



**NORTHAMPTON**  
**BOROUGH COUNCIL**

# **CABINET AGENDA**

**Wednesday, 13 March 2019**

The Jeffrey Room, The Guildhall, St. Giles  
Square, Northampton, NN1 1DE

6:00 pm

**Members of the Cabinet:**

**Councillor:** Jonathan Nunn (Leader of the Council)

**Councillor:** Phil Larratt (Deputy Leader)

**Councillors:** Mike Hallam, Tim Hadland, Stephen Hibbert, Brandon Eldred, Anna King and James Hill.

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**Chief Executive**

**George Candler**

If you have any enquiries about this agenda please contact  
[democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk) or 01604 837722

## PORTFOLIOS OF CABINET MEMBERS

CABINET MEMBER	TITLE
Councillor J Nunn	Leader
Councillor P Larratt	Deputy Leader
Councillor M Hallam	Environment
Councillor B Eldred	Finance
Councillor T Hadland	Regeneration and Enterprise
Councillor S Hibbert	Housing and Wellbeing
Councillor A King	Community Engagement and Safety
Councillor J Hill	Planning

### SPEAKING AT CABINET MEETINGS

Persons (other than Members) wishing to address Cabinet must register their intention to do so by 12 noon on the day of the meeting and may speak on any item on that meeting's agenda.

Registration can be by:

Telephone: (01604) 837722  
(Fax 01604 838729)

In writing: Democratic Services Manager  
The Guildhall, St Giles Square, Northampton NN1 1DE  
For the attention of the Democratic Services Officer

By e-mail to [democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk)

Only thirty minutes in total will be allowed for addresses, so that if speakers each take three minutes no more than ten speakers will be heard. Each speaker will be allowed to speak for a maximum of three minutes at each meeting. Speakers will normally be heard in the order in which they registered to speak. However, the Chair of Cabinet may decide to depart from that order in the interest of hearing a greater diversity of views on an item, or hearing views on a greater number of items. The Chair of Cabinet may also decide to allow a greater number of addresses and a greater time slot subject still to the maximum three minutes per address for such addresses for items of special public interest.

Members who wish to address Cabinet shall notify the Chair prior to the commencement of the meeting and may speak on any item on that meeting's agenda. A maximum of thirty minutes in total will be allowed for addresses by Members unless the Chair exercises discretion to allow longer. The time these addresses take will not count towards the thirty minute period referred to above so as to prejudice any other persons who have registered their wish to speak.

### KEY DECISIONS

 denotes the issue is a 'Key' decision:

- Any decision in relation to the Executive function\* which results in the Council incurring expenditure which is, or the making of saving which are significant having regard to the Council's budget for the service or function to which the decision relates. For these purpose the minimum financial threshold will be £250,000;
- Where decisions are not likely to involve significant expenditure or savings but nevertheless are likely to be significant in terms of their effects on communities in two or more wards or electoral divisions; and
- For the purpose of interpretation a decision, which is ancillary or incidental to a Key decision, which had been previously taken by or on behalf of the Council shall not of itself be further deemed to be significant for the purpose of the definition.

**NORTHAMPTON BOROUGH COUNCIL**

**CABINET**

Your attendance is requested at a meeting to be held:  
in The Jeffrey Room, The Guildhall, St. Giles Square, Northampton, NN1  
1DE

on Wednesday, 13 March 2019

at 6:00 pm.

**George Candler**  
**Chief Executive**

**AGENDA**

**1. APOLOGIES**

**2. MINUTES**

(Copy herewith)

**3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE IF NECESSARY**

**4. DEPUTATIONS/PUBLIC ADDRESSES**

**5. DECLARATIONS OF INTEREST**

**6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES**

**7. BUDGET MONITORING - PERIOD 10**

(Copy herewith)

**8. CORPORATE COMMUNICATIONS STRATEGY**

(Copy herewith)

**9. NORTHANTS WASTE PARTNERSHIP - MEMORANDUM OF UNDERSTANDING**

(Copy herewith)

**10. EXCLUSION OF PUBLIC AND PRESS**

THE CHAIR TO MOVE:

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

11. SIXFIELDS - UPDATE OF THE JUDGEMENT AND ENFORCEMENT ISSUES (5)

(Copy to follow)



## NORTHAMPTON BOROUGH COUNCIL

### CABINET

Wednesday, 20 February 2019

**PRESENT:** Councillor Nunn (Chair); Councillor Larratt (Deputy Chair); Councillors Eldred, Hadland, Hallam and Hibbert.

