appendix A** provides the groups afforded additional support under the scheme. The scheme will also continue to support people back into work through a 4-week run on period of support.
- 3.1.10 As part of the 2014/15 consultation The Council confirmed that they would need to increase the maximum discount to 36%. People told us that they felt that such a change would probably cause hardship for some people.

3.2 Issues

- 3.2.1 The options for amending the CTRS, as detailed in 3.3 below, were consulted upon. These would reduce or mitigate the impact of the reduced funding for the CTRS.
- 3.2.2 Positive responses from the consultation centred on the concept of 'fairness' and everyone having to contribute.
- 3.2.3 Some acceptance of the current economic climate and budget constraints.
- 3.2.4 Negative responses included concerns about being able to afford increasing contributions toward Council Tax bills, in addition to already increasing priority bills.
- 3.2.5 Questions were raised about how those already on a low income being able to afford additional money and the impact on their ability to afford necessities such as food, fuel or clothing for children.
- 3.2.6 It was also raised that the proposed percentages were too high and that any increase be kept to a minimum to support those most vulnerable
- 3.2.7 Anxieties were expressed about how these changes will affect tenants' ability to sustain their tenancy.
- 3.2.8 It was highlighted that these changes could impact vulnerable people affecting mental health and causing health problems e.g. stress and worry.
- 3.2.9 This will impact on other local services that support those with mental health problems, disabilities, social services, troubled families unit, financial Advice services etc. This will cost more than these proposed changes will save.
- 3.2.10 Neutral responses resulted from the respondent not being affected by the changes, either because they were of pension age or were not receiving CTRS

3.3 Local Council Tax Reduction options for 2015/16

3.3.1 Option 1: To make no changes.

This would mean that CTRS is calculated the same as in 2014/15. However due to reduced funding for CTRS the Council would need to find additional funding.

3.3.2 Option 2: Increase the maximum amount of CTRS from 85%.

This means that recipients of a reduction could pay less Council Tax, but there would be an additional cost to the Council

3.3.3 Option 3: To increase support for types of claimants

This increase would have to be funded by the Council.

3.3.4 Option 4: Reduce the maximum amount of CTRS from 85%

This means that claimants would pay more and the Council would not be required to provide additional funding support for the scheme in 2015/16.

3.3.5 Option 5: To devise a completely new scheme

3.3.6 Option 6: Removal of paper notification during 2015/16

This option proposed that award letters be made available electronically through an on-line citizens account.

3.4 Choices – Northampton Local Council Tax Reduction Scheme

3.4.1 No Change

The current scheme has worked well and provides additional protection and support for the most vulnerable in the community, alongside supporting incentives to those starting work.

The impact of retaining the existing 2014/15 scheme would see a financial cost to the Council. This would be an additional cost to NBC and the other major preceptors and will represent a pressure on the Councils general fund in 2015/16.

Funding for the existing scheme will reduce again in 2015/16 and therefore the Council would be left to find approximately £70k from other sources to protect the existing level of support afforded through CTRS.

3.4.2 Increase the Maximum discount from 85%

For every 1% Increase in the level of CTRS awarded the cost to the Council will increase by approximately £13k.

Any additional cost would have to be met by the Council.

Increasing the level of support available carries a high level of risk to the Council in relation to protecting its front line services. This risk is increased in future years as the Council continues to see the income available for services reducing.

3.4.3 Increasing the Maximum Amount for specific Groups

Any additional cost of increasing the level of support available to specific groups would have to be met by the Council and the other major preceptors and will represent a pressure on the Councils general fund in 2015/16.

3.4.4 Reduce the Maximum discount from 85%

Decreasing the maximum amount by 1% would reduce the cost of the local scheme to the Council by approximately £13k.

When the Council consulted last year it stated that for 2015/16 it would need to increase the maximum discount to 36%. People told the Council that they felt that such a change would probably cause hardship for some people. However the Council were also clear that the scheme must continue to be paid for by the funding available and not through impacting the wider community in Northampton.

The Council is concerned that increasing the amount payable by 36% as suggested last year would cause considerable difficulties for both individuals and the Council in terms of collecting the shortfall in support.

The Council is therefore proposing to reduce the discount available to a figure between 20% and 25%. This option increases the reduction in CTRS from 15%, but will help the Council to balance the financial position and represent an improvement on the 36% suggested last year

3.4.5 A New Scheme

The administration of the current scheme is both cost effective and efficient as for the majority of claims we can use information supplied by claimants for a Housing Benefit claim or direct from the Department for Work and Pensions.

If changes were made to the scheme that introduced an alternative administrative process, this could lead to an increase in the cost of administering claims. The previous CTB scheme that the Councils Local Scheme is based had also been well tested in terms of providing fairness to applicants, based around their individual circumstances.

Software changes in order to support a completely new scheme could also prove challenging in terms of delivering within short timescales and cost to the Council.

3.4.6 Removal of paper notification during 2015/16

The removal of paper notification for CTRS decisions during 2015/16 will continue to improve efficiencies within the service. Award letters will be made available electronically, and accessed with an on-line Citizen's Account. Customers will still be able to contact us by phone, email or via the website.

For customers unable to receive notifications electronically, they will still be able to receive a paper version.

3.4.7 The Council has undertaken a four week consultation in order to obtain the views of citizens and stakeholders.

3.4.8 Following the consultation a full impact assessment has been carried out encompassing the views expressed by those that responded to ensure the impact to existing and future citizens in need of financial support is minimised

3.4.9 The Council has existing policies and procedures that aim to balance the need for maximising income to pay for services, with the need to protect tax payers from homelessness or additional charges. These policies and procedures were put in place over the last 3 years as a direct result of welfare reform announcements. They are reviewed regularly.

3.5 Recommended Option (Chosen CTR Scheme)

3.5.1 A reduction of 21% in CTRS from working age recipients from 1st April 2015. This option balances the financial position in 2015/16.

3.5.2 Protection as set out in Appendix A will be continue to be afforded to ensure the Council protects disabled and vulnerable citizens, whilst ensuring there remains an incentive to work.

3.5.3 Alongside this the Council will continue to provide protection for recipients of war widows and war disablement pension. Therefore income and capital disregards for this group will be retained.

3.5.4 A four-week period of extended payments will continue to be provided for customers moving into work. This period will mean that benefit rates are retained for 4 weeks before any reduction is made.

3.5.5 The Council will review carefully any proposed increase in 2015/16. Alongside this it will ensure its policies and procedures to support those in hardship meet the needs of our citizens in providing or referring for financial advice.

3.5.6 The removal of paper notification for CTRS decisions during 2015/16 to continue to improve efficiencies within the service

4. Implications (including financial implications)

4.1 Policy

4.1.1 The report outlines options for our CTRS, which if chosen, will set policy.

4.2 Resources and Risk

4.2.1 There are significant financial implications to the Council and the two other major precepting authorities as a result of the requirement to run a local council tax scheme with a reduction in funding, whilst protecting pensioners.

4.2.2 If the Council maintains the existing scheme there would be a funding gap across the Council, County and Police Authority.

4.2.3 The current financial modelling undertaken on the recommended CTRS for 2015/16 is based on the latest intelligence around collection rates and government funding forecasts and is considered to be self-funding. However, the position would need to be closely monitored during the financial year and the position re-assessed for 2016/17

4.2.4 Increased recovery and associated court costs could see increased resource requirements within the revenues team. The impact of other welfare reforms could also contribute to reduced collection on Council Tax and wider corporate debts. The Council has taken full account of pressures across corporate income and debt in calculating the impact of the recommended CTRS.

4.2.5 If the Council fails to agree and implement an amended scheme by 31st January 2015 we will need to retain our current scheme. As a result the Council's budget would need to be balanced by other means.

4.3 Legal

4.3.1 As part of the process of amending the CTRS, legal advice will be obtained in order to ensure that processes and procedures that underpin the CTRS are compliant.

4.4 Equality

4.4.1 Northampton Borough Council must demonstrate to DCLG, that in order to amend the CTRS, a full stakeholder review has taken place and these people have been consulted, to ensure that the scheme reflects the needs of the community as a whole. **This can be found at Appendix B.**

4.4.2 A full equality impact assessment has been completed - this can be found at **Appendix C.**

4.4.3 The equality impact assessment recognises that the amendment to the CTRS will place an additional financial burden on working age customers in 2015/16. Included within this group will be individuals and families with vulnerable characteristics.

4.4.4 In order to mitigate against the impact on this group and in particular those vulnerable citizens the Council has continued to afford protection within the more generous means-tested element of the CTRS. This can be found at **Appendix A**. Alongside this the Council will continue to consider fair debt collection principles and provide or refer those under financial pressure for debt advice.

4.5 Consultees (Internal and External)

4.5.1 Local Authorities are obligated to carry out a thorough consultation in-line with the Governments Consultation Principles July 2012, in order to reduce the opportunity for the scheme not to reflect the needs of the local population. The methodology and results of the consultation is attached at **Appendix B**.

4.5.2 Consideration required that any consultation that occurred be proportional to the needs of the community and time barred in line with good practice

4.5.3 Care must be given to ensure that all members of the community have access to this consultation to ensure that everyone is given a right to be heard on CTRS.

4.5.4 The Council's methodology and approach included the following:

- On-line survey
- News release(s)
- Social media (Facebook, Twitter, etc.)
- Northampton Borough [Council's internet pages](#)
- All e-mail communication from the Benefit, Council Tax and Customer Services mailboxes included an invitation link to take-part in the consultation
- Display screens in the One Stop Shop
- Details of the consultation were emailed to the Multi Agency Forum and our welfare partners, including registered social landlords.
- Invitations to participate was sent to key stakeholders, including Precepting Authorities, parishes, local Councillors and Members of Parliament
- Engagement with housing associations and voluntary and community sectors via their various networks
- Northampton Borough Council's Community Forum members were invited to take part
- 2,400 email invitations were issued to email addresses held on the Benefit and Council Tax database

4.5.5 Consultation results:

- The website was viewed 1,435 times during the consultation period. This demonstrates that media coverage of the consultation was active, however members of the public, did not complete the form to air their views.
- A total of 39 people completed the on-line survey.
- 17 people expressed an interest in attending the drop-in information sessions.
- 59 individual comments were received in response to the consultation questions.
- 9 people emailed for further information

4.5.6 Nationally, the response to Local Authority engagement on local Council Tax schemes has been low. Benchmarking with other Local Authorities has established that this is the case.

4.6 How the Proposals deliver Priority Outcomes

4.6.1 The CTRS is a statutory requirement as a result of national austerity measures and wider reforms of the benefit system.

4.7 Other Implications

None

5. Background Papers

- 5.1 Appendix A – Specific Protection
- 5.2 Appendix B – Consultation
- 5.3 Appendix C – Equalities Impact Assessment

Glenn Hammons, Section 151 Officer, Northampton Borough Council
Robin Bates, LGSS Head of Revenues & Benefits

Northampton Borough Council's Council Tax Reduction Scheme

Northampton Borough Council's current Council Tax Reduction Scheme (CTRS) provides for a means-tested reduction. This reduction takes the form of a discount and reduces the amount of Council Tax the person remains liable to pay.

This document provides an explanation of how the means-testing process incorporates specific protection for working age customers who may be considered vulnerable.

Applicable Amounts:

The means-testing process for our CTRS begins with an applicable amount, which specifies the amount of income that someone needs to have before their discount decreases – prior to the application of any reduction. An applicable amount is made up of a personal allowance with additional premiums and is individual to the applicant and their family. Applicable amounts are more generous for disabled people, carers and couples or lone parents with children, in order to recognise the additional costs incurred with raising children, managing a disability or health problem.

Dependants' Allowance

A customer's applicable amount is increased by a dependant's allowance for each dependent child. This ensures that the applicable amount reflects the additional costs of raising children.

Family Premium

This is awarded in the applicable amount if the applicant or their partner has at least one dependent child or young person.

Disability Premium

This premium is awarded in the applicable amount if the applicant or their partner is in receipt of either:

- Attendance Allowance
- Disability Living Allowance
- Personal Independence Payment
- The disability element or the severe disability element of working tax credit,
- Incapacity Benefit

Severe Disability Premium

This is awarded in the applicable amount if the applicant or their partner has no non-dependents aged 18 or over and no-one receives Carer's Allowance for looking after them. Either the applicant and/or the partner also have to be in receipt of either:

- Attendance Allowance
- Disability Living Allowance - care component at the middle or higher rate
- Personal Independence Payment – daily living component

Enhanced Disability Premium

This premium is awarded in the applicable amount if the applicant, partner or dependent child is receiving:

- Disability Living Allowance - care component at the highest rate
- Personal Independence Payments – daily living component at the enhanced rate.

Disabled Child Premium

This premium is awarded in the applicable amount for each dependent child receiving:

- Disability Living Allowance
- Personal Independence Payments
- Or is registered blind.

Carer premium

This premium is awarded in the applicable amount where the applicant or his partner is entitled to Carer's Allowance.

Council Tax Reduction Scheme – Weekly Applicable Amount Rates

These are based on the 2014/15 figures, although the Department of Work and Pensions may increase these figures in-line with the Housing Benefit annual up-rating due by the end of January 2015. We also expect the applicable amounts for pensioners to be increased by the Department of Communities and Local Government.