#### 1. APOLOGIES

Apologies were received from Councillors Hill and King.

#### 2. MINUTES

The minutes of the meeting held on 6<sup>th</sup> February 2019 were agreed and signed by the Leader.

#### 3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE IF NECESSARY

There were no items to be considered in private.

#### 4. DEPUTATIONS/PUBLIC ADDRESSES

Mr Rob Purdie addressed Cabinet on Item 10 – *Amendments to the Off-Street Parking Places Order and Increasing Parking Tariffs* – on behalf of Northampton Town Centre BID. He stated that BID members did not agree that the proposed changes to parking charges would ‘support growth and encourage vitality and vibrancy within the town centre’. Additionally, BID members had not been consulted, and local media comments were overwhelmingly against the proposals. It was stated that the proposed changes would raise £625,000 for the Council. Mr Purdie believed parking should be a service, not a source of revenue.

#### 5. DECLARATIONS OF INTEREST

Councillor Hadland declared an interest in respect of Item 11, being a Trustee of Delapré Abbey Preservation Trust. He stated that he would leave the meeting during discussion of this item.

#### 6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

There were no issues arising from Overview and Scrutiny Committees.

#### 7. GENERAL FUND REVENUE BUDGET AND CAPITAL PROGRAMME 2019/2020 AND MEDIUM TERM FINANCIAL PLAN 2019/2020 - 2022/2023

Councillor Eldred as the relevant Cabinet Member submitted a report and pointed out that £1 million had been added into the budget to address homelessness issues rather than using reserves. It was proposed to increase Council Tax by 2.99%, which equated to an increase of 13p per week for a typical Band D property.

Councillor Beardsworth expressed concern that only £1 million had been allocated to homelessness, when the overspend was £1.5 million. Councillor Eldred stated that the

growth and restructuring of the Housing Options and Advice Team should reduce numbers of homeless people, cutting back on temporary accommodation costs and reducing the funding required, although more money could be made available if needed.

Councillor Beardsworth pointed out that most respondents to the budget consultation had found it difficult to understand. Since this was likely to be the last NBC budget, Councillor Eldred stated that these concerns would need to be addressed by the new administration.

In response to requests, Councillor Eldred agreed to circulate a copy of the Equalities Report to all Members the following day.

Councillor Brian Markham referred to Appendix 9 (page 98-103) and stated that it was difficult to respond to a draft budget. There were proposals to increase parking charges, but no detail was given. He considered that information should have been shared earlier and a consultation carried out.

Councillor Stone stated that she had championed a strategy for investments for many years, but wondered about the timeliness of such a strategy in view of the likely end of NBC. For example, Albion House had been purchased – were there plans for this? Councillor Hadland pointed out that although the strategic purpose for which Albion House had been purchased had not come to fruition, the value of the property had increased significantly.

Councillor Stone also noted that one of the ameliorations for homelessness in previous budgets, the Social Lettings Agency, was not in the current budget and requested an update. Councillor Hibbert stated that there would be a report to Cabinet on this issue.

Councillor Birch noted the reference to Section 106 funding in the table on page 13 of the report. She queried where the funds were held and whether they could be used to help voluntary organisations sustain services. The Chief Finance Officer pointed out that a comprehensive review of Section 106 schemes had been conducted. There were constraints on how money could be spent, but funds were ring-fenced and would be protected throughout the move to unitary. It was confirmed that Councillors could be involved in discussions regarding use of funds in their area – although the amounts available were small and often designated for a specific purpose. Councillor Larratt advised that ideally Members should be involved at the pre-planning stage.