Applicable Amount Rates (Working Age)	April 2014 Rates
Personal Allowances	
Single	
16 to 24	£57.35
25 or over	£72.40
Any age – entitled to main phase Employment & Support Allowance	£72.40
Lone Parent	
Under 18	£57.35
18 or over	£72.40
Any age – entitled to main phase Employment & Support Allowance	£72.40
Couple	
Both under 18	£86.65
One or both over 18	£113.70
Any age – entitled to main phase Employment & Support Allowance	£113.70
Dependent Children (for each child)	£66.33
Premiums	
Family Premium	£17.45
Disability Premium	
Single	£31.85
Couple	£45.40
Severe Disability Premium	
Single Rate	£61.10
Couple Rate – One member qualifies	£61.10
Couple Rate – Both members qualify	£122.20
Enhanced Disability Premium	
Single Rate	£15.55
Disabled Child Rate	£24.08
Couple Rate	£22.35

Disabled Child Premium	£59.50
Carer Premium	£34.20

Treatment of Income:

Increased Earnings Disregards

Net income from part-time or full-time work is taken into account when CTRS discount is calculated. However, a small amount of earned income is then disregarded, which helps incentivise people to move into work.

A higher earnings disregard applies for those who qualify for the disability premium or severe disability premium (or either component of the Employment and Support Allowance) in the CTRS. This means that less of the disabled customer's net earnings are taken into account when calculating the amount of discount they receive. This is also the case for lone parents and carers.

Earnings Disregards	April 2014 Weekly Rates
Single person	£5.00
Couple	£10.00
Disability or Severe Disability Premium	£20.00
Carer Premium	£20.00
Lone parent	£25.00

A further £17.10 a week is also disregarded for:

- Lone parents working 16 hours or more a week; or
- Couples where either/or member are working 24 hours a week, with at least one member working at least 16 hours a week
- Their applicable amount includes a disability premium and they work 16 hours or more a week.

Disregard of Disability Benefits

The following income is ignored in the means-test of the CTRS:

- Disability Living Allowance
- Personal Independence Payments
- Attendance Allowance
- Severe Disablement Allowance
- War Disablement Pension
- War Widows Payment

Non-Dependant Deductions:

For certain disabled customers non-dependant deductions are not applied to the means test of their discount, regardless of the number of non-dependants that they may be living with them. This applies if the applicant or their partner is registered blind or if either of them are receiving:

- Attendance Allowance; or
- Disability Living Allowance – care component; or
- Personal Independence Payments – daily living component

Non-Dependent Deductions	April 2014 Weekly Rates
In receipt of state Pension Credit or in receipt of IS, JSA(IB), or ESA(IR)	Nil
Aged 18 or over and in remunerative work	
-gross income greater than £406.00	£11.25
-gross income not less than £326.00 but less than £405.99	£9.40
-gross income not less than £188.00 but less than £325.99	£7.45
-gross income less than £188.00	£3.70
Others aged 18 or over	£3.70

Childcare:

The cost of eligible childcare (for a child up to the age of 15, or 16 (if they are disabled) can be disregarded up to £175 a week for one child or £300 a week for two or more children. This is providing that the applicant and/or their partner are:

- A lone parent working 16 hours or more a week ; or
- A couple where both of them are working 16 hours or more a week; or
- A couple where one of them is working 16 hours or more and the other is incapacitated

This provision is also aimed at incentivising people to move into work.



Council Tax Reduction Scheme Consultation (CTRS)

Author Kirsty Tomlinson
Version 1.1
Status Report

INTRODUCTION:

The Council Tax Reduction Scheme replaced Council Tax Benefits (CTB) in April 2013, when local authorities were required to set up their own discount.

Northampton's scheme for 2014/15 was based on the former Council Tax Benefit Scheme with the exception that all working age claimants could only claim a discount for 85% of the amount they would have received under the old CTB scheme. The council has to carry out an annual review of its CTRS scheme.

The findings from this consultation will help inform any changes that may be required. The scheme for 2015/16 must be agreed by the 31st January 2015.

This consultation took place from 13 October 2014 to 9 November 2014.

METHODOLOGY

Our approach included the following:

- [On-line survey](#)
- [News release\(s\)](#)
- Social media ([Facebook](#), [Twitter](#), etc.)
- Northampton Borough Council's [internet](#) pages
- All e-mail communication from the Benefit, Council Tax and Customer Services mailboxes included an invitation link to take-part in the consultation
- Display screens in the One Stop Shop
- Details of the consultation were emailed to the Multi Agency Forum and our welfare partners, including registered social landlords.
- Invitations to participate was sent to key stakeholders, including Precepting Authorities, parishes, local Councillors and Members of Parliament
- Engagement with housing associations and voluntary and community sectors via their various networks
- Northampton Borough Council's Community Forum members were invited to take part
- 2,400 email invitations were issued to email addresses held on the Benefit and Council Tax database

The following companion documents were made available:

- **Background Information** giving details of options considered and recommended
- **Community/Equality Impact Assessment**
- **Banding Examples**
- **Example Scenarios**

To help support the public the following were made available and advertised in-line with the above:

- Dedicated email address for enquiries
- Our Customer Service teams were made available to help the public complete the on-line form to mitigate any accessibility issues. In addition we carried out a home visit to support a request made to overcome specific accessibility issues.

- Three drop in-sessions were made available to provide a personal illustration on what the proposed changes would mean – to enable people to provide a fully informed response. Sessions were offered as follows:
 - ✓ Tuesday 14 October 2014 (2pm to 5pm)
 - ✓ Thursday 23 October 2014 (2pm to 5pm)
 - ✓ Friday 31 October 2014 (10am to 1pm)
 - ✓ Those who could not attend were invited to contact us to discuss their situation and how the potential proposals might affect them.

RESULTS:

The website was viewed **1,435** times during the consultation period. This demonstrates that media coverage of the consultation was active, however members of the public, did not complete the form to air their views.

A total of **39** people completed the on-line survey.

17 people expressed an interest in attending the drop-in information sessions.

59 individual comments were received in response to the consultation questions.

9 people emailed for further information

SUMMARY OF FINDINGS:

Due to the type of questions asked in the on-line survey, and in-line with the number of responses received, the results are mainly qualitative. The data has provided an in-depth look at what the proposed changes mean to the respondents and how it will impact them.

KEY RESULTS:

Question 1 focused on collecting personal data and will therefore not be included in this report.

Question 2 established whether the respondent was currently receiving a CTRS discount and whether they were responding on behalf of an organization.

- 27 respondents are currently receiving a CTRS discount
- 3 respondents responded on behalf of an organization:
 - Community Law Service x2
 - Bromford Housing

Question 3:

Northampton's scheme for 2014/15 was based on the former Council Tax Benefit Scheme with the exception that all working age claimants could only claim a discount for 85% of the amount they would have received under the old CTB scheme. Keeping the current level of discount on our scheme or increasing the level of support is not sustainable for the Council. The Council feels that it has no alternative but to reduce the amount of discount available under the

scheme. When we consulted last year we also stated that for 2015/16 we would need to increase the maximum discount to 36%. People told us that they felt that such a change would probably cause hardship for some people. The Council was also clear however that the scheme must continue to be paid for by the funding available and not through impacting the wider community in Northampton. We are concerned that increasing the amount payable by 36% as suggested last year would cause considerable difficulties for both individuals and the Council in terms of collecting the shortfall in support. We are therefore proposing to reduce the discount available to somewhere between 20% to 25%. A reduction within this range would help the Council to balance the financial position and represent an improvement on the 36% suggested last year. To view background information for our proposals, please [click here](#). Please note that the changes to our scheme will not affect customers who have reached their state pension age and at the same time are not receiving Jobseeker's Allowance, Income Support, Universal Credit or Employment & Support Allowance. To see some examples on how this could affect you, please [click here \(2015/16 examples\)](#). **Please let us have your views on our proposals in order to help us make a decision**

31 responses were made and 8 respondents skipped the question.

The key comments received were as follows:

- 22 respondents felt that the new proposals would cause additional hardship
- 5 respondents commented that the proposed increase was too high
- 5 respondents suggested alternative ways of funding the shortfall including restructuring services, reducing executive pay, scheme to be funded by those that could pay, review Council spending in other projects, increasing Council Tax
- 4 respondents thanked the Council for the opportunity to take part
- 1 respondent indicated that he supported the proposal on condition that the Council reverted the discount when things got better

Question 4:

We are considering the removal of paper notification for CTR decisions during 2015/16, which will continue to improve efficiencies within the service. As an alternative award letters will be made available electronically, and accessed with an on-line Citizen's Account. People will still be able to contact us by phone, email or via the website

28 responses were received, 11 people skipped the question 4.

The responses we did receive are summarised as follows:

- 12 respondents were concerned about the impact on vulnerable individuals with 9 people concerned with access to the internet and computer literacy and, 3 people expressed concerns for the elderly.
- 7 respondents stated that they would wish to receive email notifications as well.
- 3 respondents felt that an opting in/out facility should be given
- 2 respondents expressed concerns about printable documents
- 1 respondent would like to continue receiving notifications by post

Question 5

We are running a number of drop-in sessions at the One Stop Shop over the next few weeks to give people a chance to discuss the proposed changes and how they may impact on people- particularly for those receiving or likely to receive CTR discount. If you are interested in coming along, please select your preferred option below to give us an idea of numbers

- 3 people indicated that they would like to attend
- 17 people stated that they were unable to attend but would like further details. Individuals were provided with the proposal documents and, asked for any comments or queries, should they have any.

Question 6

How did you hear about this consultation?

- 8 people heard about the consultation from the website
- 16 people heard about the consultation by email
- 1 person heard about the consultation from Facebook
- 1 person heard about the consultation on the internet

Full responses

Question 3

*Northampton's scheme for 2014/15 was based on the former Council Tax Benefit Scheme with the exception that all working age claimants could only claim a discount for 85% of the amount they would have received under the old CTB scheme. Keeping the current level of discount on our scheme or increasing the level of support is not sustainable for the Council. The Council feels that it has no alternative but to reduce the amount of discount available under the scheme. When we consulted last year we also stated that for 2015/16 we would need to increase the maximum discount to 36%. People told us that they felt that such a change would probably cause hardship for some people. The Council was also clear however that the scheme must continue to be paid for by the funding available and not through impacting the wider community in Northampton. We are concerned that increasing the amount payable by 36% as suggested last year would cause considerable difficulties for both individuals and the Council in terms of collecting the shortfall in support. We are therefore proposing to reduce the discount available to somewhere between 20% to 25%. A reduction within this range would help the Council to balance the financial position and represent an improvement on the 36% suggested last year. To view background information for our proposals, please [click here](#). Please note that the changes to our scheme will not affect customers who have reached their state pension age and at the same time are not receiving Jobseeker's Allowance, Income Support, Universal Credit or Employment & Support Allowance. To see some examples on how this could affect you, please [click here](#) (2015/16 examples). **Please let us have your views on our proposals in order to help us make a decision***

1. I work 16 hours each week and struggle to pay on time, but I suppose if payment options were more flexible than any discount would be welcome to ease the pressure, no pay increase at work, where do you find the additional money from?
2. Seems much fairer but it should be put in place that when things improve financially for the council funding should be increased again, not just forgotten.
3. More affluent areas/houses could pay more. Stop wasting council tax payer's money
For example: Police commissioner Free school dinner for up to year 2

4. Hello, one thing is not very clear for me. Your example sheet only shows properties from Band A to D. What about higher band properties? We live in a Band F house, not by choice but by default. We are a large family with 9 children and when we needed housing we could not find anything else. (The council could not really help either; we were a few days away from being homeless). In the last minute we found this house where the rent is £1,400 a month, utility bills are very high too and it's in Band F council tax. Needless to say it is really hard to afford, by very strict budgeting we just about manage, however and any cuts would affect us and possibly jeopardize our renting ability.
5. It seems from my experience that people are already significantly struggling to pay their CT bills, particularly those who are on very low incomes. Any increase will simply increase indebtedness causing NBC to need to take recovery action costing more and taking longer than trying to keep bills at a more manageable level. I would urge the council to keep any contribution as low as possible. This coupled with the removal of the spare room subsidy has caused real hardship for people on low incomes. Perhaps any (inevitable?) increase in the amount of CT those on benefits have to pay could be coupled with a policy intention to be more flexible with DHP awards.
6. I'm struggling with paying council tax, my earnings are low, and I'm getting working tax credit. This reduction would help me very much.
7. I urge you not to increase the amount people need to pay. Please keep it at least as it was last year Only review it when you have been able to assess the potential impact on the vulnerable community
8. I am the Debt Services Manager at Community Law Service, and as such have a good deal of knowledge and experience of dealing with clients that are in debt, and usually in receipt of CTR at the current maximum available discount. The problem I see with the proposed changes is simply a case of affordability for the client. We have seen many clients in the current year who are in receipt of benefits such as Income Support, JSA and ESA, who are simply not in a position to be able to afford even the current rate of 15% of their council tax bill. It is regularly the case that they attend our service with not only council tax arrears, but also other priority debts, such as utility arrears or rent arrears. Given the steady increase in the costs of living, which is increasing each year more than the rate of benefit increases, I can only see that increasing the amount of council tax people in receipt of maximum CTR have to pay will only result in further council tax arrears being owed by people not in a position to repay them. The knock on effect of this as I see it will be that you incur further costs in issuing summons for the council tax arrears to obtain a liability order, the end result of which is that you end up either deducting from their income support, JSA or ESA at £3.65 per week, or you send the bailiffs round to visit. The rate of deductions mean that you will be waiting approximately 80 weeks to be paid back a debt of £290 (an estimate of one year's arrears plus summons costs), which means that many people will never be able to get themselves out of council tax arrears. Once deductions are set up this further reduces people's ability to service their essential living expenses, and has the potential to cause further hardship within the borough. The other problem with this change involves bailiffs and their fees under the new legislation. If you obtain a liability order, surely it would be prudent to check if a client is in receipt of full CTR prior to sending their account to bailiffs. If a client is in receipt of full CTR it would usually, although not always, mean they may be in receipt of a benefit you can deduct from. This is by far a better way to recover council tax arrears than getting bailiffs involved, as with the new fees they can charge, people can find their debt literally more than doubles with bailiff costs. If a client is unable to pay their council tax as normal, they will not be able to afford to pay more twice the amount of debt, at the rate that bailiffs demand payments to be made at. I understand that it may be preferable for a bailiff to be able

to remove goods belonging to the client, but you will find that the majority of the time that the sort of clients in receipt of full CTR do not have goods worth enough for the bailiff to remove them. Although I do understand that there are budget constraints and you cannot afford to give further discounts, I would implore you to consider making the minimum possible reduction to the CTR scheme. As it stands, we have seen an increase in the amount of people with council tax arrears this year because of the CTR scheme, and I can only see this increasing further if it is changed to 25% rather than 15%. I would suggest that to increase the maximum available discount to anything lower than 80% is lunacy, as it will simply not be possible for clients to maintain payments given their level of income, or if they do, it will mean in a large amount of cases that they had to forgo other areas of essential expenditure, such as gas/electric or food. Another knock on effect of the changes could well be that more and more clients need to consider insolvency as an option to deal with their debts, which would mean that you are able to recover less council tax anyway. The more priority debts that clients owe, and the pressure they are under to try to pay these debts means that when told of their options to deal with their debt more and more clients will inevitably choose insolvency as a way of dealing with their debts and hopefully having a fresh start. Overall, although I understand the need for the changes you are proposing, I strongly oppose them because of the effect I know they will have on our client group. It is very unfortunate that the funds are not available to support the CTR scheme further, and I genuinely worry about the effect it will have on our clients and the hardship the changes will cause across the borough. If the changes are going ahead, I would implore you to only go 20% rather than 25% - every penny literally does count for clients in receipt of benefits such as income support, ESA and JSA.

9. Personally I am struggling with any amount to pay, so the increase to 20% is going to hit me hard. I believe the severe disabled/chronically sick should be exempt from any payment. I have to contribute towards my care 24 hour care and I don't think this has been taken into consideration enough.
10. I think it's a decent suggestion, but why not use the pot to just bring down the ctax for everyone. More Fairer.
11. I am currently unemployed and am finding it difficult to pay what I am being asked to pay now. At present my bank account is overdrawn each month. I have been suffering from depression and have been on tablets for some time, this decision could make a huge difference to my physical and mental wellbeing.
12. I am blind and have a Care package with the county council which my contribution has increased by £70 per week, I feel that the council needs to realise the number of increases we are facing at the moment and the need to understand the hardship we face. There are other areas of savings that the council can find money from to help disabled people live independently, as the cost of supported accommodation is vastly more expensive. Is the council making enough money from this increase charges to warrant this stress on individuals considering there must be a greater cost in trying to recover this money from people on low and fixed incomes. There is a limit to stress I and others can take. I would suggest that the council consider bigger issues like unitary status to try and save money; there is a lot of duplicated process, like the democratic services.
13. I find it extremely concerning that our Council thinks that people who, through no fault of their own, i.e. sudden disability, already have to survive on benefits can suddenly find extra money to pay even more Council Tax. We, as a couple have paid Council tax and previously Poll Tax and Rates for some 40 years without help and now, when we are not in a position to pay we are being told we have to pay more. We actually

receive a very small amount of help towards our mortgage because of our circumstances and if the Council Tax we have to pay increases any more this will wipe this out and could therefore make us homeless. Perhaps the Council should cut costs by stopping paying the top executives such enormous salaries, with pay offs and golden pensions. It is time even Civil Servants realised that there is no longer such a thing as "a job for life". Perhaps the Council should make the rental Landlords who are benefitting from such high rents cut them so that we do not have to contribute so much to provide housing for people at a price that normal families cannot afford. It is the law of the marketplace that no demand then prices drop, perhaps the Council should be concentrating on stopping people who should be in Social Housing agreeing to pay rent to Private Landlords especially as we have funded this throughout our working life's, and ensure that any rental properties that are supported by housing benefit should be cut - Landlords will eventually realise they can no longer charge the earth for their properties - many of them are now using these properties as Pension Plans - can you blame them it is a much higher return, and I, for one, object to paying for this when I cannot afford to provide a pension for myself. The Council need to look at cutting their expenditure on other things that do not create even more homeless people requiring help.

14. This benefit is of no use to me. I finally started working part time in January and I lost a major amount of benefit I only get £24 a year now. I am a single mum with one income. I live in private accommodation because I'm not entitled to social housing. I was paying £26 per month now I'm paying £75 per month its killing me
15. First of all thank you for letting me know about the proposal, which, by the way is the first time. The thing is as I read the proposal I have noticed that my total allowable discount will go down to between 20% and 25% from the 85% I already receive, and I quote "We are therefore proposing to reduce the discount available to somewhere between 20% to 25%." I am currently paying £11 per month and in the best case scenario i.e. 25% discount I would be paying £44 per month approx. Please tell me that I am mistaken OR re-write your proposals because trust me a 400% rise in my council tax is just a touch above inflation, last year you made a 76% rise which you could not justify so I await your prompt response
16. These changes would have a significant impact on those that we support, as they have very limited income, as the vast majority of those that we support are out of work due to their health. They are struggling to manage now, so with an increase to the amount they are expected to contribute, this will make it difficult for them to cover this as well as their other priority bills.
17. Thank you for the opportunity to take a direct part in the consultation. What I do not understand, as last year, is why you do not simply increase the Council Tax. £66,730 would surely be hardly noticed across all tax payers. It could be argued that 91.5% was reasonable for most people. 75% or 64% is unbelievable when you remember that two years ago, the same people were deemed (BY THE COUNCIL) to be unable to pay any Council Tax at all. Please let me know why you haven't thought about the obvious application of an overall increase and why you think you should tax people you know haven't got the money to spare as opposed to taxing those whom you know actually CAN AFFORD it. Thank you.
18. This proposal scares me as I am aware of what a close balance there is between income and outgoings for me and others in similar situations. I do not understand why the council needs to increase the amount received by residents when previously they were paying full council tax benefit?
19. I am having it very difficult to make ends meet as it is. Income doesn't go up but expenses keeps going higher and higher. It's not just council tax, but every little

commodity in the shops goes up. Furthermore, I find myself in a band d, only because I was told that if I don't take the offer of the housing association, I will have to wait very long for another chance. After having moved in only I came to know that it is a band d. Don't get me wrong because the house is well adapted for my needs but I am concern of where extra money will come from to pay the increase.

20. Money should have been more wisely spent on town improvements e.g. bus station and vehicle access to Abington street rather than decreasing help on council tax payments
21. This is a very Fair proposal
22. Well, we are a large family with 9 children, all of them under 16. I work full time, but making ends meet is really hard going. The council tax reduction scheme is very important for us as it directly helps us being able to pay our rent, which is high as it is. The CT band of our rented house is (band "E") is beyond our control, you simply cannot find a suitable size property in Northampton in a lower band. I do not find it fair that just because I work we would be in worse position than becoming unemployed and receiving JA.
23. It is absurd to expect people like myself on £125 a week JSA to pay council tax
24. I think the new scheme is fairer and should've able to help more people although a slightly reduced rate.
25. to bring back support for those that can't pay for the tax
26. I don't think council tax is the problem it is Housing Benefit. I had to sell my flat due to being made redundant as I only got £80 towards my mortgage interest each month. Ironically my ex next door neighbour was a so called single mum yet the father of her child stopped most nights. She got her full rent of over £500 a month paid even though she had never worked. Once I moved into rented accommodation I got no help with my rent and no JSA as my savings were above £16K. Over time due to paying my rent and bills my savings have dropped below £16K. I now get £350 a month towards my rent. My old mortgage was £210 a month so Government policy has made it much harder for me to find work that pays and ends up costing the council more money. I know people who have said they are homeless and get council flats but never work, also young women are getting pregnant just to jump the housing queues and they never work. The council even give social housing to African and other economic migrants yet I am refused a council flat.
27. I appreciate the help I have received; however I do feel that I have to pay a substantial amount per month when lately my self-employment wage is pretty low, business has been very quiet lately. Before my last re-assessment my monthly council tax payments were quite a bit less which did help me financially with all the utility bills etc. that have to be paid plus all other outgoings and commitments
28. I cannot afford to pay any more towards council tax and feed myself and my young children. An increase is impossible to contemplate
29. Money is being saved by penalising already disadvantaged people. The support should be raised to 90%, with the funding gap plugged by raising overall Council Tax for the whole Borough. The PCC and County both raised their funding requirements by the maximum amount (1.99 %?) last year, why isn't NBC?
30. Once again the council is trying to get blood from a stone. Not only NBC all suppliers and utilities demand their annual increases. What seems to be forgotten is my income fails to keep up. How can a 1% increase in benefit fund the continuing cost of basic living? I agree pressure should be placed on scroungers and lazy beggars and the people who consider benefits to be the alternative to work. When I was a young man

work was essential we were taught to work for the things we wanted. I am unfortunately disabled with complex chronic illness. It's not my fault I cannot work yet like others in my position are tarred with the same brush. I agree the council has to fund the essential services but to reduce genuine hardship I hope you can consider my comments. Please keep increases to a minimum.

31. Agree that is good but what about people who do not have a computer or the more mature people.

Question 4

We are considering the removal of paper notification for CTR decisions during 2015/16, which will continue to improve efficiencies within the service. As an alternative award letters will be made available electronically, and accessed with an on-line Citizen's Account. People will still be able to contact us by phone, email or via the website

1. I believe a simpler format with regards to CTR should be sent out to customers, I have previously received almost a booklet full of information which is not clearly explained until the end, basic information, reward given on one piece of paper should be sufficient with clear terminology.
2. Also an email sent to the customer, giving the same details.
3. Happy with this idea. Should save a tremendous amount of money, only concern is for the elderly or vulnerable who are not computer literate.
4. That's great, I think online is a very good alternative - as long as there is someone to call if really need to.
5. I think many people will simply not access this due to lack of IT skills or internet access. It is a good idea to look at removing paper notification, but this should be made an option as part of the claims process. I also wonder whether an emailed notification is better as this is still provided to the claimant rather than them having to log into their Citizen's Account.
6. This is not a good idea. I think if you were to implement something like this it should be for clients to 'opt-in'. One of the main problems here again is that many clients are either not computer literate, or do not have regular access to the internet or email. Giving an alternative of telephone or website use is also not ideal - website for the reason already given, telephone because our client group regularly do not have enough credit to use mobile phones for lengthy calls, or a landline to be able to use. If you absolutely are going to proceed with this, I think it would be better to send notifications by email, rather than insisting that people have to log into a website to view the decision - how do you propose to inform people their decision is ready to be viewed for instance? Overall I can see this causing people problems, as there will be instances where clients are unable to view their decision letters and therefore do not know how much CTR they have been awarded - if there is a problem with their claim they may not be given the opportunity to address the problem as they cannot access the internet, or do not know how to, meaning they do not get the CTR they are entitled to. From what you have said above, it seems this will only apply to CTR decisions - not the actual council tax demand issued at the start of the year. I hope this is the case, if the council tax demand and any other reminder letters are only issued electronically many people will never receive them, and therefore will not even realise they are in arrears and need to address the situation.
7. Communication by email is fine.
8. I think this will affect the elderly the most and the service should not be removed
9. It would be of more use to me to receive this information through the post.

10. I am fine for paperless billing. But I like to have something I can print off as I need it.
11. There must be access, I am generally for this and have my own access. It would be very difficult if I didn't with Taxi's to get to Internet access, so it would be better if there was more local access as well as in the offices. I agree with the modernisation as long as disabilities are considered.
12. It will not affect me personally but could affect older people or people who are not technology savvy or able to access the internet. There are a lot of other things the Council could cut down on - Councillors' expenses = it should be an honour to be a Councillor not an easy way to make a quick buck or enjoy lunches or dinners. People should serve the community not serve themselves.
13. A change to the notifications regarding CTR would be appreciated, as these are often complex and confusing and can cause those that we support to worry about whether they owe additional money. However, without having paper notifications, it would be very difficult for our customers to be advised about their council tax as most do not have access to the internet, and might, due to their mental health, struggle to access services such as free internet use at Libraries on Fridays. This would therefore limit how effectively you can communicate with our customers.
14. Already in use by me. It seems to have improved in recent years.
15. It won't affect me if I can print the letters myself for my own records.
16. I personally prefer electronic contact but only on some occasions, i didn't receive a response and wondered whether you received my email or not.
17. Not everybody has broadband
18. It will not affect me as I am Online anyway - it should save quite a good amount on Postage
19. Great idea. I find no need for paper copies, as long as the service is easy to use and gives complete information. Emails usually work very well, especially if the subject line has clear indication that the email is about the Council Tax.
20. My phone and broadband were disconnected as I could not afford the bill, everyone should have the right to a letter, offer an "opt out" by all means.
21. Save tree save time save money but you have to think about the People who do not have internet access
22. it would make life easier till I can afford it
23. Should not affect me as long as we get a link sent to our account.
24. I am happy for you to remove the paper notifications and happy to be updated via an email so I can the login to NBC website to view my accounts.
25. Using an electronic system would certainly make the system more workable but what about people with no access to computers?
26. CTR decisions should also be issued via Email
27. I currently receive my notifications via my citizen's account on line. If this saves money it should be rolled out to everyone. Possible exceptions should be considered for those who have to pay but cannot use a computer for whatever reason. It is much easier on line too.
28. I have access to a computer and it means I will always be able to see it. At the moment with it being paper it is liable to get lost.

EQUALITIES:

Of the respondents who completed the equalities questions, relating to gender, age, and disability or ethnic origin.

- 53% of respondents were female, 47% were male.
- In terms of age:
 - 0% were aged under 20
 - 5.56% were aged 20-29
 - 50% were aged 30-49
 - 33.3% were aged 50-64
 - 8.33% were aged 65-74
 - 0% were aged over 75
- 36.11% of respondents stated they considered themselves to have a disability.