Councillor Ashraf addressed Cabinet and referred to the list of new schemes on page 29. She asked whether *St James Mill Area Improvements* included the proposed link road, and if not, why it had been removed from the budget. Councillor Eldred stated that the money for St James Mill related to tidying up the whole area. The link road had incurred additional costs, which were being considered in more detail. Councillor Nunn stated that factors such as levels of contamination in the ground and water run-off had resulted in extra costs which were currently unable to be funded.

Councillor Eldred pointed out an amendment to the report as follows:

*Page 24, Appendix 3 – HRA Capital Funding – 4<sup>th</sup> Bullet point*

READS – ‘Borrowing – there is some limited scope for prudential borrowing within HRA, although this is subject to a cap as determined by central government.’

SHOULD READ – ‘Borrowing – there is scope for prudential borrowing within HRA, this is no longer limited to the cap by central government.’

**RESOLVED:**

- 2.1. Cabinet considered and welcomed the feedback from consultation with the public, organisations and the Overview and Scrutiny and Audit Committees (detailed at

appendices 9, 10 and 11 of the report).

- 2.2. Cabinet agreed the changes to the proposed budget (detailed at paragraph 3.2.10 of the report), in light of technical adjustments and the Local Government Funding Settlement.
- 2.3. Cabinet recommended to Council the general fund revenue budget for 2019/20 of £27.495m (excluding parishes) for its own purposes (detailed in paragraph 3.2.8 and appendices 1 and 2 of the report).
- 2.4. Cabinet agreed that the Council be recommended to increase the council tax for its own purposes (excluding county, police, fire and parish precepts) by £6.56 (2.99%) per year per band D property for 2019/20.
- 2.5. Cabinet recommended to Council that they approve the general fund capital programme and proposed financing for 2019/20, including the inclusion of schemes in the development pool, as set out in appendix 4 of the report.
- 2.6. Cabinet agreed that Council be recommended to confirm a minimum level of general fund reserves of £4.0m for 2019/20, having regard to the outcome of the financial risk assessment, and also noted the position on earmarked reserves (appendix 7 of the report).
- 2.7. Cabinet delegated authority to the Chief Finance Officer in consultation with the Cabinet Member for Finance, and where appropriate the relevant Head of Service and Cabinet Member to:
  - Transfer monies to/from earmarked reserves should that become necessary during the financial year.
  - Update prudential indicators in both the prudential indicators report and treasury strategy report to Council, for any budget changes that impact on these.
- 2.8. Cabinet approved the draft fees and charges set out in appendix 8 of the report, including immediate implementation where appropriate.
- 2.9. Cabinet recommended to Council that they approve the treasury management strategy (and associated appendices) for 2019/20 at appendix 5 of this report.
- 2.10. Cabinet delegated authority to the Council's Chief Finance Officer, in liaison with the Cabinet Member for Finance, to make any temporary changes needed to the Council's borrowing and investment strategy to enable the authority to meet its obligations.
- 2.11. Cabinet delegated authority to the Chief Finance Officer to make any technical changes necessary to the papers for the Council meeting of 25 February 2019, including changes to the finance settlement and change relating to parish precepts and council tax levels associated with those changes.

## **8. HRA BUDGET, RENT SETTING 2019/2020 AND BUDGET PROJECTIONS 2020/2021 TO 2022/23**

Councillor Eldred as the relevant Cabinet Member submitted a report. Rents on council homes were being reduced by 1%, which resulted in lower costs for residents. There was also an opportunity to build more houses, which was good for the future.