Equality Impact Assessment

Council Tax Reduction Scheme (CTRS)

This assessment looks at actual or possible impacts of a change to our scheme in relation to equalities and human rights – to make sure it works fairly for people.

The first part of this form is to demonstrate the extent (or 'scope') of what this assessment covers:

Name of policy/activity/project/practice	This is:
Council Tax Reduction Scheme	A change to existing policy/activity/practice

Screening undertaken by: (please complete as appropriate)	
Director or Head of Service	Robin Bates (LGSS)
Lead Officer for developing the policy/activity/practice	Robin Bates (LGSS)
Other people involved in the screening (this may be people who work for NBC or a related service or people outside NBC)	Revenues & Benefits Management Team (LGSS) Finance

Brief description of policy/activity/project/practice:

Northampton Borough Council is proposing an amendment to the Council Tax Reduction Scheme (CTRS) from the 1st April 2015. If agreed, the amendment will see the amount of financial support available for all working-age applicants decrease.

The current CTR scheme reduces the support for all working age customers by 15% to ensure an approximate 10% funding gap is bridged. The funding gap stems from a reduction in the grant received from central Government to pay for the scheme.

Due to the ongoing funding gap a further reduction in the amount of support available to working age customers is being considered.

The scheme still provides for a means-tested discount to provide financial support to low income families towards their Council Tax bill.

The main issues that we have to consider in relation to the proposed changes to this policy in relation to equality and diversity issues are:

Northampton Borough Council has a statutory duty to have and administer a CTR scheme, although once in place there is no statutory requirement to amend the scheme.

The requirement to amend our scheme stems from the need to bridge a funding gap, to achieve a saving while managing spending within lower limits.

If the proposed change to our CTR scheme is agreed it will mean that all working age CTR recipients will see the amount of discount they receive from the scheme reduce from the 1st April 2015.

Groups who are protected from the proposed change are:

- 1) Pension age recipients
- 2) Working age recipients in receipt of either of the following:
 - a. War Widows Pension
 - b. War Disablement Pension

The protection afforded to pensioners is a statutory requirement and we have no authority at a local level to change this. However, the decision to protect working age customers in receipt of the benefits listed above was a local decision made for the implementation of our CTR scheme from the 1st April 2013.

All decisions made in relation to the assessment of their applications will be subject to an independent appeals process.

Evidence Base for Screening

The table below summarises the information or evidence that we have used in relation to each equality group.




Equality Group	<p>The following relates to each of the groups listed on the left:</p> <ul style="list-style-type: none"> • CLG Localising Council Tax Equality Impact Assessment and update • Northampton Council tax database • Council Tax Benefit database • EIA's from other NBC departments that are relevant for this assessment. • Consultation responses • Unemployment by Constituency Research Paper (October 2013) • Local Government Association Report – The Local Impacts of Welfare Reform (August 2013) • Public Health England - Health Profile 2013 • Minutes for the local forums attended.
Age	
Disability	
Carers (for elderly, disabled or minors)	
Sex	
Gender Reassignment	
Pregnancy and Maternity (incl. breastfeeding)	
Race	
Religion or Belief	
Sexual Orientation	
Human Rights	
Marriage and Civil Partnership	

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NB: Currently the Benefit data available only includes details of age, gender, receipt of disability award/benefit and relevant household composition.

Step 2: Involvement and Consultation

Outlined below is the previous consultation exercise that was conducted in relation to this policy in 2013:

Equality Group	<p>A similar consultation was carried out in 2013, as part of the implementation of our year 1 CTR scheme.</p> <p>The links below show the previous consultation methodology, results and EIA</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  CTRSII Consultation results 2013.docx </div> <div style="text-align: center;">  CTRSII EIA 2013 .doc </div> <div style="text-align: center;">  CTRSII - Specific Protection) (v3).doc </div> </div>
Age	
Disability	
Carers (for elderly, disabled or minors)	
Sex	
Gender Reassignment	
Pregnancy and Maternity (incl. breastfeeding)	
Race	
Religion or Belief	
Sexual Orientation	
Human Rights	
Marriage and Civil Partnership	

Our previous consultations demonstrated the following in terms of resulting activities or services:

Our CTR scheme is a statutory service and is available for all residents of Northampton who wish to apply. Take up of the service is governed by a number of personal circumstances e.g. breakdown of a partnership or job loss and often goes hand-in-hand with applications for Housing Benefit made directly to the Jobcentre or Pension Service.

Our scheme is published on the Northampton Borough Council website with an on-line application form.

Step 3: Data Collection and Evidence

The current data and evidence that we hold provides the following baseline position for those who rely on the Council Tax Reduction scheme:

A full consultation has been carried out and ran from the 13th October 2014 to the 9th November 2014.

The consultation included the following:

- On-line survey
- News release
- Social media (Facebook, Twitter, etc.)
- Northampton Borough Council's internet and intranet pages
- All e-mail communication from the Benefit, Council Tax and Customer Services mailboxes included an invitation link to take-part in the consultation
- Display screens in the One Stop Shop
- Details of the consultation was emailed to the Multi Agency Forum and our welfare partners, including registered social landlords
- Invitations to participate was sent to key stakeholders, including Precepting Authorities, parishes, local Councilors and Members of Parliament
- Engagement with housing associations and voluntary and community sectors via their various networks
- 2,400 email invitations was issued to email addresses held on the Benefit and Council Tax database

For full details on the methodology used and the results of the consultation please refer to: Cabinet Report (Appendix B – Consultation).

Data available in addition to our consultation results shows that many claimants will also be managing the impact of other welfare reforms e.g.

- Social sector size criteria reductions to Housing Benefit
- Replacement of Disability Living Allowance with Personal Independence Payments
- National benefit cap
- Increased non-dependent deduction rates
- Reduced uprating percentage for benefits and tax credits.
- National roll out of Universal Credit

- Potential freeze on benefit rates for the working Age Group (excluding disability benefits)

Implementing a change to the CTR scheme which will result in increased financial hardship (in addition to the other welfare reforms stated above) could also impact on health. In Northampton deprivation is higher than the national average with about 8,500 children living in poverty. In addition life expectancy is 8 years lower for men and 5 years lower for women in the most deprived areas of Northampton.

Step 4: Assessing impact and strengthening the policy

The following table highlights what evidence we have on how the proposed changes will affect different groups and communities in relation to equality and human rights:

All working age claimants will face a reduction in the amount of Council Tax support they receive from the 1st April 2015, irrespective of any protected characteristics:

Equality Group	Risks (Negative)	Opportunities (Positive)
Age	<p>The impact of this policy will disproportionately affect working age people. In addition, there may be an adverse effect on those under 25 as they receive reduced amounts of benefit based on their age.</p> <p>Children of low income families may also be adversely affected if their parent(s) have to find additional money to cover a reduced CTR discount.</p> <p>Specific Consultation Responses:</p> <p>There were no specific consultation responses regarding this protected characteristic.</p> <p>Regarding Question 4 where we are considering removal of paper notifications for CTR, 3 people expressed concerns that the elderly will not be able to access the electronic system.</p>	<p>The Government has recognised that low-income pensioners cannot be expected to increase their income through paid work and therefore are to be protected from any reduction in their entitlements.</p> <p>Our CTR scheme will continue to provide a more generous means-test for those with dependent children or young persons.</p> <p>Measures will be in place to ensure that those unable to access the internet or, with limited capability will still receive notifications.</p>

Disability	<p>The impact of this policy will affect all working age customers, even those where either they or a member of their household have a disability.</p> <p>It will place an additional strain on their finances. This will be further impacted as the increased reduction is not linked to the increase of benefit rates.</p> <p>Specific Consultation Responses:</p> <p>A respondent who is disabled stated that he is currently struggling to pay so; an increase to 20% will have a significant impact on him. He feels that consideration has not been given to the fact that he pays for 24hr care and believes that the severely disabled should be exempt from paying anything.</p> <p>A respondent who is unemployed and suffering with depression has stated that the decision could have a huge impact on his physical and mental wellbeing.</p> <p>Another respondent who is blind stated he has had to find an additional £70 per week towards his care package this year and that all of these other increases that disabled people are faced with should be considered.</p> <p>A respondent believes that the proposal will penalise those that are already disadvantaged.</p> <p>A respondent who is disabled has asked that increases are kept to a minimum as the incoming benefits do not increase enough to cover all increases in all household expenses.</p>	<p>Working age customers who are in receipt of War Disablement or Widows Pension will be protected from this change.</p> <p>Our CTR scheme will continue to provide a more generous means-test for those receiving Disability Living Allowance or Personal Independence Payments.</p>
Carers (for elderly, disabled or minors)	<p>The impact of this policy will mean that all working age carers are affected regardless of who they are caring for.</p> <p>Specific Consultation Responses:</p>	<p>The means-test also allows for a higher applicable amount and an increased earnings disregard for carers.</p>

	There were no specific consultation responses regarding this protected characteristic.	
Sex	None identified so far through this review. Specific Consultation Responses: There were no specific consultation responses regarding this protected characteristic.	None identified so far through this review
Gender Reassignment	None identified so far through this review. Specific Consultation Responses: There were no specific consultation responses regarding this protected characteristic.	None identified so far through this review
Pregnancy and Maternity (incl. breastfeeding)	None identified so far through this review. Specific Consultation Responses: There were no specific consultation responses regarding this protected characteristic.	None identified so far through this review
Race	It is not intended that this policy will disproportionately affect any particular ethnicity. Consideration should be given to how the scheme is communicated in relation to potential language barriers. Specific Consultation Responses: There were no specific consultation responses regarding this protected characteristic.	We manage the current CTR & Housing Benefit schemes and are used to working with customer's whose first language is not English. We often work with the Language Line to help support these customers.

Religion or Belief	<p>None identified so far through this review.</p> <p>Specific Consultation Responses:</p> <p>There were no specific consultation responses regarding this protected characteristic.</p>	None identified so far through this review
Sexual Orientation	<p>None identified so far through this review.</p> <p>Specific Consultation Responses:</p> <p>There were no specific consultation responses regarding this protected characteristic.</p>	None identified so far through this review
Human Rights	<p>None identified so far through this review and Northampton Borough Council has not been subject to any Judicial Reviews for our current scheme.</p> <p>Specific Consultation Responses:</p> <p>There were no specific consultation responses regarding this protected characteristic.</p>	None identified so far through this review
Marriage and Civil Partnership	<p>This may impact on lone parent households, where there is only one parent able to secure work which can also be hampered by child care concerns.</p> <p>Specific Consultation Responses:</p> <p>There were no specific consultation responses regarding this protected characteristic.</p>	The means-test process for the discount allows for increased earnings disregards for lone parents. In addition, the means-test also includes disregards for child care costs.

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All responses to the consultation are included as an appendix to the document entitled Cabinet Report (Appendix B – Consultation)

Proportionality

The scale and likelihood of these risks and opportunities are shown below:

Based on Northampton Borough Council's caseload data from November 2014 we have 17,497 applicants in receipt of a CTRS discount. Of these 6,675 are of pension age and are protected from these proposed changes.

This leaves 10,822 CTRS recipients who will be impacted and if the proposed changes are adopted will receive less financial support as of 1st April 2015 than they are currently receiving under the scheme this year. This equates to 62% of our caseload.

Data in relation to Jobseekers Allowance across Northampton for October 2014 does show a fall in claimants when compared to the previous year. There will be many reasons why the number of jobseekers has fallen e.g. the claimants have moved into work. However, this alone does not indicate a downward trend in CTRS applicants, especially if those Jobseekers move into low paid work and still require some level of financial support through the CTR scheme.

Many claimants will also be managing the impact of other welfare reforms e.g.

- Social sector size criteria reductions to Housing Benefit
- Replacement of Disability Living Allowance with Personal Independence Payments
- National benefit cap
- Increased non-dependent deduction rates
- Reduced uprating percentage for benefits and tax credits.
- National roll out of Universal Credit
- Potential freeze on benefit rates for the working Age Group (excluding disability benefits)

What measures does, or could, the policy include helping promote equality of opportunity?

As a means-tested discount the policy would be applied equally to all applicants.

What measures does, or could, the policy include addressing existing patterns of discrimination, harassment or disproportionality?

There is a statutory requirement to ensure that all pensioners are protected from these changes, the result is that the proposed reductions will affect all working age customers.

What impact will the policy have on promoting good relations and wider community cohesion?

This is not within the remit of the policy, which is aimed at ensuring a balanced budget to prevent the impact on other vital local services.

If the policy is likely to have a negative effect ('adverse impact'), what are the reasons for this?

The policy will have a negative impact on those in Northampton who are working age and on low incomes. The reason for this is that the proposed change will reduce the amount of financial support they receive which could adversely affect their ability to afford their household expenses. It could also lead to decisions over which necessities may need to be sacrificed e.g. the choice between food or heating.

What practical changes will help reduce any adverse impact on particular groups?

Please see table above and Step 6 below

Have you considered including treating disabled people more favourably where necessary?

Yes – Cabinet Report (Appendix A – Specific Protection)

What evidence is there that actions to address any negative effects on one area of equality may affect other areas of equality or human rights?

The means-test element of our CTR scheme is largely based on the legislation for the previous CTB scheme, from which there were no outstanding legal challenges.

What will be done to improve access to, and take-up of, services or understandings of the policy?

- All information about the scheme, including an electronic application form will be published on our website, along with other national websites.
- We provide a range of methods by which the service can be accessed:
 - On-Line
 - By telephone
 - In person at the One Stop Shop
 - Home visits
 - Use of Language Line and interpreters.
- The service is also promoted by the Jobcentre and the Pension Service along with a wide range of other welfare partners.
- Training and briefing sessions will be arranged for all affected internal staff, plus external welfare partners to ensure everyone is aware of the scheme and the changes.

Step 5: Procurement and partnerships

Consideration of external contractor obligations and partnership working:

Northampton Borough Council has a statutory requirement to operate a local CTR scheme. The scheme is currently being administered under a 'shared service agreement' by LGSS on behalf of Northampton Borough Council.

The Revenues & Benefits team that provides this service for LGSS on behalf of Northampton Borough Council are the same team that administers the current CTR scheme. The team is also responsible for the administration of both Council Tax and Housing Benefit.

The wealth of knowledge and experience within the Revenues & Benefits team, along with a strong focus on performance management ensures that there are no concerns stemming from this arrangement.

Step 6- Making a Decision

Our findings in relation to whether the policy will meet the council's responsibilities in relation to equality and human rights are summarised below:

We have identified the potential for these proposed changes to have an adverse impact on some groups with protected characteristics.

As this change will impact all working age customers there may be a disproportionate impact on groups with the following protected characteristics:

- Working age customers, including those with dependent children.
- Customers where either they or a member of their household is disabled.
- Carers
- Lone parents
- Families or lone parents where income is reduced to Statutory Maternity Pay or Maternity Allowance

However, our CTR scheme will continue to operate as a means-tested discount, which will take into consideration applicants on a low income. In addition, the means-test is still more generous for applicants where there is a disabled household member, for those with dependent children or are carers.

This is detailed in Cabinet Report (Appendix A – Specific Protection)

We have also developed a new recovery approach for customers in receipt of a CTR discount who also have Council Tax arrears:

- Recovery action commences after three months of arrears as opposed to two months for non CTR recipients.
- Small debts may not be summonsed, which means court costs are not added. These debts are reviewed regularly and will continue to be reviewed in-line with the impact if the proposed changes are implemented.
- Prior to a summons being sought for debts over £82.40 the account is passed to our Recovery Team to attempt to make contact by phone. The purpose of the call is to explain the changes from CTB to CTR then discuss the outstanding balance and then make an arrangement with the customer to pay.
- If we are unable to contact the customer by phone a voicemail message is left and an additional letter issued asking the customer to contact us.
- In the event that the debt still needs to be passed for Enforcement Agent recovery these are sent as a specialist welfare case, so that a more lenient approach is taken.
- We also have a write off policy so we can consider exceptional requests of hardship.

Other Considerations:

- Creation of a hardship fund to be administered on a discretionary basis.
- Creation of other protected groups e.g.
 - Those receiving Employment & Support Allowance with the Support Component,
 - Those receiving Disability Living Allowance with the care component at the highest rate.
 - Personal Independence Payments with the daily care element at the highest rate.

Step 7 – Monitoring, evaluating and reviewing

How will you monitor the impact and effectiveness of the policy or activity?

How will the recommendations of this assessment be built into wider planning and review processes?

The proposed changes to our CTR scheme, and their impact on groups with protected characteristics, will be monitored, evaluating and reviewed through a number of mechanisms:

1) Impact on the Council Tax collection rate:

The collection rate of Council Tax is monitored regularly and provides an accurate figure of the amount of Council Tax collected as a percentage of the total tax expected to be collected. This data is reviewed and discussed monthly, with comparisons drawn to previous years – this allows any changes in the collection rate can be identified. This will provide a broad view of how people are responding to the repayment of an increased amount of Council Tax.

2) Review of Council Tax recovery action:

A review of Council Tax recovery action in relation to customers receiving a CTR discount will also provide an overview of the impact this change may have.

3) Monitoring Debt Levels:

In 2013/14 customers with ‘small debts’ (those under £82.40) were not subject to any further recovery action. However, there was an accumulative effect from arrears in 2014/15, which sees these debts becoming subject to a liability order. These debts will be ring-fenced and processed separately to ensure we provide additional support prior to issuing a summons.

4) Feedback from other partners:

Liaison with our financial inclusion, housing and customer service teams will provide evidence on specific issues encountered by those impacted by any change to CTR. Further liaison will allow take place with Community Law Service and the Citizens Advice Bureau.

Step 8 –Action Plan

Actions	Target date	Responsible post holder	Monitoring post holder
Publish EIA	December 2014	Robin Bates	Kirsty Tomlinson
Liaison with Northampton Borough Council's financial inclusion service to establish what scope they have to support affected customers who require advice and budgeting support.	December 2014	Robin Bates	Kirsty Tomlinson
Consider communication to working age CTR recipients prior to annual billing to promote Northampton Borough Council's financial inclusion service.	December 2014	Robin Bates	Kirsty Tomlinson
External review - Consider the creation of a cross department register, where staff can log issues raised by the public which have stemmed from any change to CTR.	January 2014	Robin Bates	Kirsty Tomlinson
Review the Council Tax recovery process for those receiving CTR	January 2014	Robin Bates	Kirsty Tomlinson
Offer training and/or support to other services (both internal/external) so they are aware of changes to CTR and the impact on their clients.	February 2014	Robin Bates	Kirsty Tomlinson
Full training to be provided to all Revenues & Benefits staff so they are aware of the changes and can ensure customers can be sign-posted to Northampton Borough Council's financial inclusion service.	February 2014	Robin Bates	Kirsty Tomlinson
Internal Review by reporting and analysing the public response to annual billing.	March 2014	Robin Bates	Kirsty Tomlinson
Review of CTR Year 2 project as a 'lessons-learned' exercise to identify other potential avenues to increase response to any future CTR consultations – particularly areas that focus on groups with protected characteristics.	April 2014	Robin Bates	Kirsty Tomlinson
Review the impact of summons action on accumulated date from 2013/14	July 2014	Robin Bates	Kirsty Tomlinson

For the record

The equality impact assessment should be signed off at Head of Service level before publication. Signing off means that the Head of Service will need to satisfy themselves that:

- **You have consulted and involved stakeholders from each group**
- **You have gathered all relevant evidence**
- **You have an action plan**

Date of sign off by Head of Service:

Name of Head of Service signing off this EIA:

Equality Duties to be taken into account include:

Prohibited Conduct under the Equality Act 2010 including:

Direct discrimination (including by association and perception e.g. carers); Indirect discrimination; Pregnancy and maternity discrimination; Harassment; discrimination arising from disability.

Public Sector Duties (Section 149) of the Equality Act 2010 for NBC and services provided on its behalf:

NBC and services providing public functions must in providing services have due regard to the need to: **eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups.** 'Positive action' permits proportionate action to overcome disadvantage, meet needs and tackle under-representation.

Rights apply to people in terms of their "Protected Characteristics":

Age; Gender; Gender Assignment; Sexual Orientation; Disability; Race; Religion and Belief; Pregnancy; Maternity. But Marriage and Civil Partnership do not apply to the public sector duties.

Duty to "advance equality of opportunity":

The need, when reviewing, planning or providing services/policies/practices to assess the impacts of services on people in relation to their 'protected characteristics', take steps to remove/minimise any negative impacts identified and help everyone to participate in our services and public life. **Equality Impact Assessments** remain best practice to be used. Sometimes **people have particular needs** e.g. due to gender, race, faith or disability that need to be addressed, not ignored. NBC must have due regard to the **duty to make reasonable adjustments** for people with disabilities. NBC must **encourage people who share a protected characteristic to participate in public life** or any other activity in which their participation is too low.

Duty to 'foster good relations between people'

This means having due regard to the need to **tackle prejudice** (e.g. where people are picked on or stereotyped by customers or colleagues because of their ethnicity, disability, sexual orientation, etc.) and **promote understanding**.

Lawful Exceptions to general rules: can happen where action is proportionate to achieve a legitimate aim and not otherwise prohibited by anything under the Equality Act 2010. There are some special situations (see Ch 12 and 13 of the Equality Act 2010 Statutory Code of Practice – Services, Public Functions and Associations).

National Adult Autism Strategy (Autism Act 2009; statutory guidelines)

Human Rights – under the Human Rights Act 1998 which gives effect to the European convention: right not to be subjected to degrading treatment; right to a fair trial (**civil and criminal issues**); right to privacy (**subject to certain**

exceptions e.g. national security/public safety, or certain other specific situations); freedom of conscience (including religion and belief and rights to manifest these limited only by law and as necessary for public safety, public order, protection of rights of others and other specified situations); freedom of expression; freedom of peaceful assembly and to join trade unions; right not to be subject to unlawful discrimination; right to peaceful enjoyment of own possessions (subject to certain exceptions e.g. to secure payment of taxes or other contributions or penalties); right to an education; right to hold free elections by secret ballot. The European Convention is given effect in UK law by the Human Rights Act 1998.

<p>Appendices</p> <p>1</p>



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL
19 JANUARY 2015

Agenda Status: Public

Directorate: LGSS

Report Title	TREASURY MANAGEMENT MID YEAR REPORT 2014-15
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1. Purpose

1.1 The purpose of the report is to provide a mid-year update on the Treasury Management Strategy 2014-15, approved by Council in February 2014.

2. Recommendations

2.1 That Council note the treasury management activities and performance for the period 1 April to 30 November 2014.

3. Issues and Choices

3.1 Report Background

3.1.1 See Cabinet report attached

4. Implications (including financial implications)

4.1 Policy

4.1.1 See Cabinet report attached

4.2 Resources and Risk

4.2.1 See Cabinet report attached

4.3 Legal

4.3.1 See Cabinet report attached

4.4 Equality

4.4.1 See Cabinet report attached

4.5 Other Implications

4.5.1 See Cabinet report attached

5. Background Papers

5.1 None

Bev Dixon, Finance Manager (Treasury) - LGSS), 01604 363719



CABINET REPORT

Report Title	TREASURY MANAGEMENT MID YEAR REPORT 2014-15
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	14 January 2015
Key Decision:	NO
Within Policy:	YES
Policy Document:	NO
Directorate:	LGSS
Accountable Cabinet Member:	Alan Bottwood
Ward(s)	Not Applicable

1. Purpose

1.1 To provide a mid-year update on the Treasury Management Strategy 2014-15, approved by Council in February 2014.

2. Recommendations

2.1 Cabinet is recommended to:

- a) Note the Treasury Management Mid-Year Report 2014-15
- b) Recommend the report to full Council

3. Issues and Choices

Report Background

3.1 Treasury Management is governed by the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management (the Code). The Code has been developed to meet the needs of Local Authorities and its recommendations provide a basis to form clear treasury management objectives and to structure and maintain sound

treasury management policies and practices.

3.1.1 The Council has adopted the CIPFA Code of Practice on Treasury Management in the Public Services: Code of Practice and Cross Sectoral Guidance Notes (“the Treasury Management Code of Practice”).

3.1.2 The Treasury Management Code of Practice and the associated guidance notes for local authorities include recommendations on reporting requirements, including the requirement for an annual mid year report on treasury activities.

3.1.3 Unless otherwise stated the figures and commentary in the report cover the period from 1 April 2014 to 30 November 2014.

3.2 Issues and Choices

Summary of Key Headlines

3.2.1 The main highlights for the mid-year report are:

- The average rate of investments to the end of November was 0.64%, which is 0.29% above the average 7 day Libid of 0.35%.
- The debt financing budget is currently reporting an underspend of £475k
- Compliance with agreed policies and practices has been monitored during the year to date. There have been no reported breaches.

Economic Environment and Interest Rates

3.2.2 A detailed economic commentary is provided in Appendix 1. This information has been provided by Capita Asset Services (CAS), the Council’s treasury management advisors.

3.2.3 The key UK headlines from this analysis are:

- Market interest rate expectations have fallen with the general consensus now being for a Q2 2015 rise in UK Bank Rate at the earliest.
- The UK economy has delivered 3% growth (for the year ending September 2014)
- Currently CPI stands at 1% but is expected to fall further, at least in the near term, endorsing the market’s view that interest rates will not rise until later next year.
- Average earnings have picked up to 1.8% and unemployment stands at 6%.

Summary Portfolio Position

3.2.4 A snapshot of the Council's debt and investment position is shown in the table below. The figures exclude borrowing to fund loans to third parties, Growing Places Fund (GPF) loans to be repaid from business rates retention (see paragraph 3.2.8 below), and finance leases.

	TMSS Forecast for March 2015 (As agreed by Council Feb 2014)		Actual as at 31 March 2014		Actual as at 30 November 2014		Revised Forecast to March 2015	
	£m	Average Rate %	£m	Average Rate %	£m	Average Rate %	£m	Average Rate %
Long term borrowing								
PWLB	211		190		190		190	
Market	9		9		9		9	
Other	1		1		1		1	
Total long term	221	3.56	200	3.33	200	3.33	200	3.33
Short term borrowing	-	-	16	6.03	16	6.03	-	-
Total borrowing	221	3.56	216	3.53	216	3.53	200	3.33
Investments	35	0.5	73	0.8	87	0.6	65	0.6
Total Net Debt / Borrowing	186	-	143	-	129	-	135	-

3.2.5 Further analysis of borrowing and investments is covered in the following two sections.

Borrowing

3.2.6 The Council can take out loans in order to fund spending for its Capital Programme. The amount of new borrowing needed each year is determined by capital expenditure plans and projections of the Capital Financing Requirement, forecast reserves and current and projected economic conditions.