## **RESOLVED:**

- 2.1 Cabinet recommended to Council to approve:
- a) An average rent decrease of 1% per dwelling, in line with the legislation and the government's national rent policy, to take effect from 1<sup>st</sup> April 2019.
  - b) The HRA budget for 2019/20 of £51.8m expenditure detailed in Appendix 1.
  - c) The HRA capital programme for 2019/20, including future year commitments, and proposed financing as set out in Appendix 2.
  - d) The proposed service charges listed in Appendix 3.
  - e) That Cabinet be authorised, once the capital programme has been set, to approve new capital schemes and variations to existing schemes during 2019/20, subject to the funding being available and the schemes being in accordance with the objectives and priorities of the Council.
  - f) The Total Fees proposed for NPH to deliver the services in scope for 2019/20 detailed in Appendix 4.
- 2.2 Cabinet acknowledged the issues and risks detailed in the Chief Finance Officer's statement on the robustness of estimates and the adequacy of the reserves.
- 2.3 Cabinet agreed that the Council be recommended to confirm the reserves strategy of protecting balances wherever possible to allow the option of supporting future years' budgets, aiming for a minimum level of unallocated Housing Revenue Account balances of at least £5m for 2019/20 having regard to the outcome of the financial risk assessment.
- 2.4 Cabinet delegated authority to the Chief Finance Officer to make any technical changes necessary to the papers for the Council meeting of 25 February 2019.
- 2.5 Cabinet agreed that the Council be recommended to delegate authority to the Chief Executive and Chief Finance Officer to implement any retained HRA budget options and restructures.
- 2.6 Cabinet delegated authority to the Chief Finance Officer in consultation with the Portfolio Holder for Finance, and where appropriate the relevant Head of Service and Portfolio Holder to:
- transfer monies to/from earmarked reserves should that become necessary during the financial year.
  - transfer monies to /from HRA working balances between the Council and NPH for cash flow purposes should that become necessary during the financial year.
  - update the budget tables and appendices, prior to Council should any further changes be necessary.
  - update prudential indicators in both the Prudential Indicators report and Treasury Strategy report, for Council for any budget changes that impact on these.

## **9. ROBUSTNESS OF BUDGET ESTIMATES AND ADEQUACY OF RESERVES**

Councillor Eldred as the relevant Cabinet Member submitted a report.

Councillor Stone referred to page 128 items 3.2.2 and 3.2.3 and considered that due to the enormous risks posed by Brexit, it was prudent to have a greater understanding of the likely impacts, and requested a Members' briefing on the issue. The Chief Finance Officer advised that there was a specific risk register for Brexit and weekly updates were received regarding the impact on NBC and local businesses. Councillor Larratt pointed out that there had been no request for a Brexit briefing at the Members' Training Development Group earlier in the



week, and given the timescales, it would be difficult to arrange. Councillor Hallam reminded Cabinet that the people of Northampton had voted to leave the EU and the opportunities needed to be considered as well as the risks.

Councillor Stone also expressed concern about the reliance on business rates uplift – what if this does not happen? Councillor Eldred pointed out that once the business rates uplift had been agreed, the funding was set for the year – there was therefore no risk in-year. The statement was for this financial year only, and future years could be different.

#### **RESOLVED:**

- 2.1 Cabinet recommended to Council to carefully consider the content of this report with regards to the general fund and HRA prior to recommending the approval of the Council's MTFP 2019/23, the revenue budget for 2019/20, capital programme 2019/23 and the treasury management strategy 2019/20.

#### **10. AMENDMENTS TO THE OFF-STREET PARKING PLACES ORDER AND INCREASING PARKING TARIFFS**

Councillor Hadland as the relevant Cabinet Member submitted a report and pointed out that a decision regarding parking charges would only be made after consultation. The report highlights the increased charges, but some charges remain unchanged. The new 2 - 5 hour tariff (note correction from 3 - 5 hours in report) should increase dwell time. Up to two hours free parking on weekdays was a significant benefit, not offered by many other towns. The proposed increased charges were necessary due to the increasing maintenance burden of the aging car parks.

Councillor Beardsworth had spoken to many people who considered that increasing parking charges would be detrimental to the town centre. She was also concerned that part-time workers would not be able to afford to park and urged consideration of other ways to raise money.

Councillor Stone stated that the proposals went against aims such as increased footfall, cleaner air and workers in poverty. She pointed out that shoppers could choose to go elsewhere, but workers had no choice. She suggested a free hopper bus.