New loans and repayment of loans

3.2.7 The table below shows the details of new PWLB loans raised during the period to finance loans to Northampton Town Football Club (NTFC), under loan agreements, to support local economic development

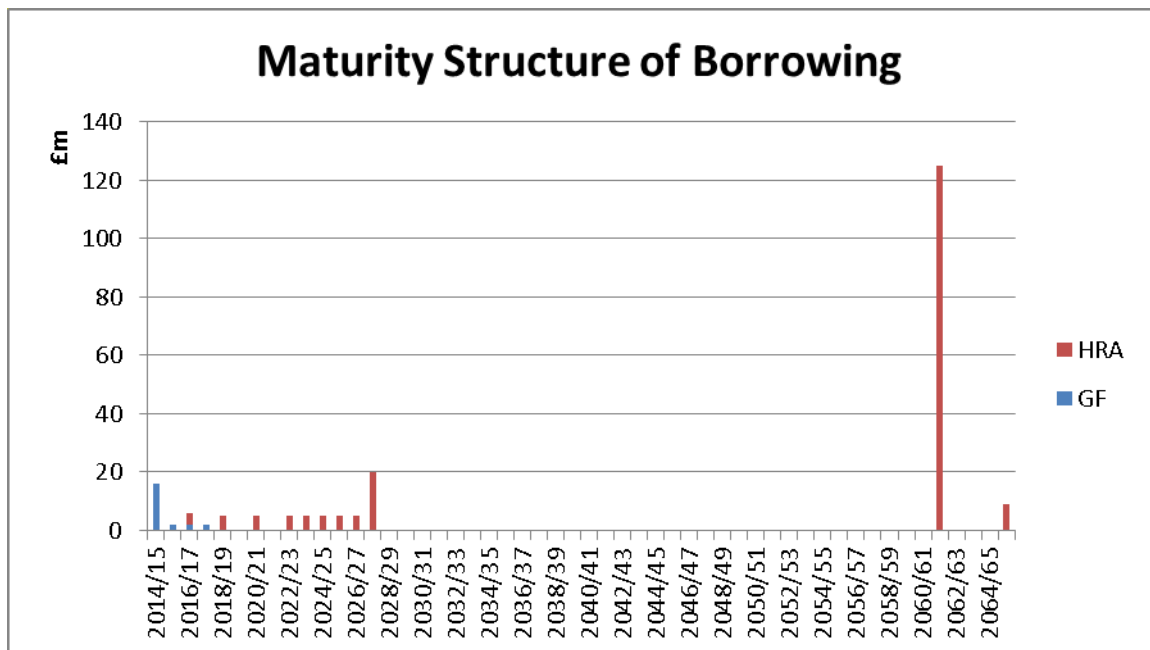
Lender	Raised / Repaid	Loan Type	Start Date	Maturity Date	Years	£m	Interest Rate %
PWLB	Raised	Fixed Rate Maturity	17-Apr-14	17-Apr-19	5	1.5	2.54
PWLB	Raised	Fixed Rate Maturity	12-May-14	12-May-19	5	1.5	2.68
PWLB	Raised	Fixed Rate Annuity	22-Jul-14	22-Jul-39	25	1.25	3.82
PWLB	Raised	Fixed Rate Maturity	19-Aug-14	19-Aug-19	5	1.50	2.58

3.2.8 In addition to the PWLB borrowing above, two loan drawdowns, totalling £3.5m, have been taken from the Growing Places Fund (GPF). This is a form of government funding, supporting capital expenditure in the Enterprise Zone. Loan repayments will be financed from business rate retention.

3.2.9 Repayments of loan principal under annuity and EIP (Equal Instalment Payments) loan arrangements have totalled £134k in the year to date.

Maturity profile of borrowing

3.2.10 The following graph shows the maturity profile of the Council's mainstream loans (excluding borrowing for third party loans, and GPF Loans to be repaid from business rates retention), split by HRA and GF. All the loans are at a fixed interest rate, which limits the Council's exposure to interest rate fluctuations. The weighted average years to maturity of the portfolio is 32.4 years (GF 0.1 years; HRA 32.3 years).



The maturity structure presented above differs from that in the treasury indicators in Appendix 2 in that LOBO loans are included at their final maturity rather than their next call date. In the current low interest rate environment the likelihood of the interest rates on these loans being raised and the loans requiring repayment at the break period is extremely low

Loan restructuring

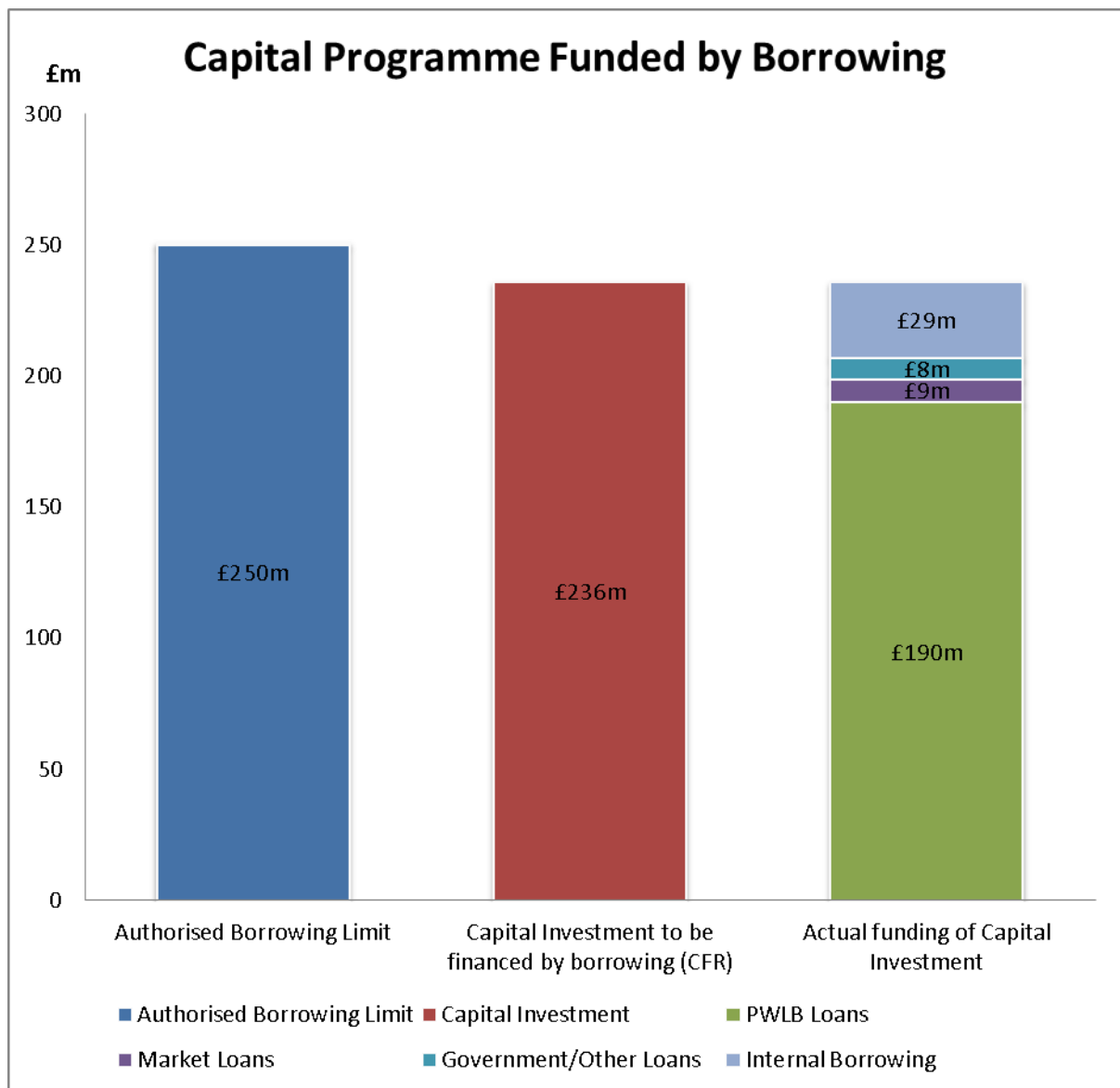
When market conditions are favourable long term loans can be restructured to generate cash savings, reduce the average interest rate and/or enhance the balance of the portfolio by amending the maturity profile and/or the level of volatility. (Volatility is determined by the fixed/variable interest rate mix.)

- 3.2.11 During the first eight months of 2014-15 there were no opportunities for the Council to restructure its borrowing, due to the position of the Council's borrowing portfolio compared to market conditions. Further debt rescheduling will be considered subject to conditions being favourable but it is unlikely that opportunities will present themselves during this year. The position will be kept under review, and when opportunities for savings do arise, debt rescheduling will be undertaken to meet business needs.

Funding the Capital Programme

- 3.2.12 The Treasury Management Strategy Statement (TMSS) sets out the plan for treasury management activities over the next year. It identifies where the authority expects to be in terms of borrowing and investment levels. When the 2014-15 TMSS was set, it was anticipated that the Capital Financing Requirement (CFR), the Council's liability for financing the agreed Capital Programme, at year end, excluding third party loans, would be £229m. This figure is naturally subject to change as a result of changes to the approved capital programme and the optimisation of financing.

3.2.13 The graph below compares the maximum the Council could borrow in 2014-15 (the affordable borrowing limit) with the forecast CFR at 31 March 2015 and forecast of how this will be financed. The figures exclude borrowing for third party loans



3.2.14 The graph shows the Council's current capital investment funded by borrowing is £14m below the Authorised Borrowing Limit set for the Council at the start of the year.

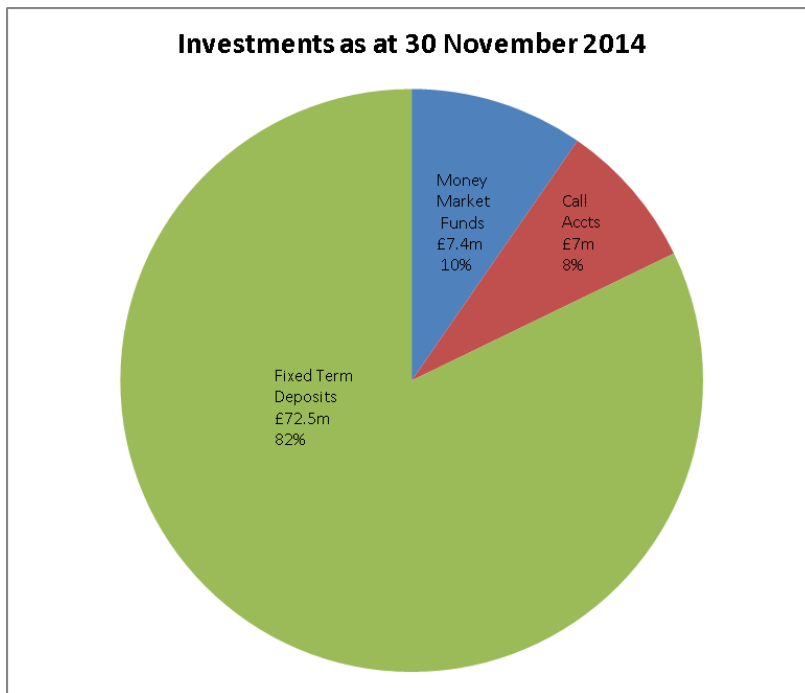
3.2.15 In addition, the graph shows how the Council is currently funding its borrowing requirement. As at 30 November the Council was forecast to be using £29m of internal borrowing by the end of the year, to finance capital investment. Internal borrowing is the use of the Council's surplus cash to finance the borrowing liability instead of borrowing externally.

Investments

3.2.16 Investment activity is carried out within the Council's counterparty policies and criteria, and with a clear strategy of risk management in line with the

Council's treasury strategy for 2014-15. This ensures that the principle of considering security, liquidity and yield, in that order (SLY), is consistently applied. The Council will therefore aim to achieve the optimum return on investments commensurate with proper levels of security and liquidity. Any variations to agreed policies and practices are reported to Cabinet and Council.

- 3.2.17 The strategy currently employed by the Council of internal borrowing also has the effect of limiting the Council's investment exposure to the financial markets, thereby reducing credit risk.
- 3.2.18 As at 30 November the level of investments totalled £86.9m. The level of cash available for investment is as a result of reserves, balances and working capital the Council holds. These funds can be invested in money market deposits, placed in funds or used to reduce external borrowings.
- 3.2.19 All investments are made according to the requirements of the Council's Investment Strategy and agreed credit worthiness criteria. A breakdown of investments by type (Fixed Term, Money Market Funds, Call Accounts) are shown in the pie chart below.



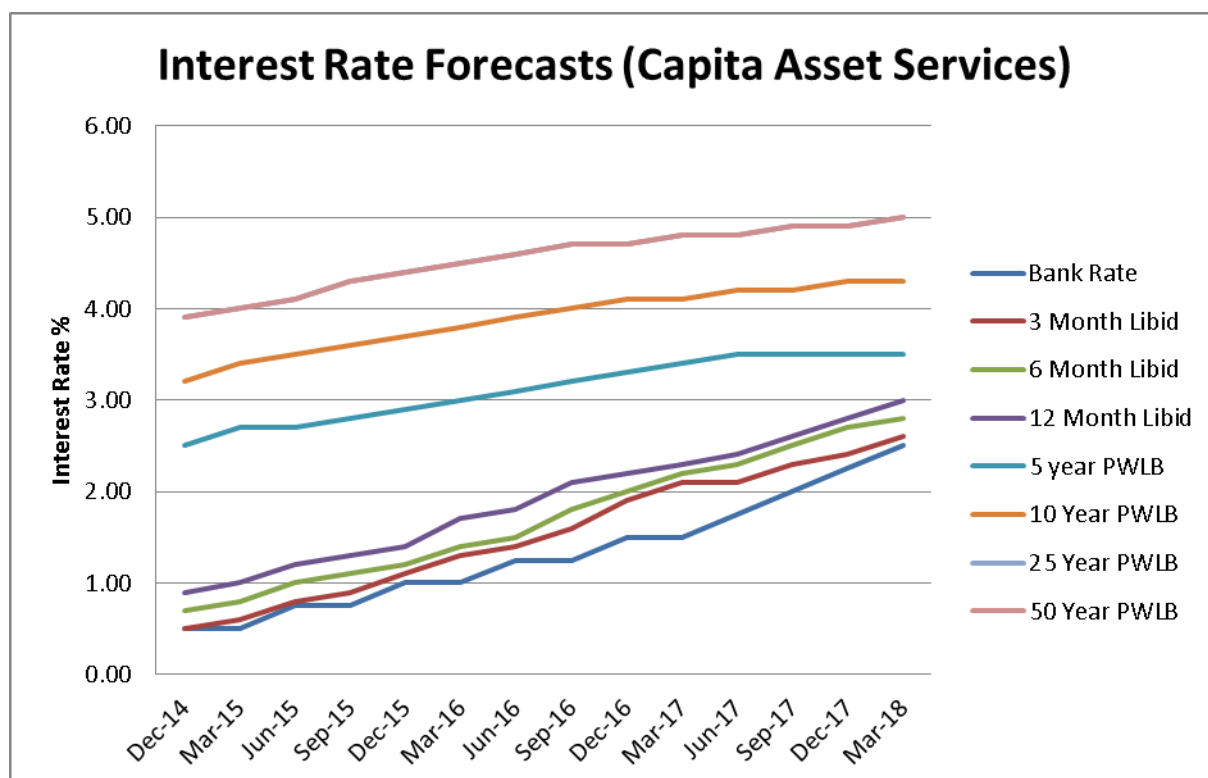
- 3.2.20 The table below compares the investment returns achieved over the eight month period with 7 day Libid rate, which is used to benchmark performance.