Councillor Eldred pointed out that parking was not a statutory service. The budget was fragile and the costs had to be met from somewhere. It would be possible to sell the car parks to a private operator, but then all control would be lost. Councillor Nunn stated that this was a difficult challenge, but it was unfair for the taxpayer to fund the costs. Tough decisions needed to be made and a consultation was needed.

Councillor Hadland noted that the cost for all-day parking remained the same, so workers would not be paying an increased amount. Proposals were also being considered to make payment faster and more convenient.

#### **RESOLVED:**

Cabinet agreed to the following changes to increase in parking tariffs (see appendix 2 of the report) and amendments to the Off Street Parking Places Order.

Council's surface car parks:

- 2.1 Introduce minimum 2 hour parking with a tariff fee of £2

- 2.2 Introduce 2 - 5 hour parking with a tariff fee of £4

- 2.3 Increase evening parking tariff (17.00 – 23.59 hours) to £3
- 2.4 Increase overnight parking tariff (17.00 – 10.00 hours) to £3  
Council's multi-storey car parks
- 2.5 Maintain free two-hour parking (Monday – Friday only)
- 2.6 Introduce a 2 – 5 hour parking with a tariff fee of £4
- 2.7 Increase evening parking tariff (17.00 – 23.59 hours) to £3
- 2.8 Cabinet delegated to the Chief Executive in consultation with the Lead Member for Regeneration and Enterprise authority to implement changes to the proposals contained in this report, including amendments to the Off Street Parking Places Order, undertaking the statutory public notices, consultation and dealing with any responses.

## **11. GRANT OF LEASE ON DELAPRE STABLE YARD**

Councillor Hadland left the room for this item.

Councillor Nunn as the relevant Cabinet Member submitted a report and stated that this had been a complex project which had exceeded expectations. Heritage Lottery Fund money had been used, which would need to be repaid if the project failed. Granting of the lease would enhance the sustainability of the project.

Councillor Birch declared a personal interest as a Trustee of Delapré Abbey Preservation Trust. Since she was not a decision-maker, the Monitoring Officer advised that she could continue. Councillor Birch was delighted that NBC were supporting this project, which had been compromised by delays and urged prompt signing of the lease to enable funds to be released.

The Head of Economy, Assets and Culture confirmed that once the lease for the Stable Yard had been agreed, the trustees would be able to sign the main lease, thus releasing the £1,392k capital funding from the Heritage Lottery Fund.

Councillor Larratt noted that an issue with planning had led to the railings around the gate lodge not being replaced. Councillor Nunn agreed to provide an update.

### **RESOLVED:**

Cabinet agreed:

- 2.1 To grant a 25 year lease (the "Lease) to Delapré Abbey Preservation Trust (DAPT) for the area outlined in red on the plans at annex 1 and annex 2;
- 2.2 That the annual rent payable to the Council by the Trust shall be one peppercorn;
- 2.3 That the terms of the Lease shall be as outlined in the draft Heads of Terms at annex 3;
- 2.4 That authority be delegated to the Head of Economy, Assets and Culture in consultation with the Borough Secretary, the Chief Financial Officer, and the Leader of the Council to finalise the terms of the lease in accordance with the draft Heads of

Terms, and to take any other actions necessary to complete the Lease.

- 2.5 To authorise the advertisement of the proposed disposal of public open space in accordance with s.123 (2A) of the Local Government Act 1972 (as amended)

## **12. LOCAL GOVERNMENT REFORM IN NORTHAMPTONSHIRE PROPOSED JOINT COMMITTEE - EXECUTIVE FUNCTIONS - TERMS OF REFERENCE**

Councillor Nunn as the relevant Cabinet Member submitted a report, and advised that Councillor Stone was to be the Labour Member on the Joint Committee.

### **RESOLVED:**

- 2.1 Cabinet agreed to the delegation of executive functions, in so far as these relate to the proposed terms of reference for the Joint Committee, attached at appendix 1.
- 2.2 Cabinet agreed such delegations outlined in 2.1 above to become effective if council approves the establishment of the Joint Committee, outlined in the attached report to Full Council at appendix 1.
- 2.3 Cabinet noted and recommended to council the establishment of a Joint Committee.