Investment Returns			
	7 day Libid	Average rate	Uplift to 7 day Libid Rate
	%	%	%
Apr-14	0.34	0.61	0.27
May-14	0.34	0.61	0.27
Jun-14	0.35	0.63	0.28
Jul-14	0.35	0.64	0.29
Aug-14	0.35	0.64	0.29
Sep-14	0.36	0.66	0.30
Oct-14	0.36	0.67	0.31
Nov-14	0.35	0.67	0.32
Average to end of November	0.35	0.64	0.29

- 3.2.21 From the table, it can be seen that average rate of investments over the period was 0.64%, which is 0.29% above the average 7 day Libid of 0.35%.
- 3.2.22 Where appropriate, investments have been locked out for periods of up to one year with suitable counterparties, including the UK part nationalised banks, at higher rates of interest. In a rising interest rate environment it is appropriate to keep investments fairly short in duration so as to take advantage of interest rate rises as soon as they occur. The weighted average time to maturity of investments at 30 November is 109 days.
- 3.2.23 Leaving market conditions to one side, the Council's return on investment is influenced by a number of factors, the largest contributors being the duration of investments and the credit quality of the institution or instrument. Credit risk is a measure of the likelihood of default and is controlled through the creditworthiness policy approved by Council. The duration of an investment introduces liquidity risk; the risk that funds can't be accessed when required, and interest rate risk; the risk that arises from fluctuating market interest rates. These factors and associated risks are actively managed by the LGSS Treasury team together with the Council's Treasury Advisors.

Outlook

3.2.24 The graph below shows interest rate forecasts for the period to March 2018.



3.2.25 The first increase in Bank Rate is forecast for the second quarter of 2015. However there are downside risks to this central forecast; market interest rate expectations have fallen, with the general consensus now being that this is the earliest likely date for the UK bank Rate.

3.2.26 Recent demands for the safe haven of gilts have depressed gilts yields and PWLB rates. Geopolitical events make forecasting PWLB rates highly unpredictable in the shorter term. It is assumed that at some point these fears will subside and that safe haven flows will unwind and rates will rise back again.

3.2.27 As confidence is clearly emerging in the economy it is expected that we will see an upward trend in medium and long term gilt yields over the coming years, although this won't be without volatility.

3.2.28 From a strategic perspective, the Council is currently reviewing options as to the timing of any future borrowing, including the possibility of setting up forward loan deals. Further utilisation of cash balances and undertaking shorter term borrowing could also potentially generate savings subject to an assessment of the interest rate risks involved.

Regular monitoring

3.2.29 An investment register is maintained, and updated on a daily basis, showing current investments and deposit account balances with counterparties used, investment durations and interest rates achieved.

3.2.30 Monthly reconciliations are completed for outstanding investment principal, interest received, outstanding borrowing principal and interest paid to ensure all transactions have been made and recorded accurately.

3.2.31 The debt financing budget has been monitored monthly since the start of the year, with any significant variances reported as part of the corporate financial performance reports.

3.2.32 Prudential and treasury indicators are monitored on a regular basis, and any variances or breaches of the indicators are reported to Cabinet and Council on a timely basis.

Debt Financing Budget

3.2.33 The debt financing budget is currently forecast to underspend by £475k, as set out in the table below.

DEBT FINANCING BUDGET 2014-15	As at 30 November 2014		
	Budget	Forecast	Variance to Budget
	£000	£000	£000
Debt Financing & Interest			
Interest Payable	1,399	1,647	248
Interest Receivable	(215)	(957)	(742)
Minimum Revenue Provision	1,058	1,003	(55)
Recharges from/(to) HRA - Interest on cash balances	136	210	74
Total Debt Financing & Interest	2,378	1,903	(475)

3.2.34 The forecast underspend is due to:

- **MRP** - £55k underspend arising from a lower level of funding by borrowing in 2013-14 than expected, due to carry forwards in the capital programme to 2014-15.
- **Interest on new and replacement borrowing** - £211k gross saving on new long term borrowing, premised on the likelihood of using internal borrowing (from cash balances) in the current year to finance both the 2014-15 capital expenditure due to be funded by borrowing and the replacement borrowing for maturing loans in 2014-15.
- **Interest earned on investments** - £211k underspend due to significantly higher levels of cash balances than anticipated (partly due to carry forwards in the capital programme as above), and a higher rate of interest earned compared to budget.

Compliance with Treasury Limits and Prudential Indicators

- 3.2.35 With effect from 1st April 2004 The Prudential Code became statute as part of the Local Government Act 2003 and was revised in 2011.
- 3.2.36 The key objectives of the Prudential Code are to ensure, within a clear framework, that the capital investment plans of the Council are affordable, prudent and sustainable. To ensure compliance with this the Council is required to set and monitor a number of Prudential Indicators.
- 3.2.37 During the financial year to date the Council has operated within the treasury limits and Prudential Indicators set out in the Council's Treasury Management Strategy Statement (TMSS) and in compliance with the Council's Treasury Management Practices. The Prudential and Treasury Indicators are shown in Appendix 2. There have been no breaches of any indicators during the first eight months of the financial year.

Variations (if any) from or to agreed policies and practices

- 3.2.38 Compliance with agreed policies and practices has been monitored during the year to date. There have been no reported breaches in the first eight months of this year.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 The Council is required to adopt the latest CIPFA Treasury Management Code of Practice, and to set and agree a number of policy and strategy documents. These policy documents are reported to Cabinet and Council as part of the budget setting process. The Council's Treasury Strategy for 2014-15 was approved by Council on 24 February 2014.
- 4.1.2 This report complies with the requirement to submit a mid-year treasury management review report to Council.

4.2 Resources and Risk

- 4.2.1 The resources required for the Council's debt management and debt financing budgets are agreed annually through the Council's budget setting process. The latest debt financing budget position is shown in the body of the report.
- 4.2.2 The risk management of the treasury function is specifically covered in the Council's Treasury Management Practices (TMPs), which are reviewed annually. Treasury risk management forms an integral part of day-to-day treasury activities.

4.3 Legal

- 4.3.1 The Council is obliged to carry out its treasury management activities in line with statutory requirements and associated regulations and professional guidance.

4.4 Equality

- 4.4.1 An Equalities Impact Assessment was carried out on the Council's Treasury Strategy for 2014-15, and the associated Treasury Management Practices (TMPs) and the Schedules to the TMPs. The EIA assessment is that a full impact assessment is not necessary, as no direct or indirect relevance to equality and diversity duties has been identified

4.5 Consultees (Internal and External)

- 4.5.1 Consultation on treasury management matters is undertaken as appropriate with the Council's treasury advisors, Capita Asset Services, and with the Portfolio holder for Finance.
- 4.5.2 Under the regulatory requirements, the Audit Committee has been nominated by Council as the body responsible for ensuring effective scrutiny of the treasury management strategy, policies and practices. This role includes the review of all treasury management policies and procedures, the review of all treasury management reports to Cabinet and Council, and the making of recommendations to Council. This report will be presented to Audit Committee at their meeting of 16 March 2015.

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 Management of performance in relation to treasury management activities supports the Council's priority of making every £ go further.

4.7 Other Implications

- 4.7.1 No other implications have been identified.

5. Background Papers

None

Glenn Hammons, Chief Finance Officer 0300 330 7000

Economic Update provided by Capita Asset Services for the period to 30 November 2014

General

The markets seem to have determined that UK Bank Rate is now on hold until at least the end of 2015. A fall in global raw material prices and a slowdown in China have acted as a catalyst for inflation to fall significantly. Currently CPI stands at 1% but is expected to fall further, at least in the near term. Whilst the UK economy has delivered 3% growth, for the year ending September 2014, much of this has been driven by the services sector so overall growth looks a little unbalanced at present and is potentially susceptible to a reversal of the prevailing positive consumer sentiment.

Average earnings have picked up to 1.8% and unemployment stands at 6%. The claimant count stands at 2.6%. This positive set of data is partially negated by an increasing unease in the markets that long-term growth prospects are not that bright whilst deflationary factors may also have a bigger role to play in 2015. Accordingly, at the time of writing, FTSE100 has fallen below 6400 and long-dated gilts are yielding below 2.5% (15th Dec) suggesting that growth could be tepid for a prolonged period.

On the positive side, the US continues to move forward with non-farm payroll figures emphasising a sustained improvement in employment prospects whilst the boost to the US oil supply has inspired a fall in oil prices to below \$60 per barrel – which should act to boost global economic performance at a time when other major economies are struggling somewhat e.g. Eurozone and Japan.

Bank of England Inflation Report (November 2014)

The outlook for global growth weakened in the last quarter, as market interest rate expectations have fallen with the general consensus now being for a Q2 2015 rise in UK Bank Rate at the earliest. Declines in the more risky asset prices, such as equities, added to the gloomy outlook and caused considerable market volatility in October. Expectations for where interest rates will be in three years' time have dramatically dropped off, with rates now expected to remain below 2% in the UK over this period.

Unemployment continued to fall at a quicker pace than expected in the previous Inflation Report. In the three months to August, the rate was 6.0%, with the Bank of England (BoE) forecasting this to drop to 5.4% by late 2015. In a similar vein, the BoE expect inflation to fall below 1.0% in the next six months, endorsing the market's view that the Bank will not raise interest rates until later next year. If inflation does dip below 1.0%, Governor Mark Carney will have to write a letter of explanation to the Chancellor, George Osborne.

UK GDP

Britain's rapid economic growth slowed slightly between July and September. Gross domestic product rose 0.7%, compared with 0.9% in the April-June period. A

slowdown in services output and manufacturing expanding at its weakest pace in eighteen months held growth back. However, the UK still looks set to be the fastest growing advanced economy this year, confounding economists' views that the growth seen since the start of 2013 could not be sustained. Indeed, the latest Services sector PMI (Purchasing Managers Index) survey suggests 2015 will start with continued solid growth, albeit heavily reliant on the services sector.

UK Inflation

UK inflation fell sharply in November to stand at its lowest level in five years, 1%, further easing pressure on the BoE to raise interest rates, regardless of the aforementioned economic recovery. Consumer prices were impacted by a fall in the prices of food and motor fuels, whilst wage growth picked up to 1.8% signalling a return to positive real wages.

ECB

In September, the European Central Bank (ECB) cut their interest rates to 0.05%, with the deposit rate standing at -0.2%. This cut in rates was an attempt to spur economic growth and stave off the threat of deflation and is currently still in place. In the third quarter, GDP rose at 0.2%. This was stronger than expected, with France beating market expectations and the bloc's largest economy, Germany, steering clear of a recession. Year on year, Eurozone growth was 0.8% higher in the third quarter but it remains under severe economic pressure, particularly in the major economies, whilst potential political unrest in Greece could bring about further destabilising factors in 2015.

Prudential and Treasury Indicators as at 30 November 2014

Prudential Indicators

Affordability

a) Estimate of the ratio of financing costs to net revenue stream

Ratio of financing costs to net revenue stream		
	2014-15	2014-15
	Estimate %	Forecast as at 30 November 2014
General Fund	8.58%	6.87%
HRA	34.18%	34.05%

b) Estimate of the incremental impact of capital investment decisions on the council tax

Estimates of incremental impact of new capital investment decisions on the Council Tax	
	2014-15
	Estimate £.p
General Fund	2.22

This indicator is set before the start of the financial year, in the context of the budget setting process, which feeds into the setting of Council Tax and Housing Rents. As these are set and fixed for the financial year ahead, any capital investment decisions made during the year cannot impact on the existing Council Tax and Housing rent levels. This means that new capital investment plans approved during the year must be funded externally or from within existing resources.

c) Estimate of the incremental impact of capital investment decisions on the housing rents

Estimates of incremental impact of new capital investment decisions on weekly housing rents	
	2014-15
	Estimate £.p
HRA	6.27

This indicator is set before the start of the financial year, in the context of the budget setting process, which feeds into the setting of Council Tax and Housing Rents. As these are set and fixed for the financial year ahead, any capital investment decisions made during the year cannot impact on the existing Council Tax and Housing rent levels. This means that new capital investment plans approved during the year must be funded externally or from within existing resources.

Prudence

d) Gross debt and the capital financing requirement (CFR)

Gross external debt less than CFR				
	Excluding third party loans		Including third party loans	
	2014-15 Budgeted	2014-15 Forecast at 30 Nov 2014	2014-15 Budgeted	2014-15 Forecast at 30 Nov 2014
	£000	£000	£000	£000
Gross external debt at 30 Nov 2014	216,441	220,448	228,441	236,088
2013-14 Closing CFR	222,454	222,042	234,454	232,042
Changes to CFR:				
2014-15	6,879	14,089	34,380	21,354
2015-16	2,418	2,133	26,418	3,382
2016-17	429	11,205	429	8,759
Adjusted CFR	235,989	249,469	299,490	265,537
Gross external debt less than adjusted CFR	Yes	Yes	Yes	Yes

Capital Expenditure

e) Estimate of capital expenditure

Capital Expenditure		
	2014-15	2014-15
	Estimate £000	Outturn Forecast at 30 Nov 2014 £000
General Fund	18,352	30,220
HRA	46,700	43,752
Total	65,052	73,972
Loan to Third Parties	27,500	8,975
Total	92,552	82,947

f) Estimates of capital financing requirement (CFR)

Capital Financing Requirement (Closing CFR)		
	2014-15	2014-15
	31 March 2014 Estimate £000	31 March 2014 Forecast at 30 Nov 14 £000
General Fund	42,531	47,383
HRA	186,803	186,803
Total	229,334	234,186
Loan to Third Parties	39,500	19,210
Total	268,834	253,396

External Debt

g) Authorised limit for external debt

Authorised Limit for external debt		
	2014-15	2014-15
	Boundary £000	Actual as at 30 Nov 2014 £000
Borrowing - NBC	245,000	219,812
Borrowing - Third Party Loans	40,000	15,640
Other long-term liabilities	5,000	636
TOTAL	290,000	236,088

h) Operational boundary for external debt

Operational boundary for external debt		
	2014-15	2014-15
	Boundary £000	Actual as at 30 Nov 2014 £000
Borrowing - NBC	235,000	219,812
Borrowing - Third Party Loans	40,000	15,640
Other long-term liabilities	5,000	636
TOTAL	280,000	236,088

i) HRA Limit on Indebtedness

HRA Limit on Indebtedness	
2014-15	2014-15
£000	Forecast Closing HRA CFR 31 March 2014 as at 30 Nov 2014 £000
208,401	186,803

i) Adoption of the CIPFA code of Practice for Treasury Management in the Public Services

The Council has adopted CIPFA's Treasury Management in the Public Services: Code of Practice and Cross Sectoral Guidance Notes (the Treasury Code). The adoption is included in the Council's Constitution (Feb 2013) at paragraph 6.10 of the Financial Regulations.

Treasury Indicators

1a. Upper Limits on interest rate exposures – investments

Upper limits on interest rate exposures - Investments		
	2014-15	2014-15
	Limit %	Actual as at 30 November 2014 %
Fixed Interest Rate Exposures	100%	83%
Variable Interest Rate Exposures	100%	17%

1b. Upper limits on interest rate exposures – Borrowing

Upper limits on interest rate exposures - Borrowing		
	2014-15	2014-15
	Limit %	Actual as at 30 November 2014 %
Fixed Interest Rate Exposures	100%	89%
Variable Interest Rate Exposures	100%	11%

Figures exclude borrowing for third party loans

1c. Upper limits on interest rate exposures - Net borrowing

Upper limits on interest rate exposures - Investments and Borrowing		
	2014-15	2014-15
	Limit %	Actual as at 30 November 2014 %
Fixed Interest Rate Exposures	150%	92%
Variable Interest Rate Exposures	150%	8%

Figures exclude borrowing for third party loans

2. Total principal sums invested for periods longer than 364 days

Upper limit on investments for periods longer than 364 days		
	2014-15	2014-15
	Upper Limit £000	Actual at 30 Nov 2014 £000
Investments longer than 364 days	6,000	0

3. Maturity Structure of Borrowing

Maturity structure of borrowing			
	2013-14	2013-14	2013-14
	Lower Limit %	Upper Limit %	Actual at 30 Nov 2014 %
Under 12 months	0%	20%	12%
1-2 years	0%	20%	1%
2-5 years	0%	20%	6%
5-10 years	0%	20%	7%
10 -20 years	0%	40%	17%
20-30 years	0%	60%	0%
30-40 years	0%	80%	0%
Over 40 years	0%	100%	58%

The table shows the maturity structure of Council's mainstream loans (excluding borrowing for third party loans, and GPF Loans to be repaid from business rates retention).

The guidance for this indicator requires that LOBO loans are shown as maturing at the next possible call date rather than at final maturity. All three of the Council's LOBO loans are therefore included in the figure maturing in less than 12 months.

Appendix 3

NBC Investment Portfolio as at 30 November 2014

Type	Start Date	Maturity Date	Counterparty	Profile	Rate	Principal O/S (£)
Fixed	29/01/14	28/01/15	DBS Bank Ltd	Maturity	0.6000%	-3,000,000.00
Fixed	31/01/14	30/01/15	Wolverhampton City Council	Maturity	0.6500%	-5,000,000.00
Fixed	27/02/14	26/02/15	Bank of Scotland plc	Maturity	0.9500%	-3,000,000.00
Fixed	27/03/14	26/03/15	Bank of Scotland plc	Maturity	0.9500%	-2,000,000.00
Fixed	10/04/14	09/04/15	Royal Bank of Scotland plc	Maturity	0.7700%	-5,000,000.00
Fixed	22/04/14	21/04/15	Bank of Scotland plc	Maturity	0.9500%	-2,000,000.00
Fixed	16/05/14	15/05/15	National Westminster Bank plc	Maturity	0.8200%	-3,000,000.00
Fixed	16/05/14	16/02/15	National Westminster Bank plc	Maturity	0.6700%	-3,000,000.00
Fixed	21/05/14	20/05/15	Bank of Scotland plc	Maturity	0.9500%	-3,000,000.00
Fixed	21/05/14	20/02/15	Nordea Bank Finland	Maturity	0.5500%	-5,000,000.00
Fixed	17/06/14	17/12/14	Nordea Bank Finland	Maturity	0.5600%	-3,000,000.00
Fixed	14/08/14	16/02/15	Deutsche Bank AG	Maturity	0.6700%	-5,000,000.00
Fixed	20/08/14	20/02/15	DBS Bank Ltd	Maturity	0.6000%	-3,000,000.00
Fixed	27/08/14	26/08/15	Bank of Scotland plc	Maturity	0.9500%	-3,000,000.00
Fixed	03/09/14	03/03/15	DBS Bank Ltd	Maturity	0.6500%	-5,000,000.00
Fixed	09/09/14	09/06/15	DBS Bank Ltd	Maturity	0.6500%	-4,000,000.00
Fixed	09/09/14	08/09/15	Bank of Scotland plc	Maturity	0.9500%	-2,000,000.00
Fixed	10/09/14	12/12/14	Bank of Scotland plc	Maturity	0.6200%	-2,500,000.00
Fixed	12/09/14	11/09/15	National Australia Bank Ltd	Maturity	0.7500%	-3,000,000.00
Fixed	30/09/14	30/09/15	East Lothian Council	Maturity	0.7000%	-3,000,000.00
Fixed	14/11/14	14/05/15	Credit Suisse AG	Maturity	0.6500%	-5,000,000.00
Fixed Total						-72,500,000.00
Call	31/03/14		HSBC Bank plc	Maturity	0.0700%	-10,000.00
Call	31/03/14		National Westminster Bank plc	Maturity	0.5000%	-7,000,000.00
Call Total						-7,010,000.00
MMF	31/03/14		Ignis Sterling Liquidity 2 GBP	Maturity	0.4896%	-7,235,000.00
MMF	31/03/14		Insight Liquidity Sterling C3	Maturity	0.4321%	-70,000.00
MMF	01/07/14		LGIM Sterling Liquidity 4	Maturity	0.4451%	-75,000.00
MMF Total						-7,380,000.00
						-86,890,000.00

<p>Appendices: 0</p>



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL
19th January 2015

Agenda Status: Public

Directorate: Chief Executive

Report Title	Committee Proportionality
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1. Purpose

1.1 This report seeks approval for changes to the number and allocation of Committee places as required following changes to the composition of political Groups.

2. Recommendations

2.1 That the number of Committee places on Planning be reduced by one, from 12 to 11, and that the Borough Secretary be authorised to amend the Constitution to reflect the change.

2.2 That Council approves the number of seats on each Committee as set out in the report.

2.3 That the representation of the political groups be as set out in this report

2.4 That Groups notify this Meeting of Council as to the changes in their nominations to Committee as follows:

Labour –

Councillor Strachan is removed from the Overview and Scrutiny Committee
 Councillors Marriott and Stone will sit on General Purposes Committee
 Councillor Marriott is removed from the Standards Committee

Conservative –

Councillor Duncan is appointed to the Overview and Scrutiny Committee
 Councillor Aziz is appointed to the Planning Committee

Councillor Duncan is removed off the Licensing Committee and replaced by Councillors Ansell and King.

Councillor Patel is appointed Deputy Chair of the Standards Committee following the removal of Councillor Capstick

Councillor Oldham replaces Councillor Duncan on the General Purposes.

Liberal Democrats -

Changes to be notified at this meeting

2.5 That the Council indicates whether it would wish at this time to review the allocation of political assistants to Groups.

2.6 That following the removal of Joy Capstick from the Labour Group that the Conservative Group gain an extra seat on Licensing Committee and Labour Group lose one in order to reflect changes to proportionality.

3. Issues and Choices

3. Report Background

3.1 The revised composition of the Groups is 27 Conservative Seats, 12 Labour, 5 Liberal Democrat, and 1 Independent (UKIP).

Allocation of Committee Places

3.2. The Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (SI 1990/1553) require the Council, at its Annual Meeting, or as soon as practicable afterwards following any changes to its political makeup, to review the representation of political groups and determine the allocation of seats (i.e. proportionality). The rights of the various political groups are specified in the regulations.

3.3. The following principles need to be applied in allocating Committee places:

3.3.1. That not all seats on any Committee or Sub – Committee are allocated to the same political group:

3.3.2. that the majority of seats on all Committees and Sub- Committees are allocated to the political group that has a majority of the Council's membership or as otherwise reflects the make up of the Council;

3.3.3. that subject to 3.3.1. and 3.3.2 above, the number of seats for all main Committees which are allocated to each political group bears the same proportion to the total of all the seats on the main Committees as is borne by the number of members of that group to the membership of the Council; and

3.3.4. subject to 3.3.3 the numbers of seats on the individual Committees and Sub Committees allocated to each political group bears the same proportion to the number of seats of that Committee as is borne by the number of members of that group to their membership of the Council.

- 3.4. There are currently 69 allocated Committee places. Having reviewed the revised composition of the Council and seeking to achieve the best proportionality it is proposed to reduce the size of the Planning Committee to 11 members and for the total number of Committee places to thereby be 68.
- 3.5. There are 68 allocated Committee places which breaks down as 41 Conservative, 18 Labour, 8 Liberal Democrat places and 1 Independent place. The allocation of seats between the Committees is as follows:

<u>Committee</u>	<u>Conservative</u>	<u>Labour</u>	<u>Lib Dem</u>	<u>Ind/UKIP</u>	<u>Total</u>
Audit	4	2	1	0	7
O&S	9	4	2	0	15
Planning	7	3	1	0	11
Licensing	6	3	1	1	11
Appointments and Appeals	4	2	0	0	6
General Purposes	6	2	1	0	9
Standards	5	2	2	0	9
Totals	41	18	8	1	68

Political Assistants

- 3.6. The Council has chosen to exercise its option to have positions of Political Assistant to Groups. The legislation provides that when the Council establishes such a policy, it must allocate a Political Assistant to each Group with more than 10% of the membership of the Council, except that there can only be a maximum of 3 such posts allocated to the three largest Groups.
- 3.7. The Council should from time to time review the allocation of such posts.
- 3.8. The recent changes in the composition of the Council mean that the Liberal Democrat Group have now reached more than 10% of the Council in size.
- 3.9. The Council is requested to indicate whether it would at this time wish to review the allocation of political assistants to Groups.

Councillor Absence

- 3.10 Councillor Capstick did not attend any qualifying meetings in recent months. The last time that she attended a meeting was on the 14th July 2014.
- 3.11 Section 85(1) of the Local Government Act 1972 states that when a Councillor does not attend any council meeting for six consecutive months, she ceases to be a member of the authority unless the Council accepts the reason for her

non-attendance. The Council can only consider a reason before the end of the 6 month period which was not submitted. As the six month period expired the Councillor automatically ceased to be a Member.

3.1.12 Therefore, the proportionality will be as follows:

<u>Committee</u>	<u>Conservative</u>	<u>Labour</u>	<u>Lib Dem</u>	<u>Ind/UKIP</u>	<u>Total</u>
Audit	4	2	1	0	7
O&S	9	4	2	0	15
Planning	7	3	1	0	11
Licensing	7	2	1	1	11
Appointments and Appeals	4	2	0	0	6
General Purposes	6	2	1	0	9
Standards	5	2	2	0	9
Totals	42	17	8	1	68

4. Implications (including financial implications)

4.1 Policy

4.1.1 n/a

4.2 Resources and Risk

4.2.1 If the allocation of political assistants to Groups is reviewed a costs would be incurred in recruiting a political assistant for the Liberal Democrat Group.

4.3 Legal

4.3.1 The Council is required to act under the Local Government and Housing Act 1989 and its associated regulations, to review the representation of political groups and determine the allocations of seats.

4.4 Equality

4.4.1 None specifically arising from the changes.

4.5 Other Implications

4.5.1 None

5. Background Papers

5.1 None

Francis Fernandes

Borough Secretary and Monitoring Officer
0300 330 7000