## **13. CORPORATE PERFORMANCE ALL MEASURES REPORT QUARTER 3**

Councillor Larratt as the relevant Cabinet Member submitted a report and advised that the Key Performance Indicators (KPIs) relating to environmental issues were currently reported four-monthly rather than quarterly and so were not in line with the main KPIs. They had therefore been removed and would be reported again in due course.

Although there had been a 7% increase in the red indicators, this actually only related to two indicators.

The average number of days lost to sickness had increased. This was partly due to the fact that the first day of sickness was now paid. Whilst unpaid it had not been included in the total days lost.

The footfall in the town centre had decreased by 15.87%, with the closure of Marks and Spencer thought to have had a significant impact.

Councillor Hallam pointed out that the environmental statistics, although not reported, had been good. For example, recycling had increased in both October and November.

Councillor Birch expressed concerns regarding the level of long-term staff sickness (about 3%). She also questioned how many staff were being lost and replaced, since this resulted in a loss of expertise.

Councillor Larratt stated that staff churn was not currently reported, but the unreported indicators could be examined to see whether any information could be obtained. He also pointed out that sickness was an HR issue, and not addressed by the current report.

The Head of HR commented that HR were dealing with the staff sickness issues appropriately. Staff churn was likely to increase due to the uncertainties surrounding the move to unitary.

### **RESOLVED:**

- 2.1 Cabinet reviewed the contents of the performance report (Appendix 1) and recommended actions to be taken, if any, to address the issues arising.
- 2.2. Cabinet agreed that the Annual Performance Report will be presented in June of each year to the Audit Committee.

The meeting concluded at 19.32

Appendices  
1



Item No.  
[For Democratic  
Services Use only]

**NORTHAMPTON**  
BOROUGH COUNCIL

## CABINET REPORT

<b>Report Title</b>	<b>Finance Monitoring to 31 January 2019</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	13 March 2019
<b>Key Decision:</b>	YES
<b>Within Policy:</b>	YES
<b>Policy Document:</b>	NO
<b>Directorate:</b>	Management Board
<b>Accountable Cabinet Member:</b>	Cllr B Eldred
<b>Ward(s)</b>	N/A

### 1 Purpose

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- 1.1 Financial monitoring reports will be presented to Cabinet on a bi-monthly basis and will include:
- Revenue – any significant issues requiring action and details of the actions being taken.
  - Budget Risks, including any unachievable savings.
  - Budget Changes and Corrections
  - Capital – progress on key projects
  - Capital appraisals and variations requiring approval or approved under delegation.

### 2 Recommendations

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- 2.1 That Cabinet notes the contents of the report and notes that future reports will set out the actions being taken by Corporate Management Board to address issues arising.

- 2.2 That Cabinet note the capital appraisals approved under delegation as set out in Appendix 1.

### 3 Issues and Choices

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#### 3.1 Report Background

- 3.1.1 As the end of the financial year approaches, there are a number of issues to be addressed in relation to the General Fund revenue budget. These are detailed below.

#### 3.2 Key Financial Indicators

Dashboard Indicator Description	Variation from Budget	
	General Fund	Housing Revenue Account
	£m	£m
Controllable Budgets	1.998	(0.742)
Corporate Budgets	(0.497)	0.000
Total	1.501	(0.742)

#### 3.3 General Fund Revenue Budget (Red)

- 3.3.1 The overall General Fund revenue budget is currently forecasting an overspend of £1.501m. This is an improvement of £0.560m on the £2.061m forecast overspend as at the end of period 8 when this was last reported to Cabinet. The main area of pressure contributing to this overspend continues to be in the Homelessness area, while the main areas of change are in the Communities area and the Chief Finance Officer area. These areas are covered in more detail below
- 3.3.2 Homelessness - The combined current forecast overspend on Housing and Benefits as a result of increased homelessness is £1.618m. High levels of homelessness, together with the severe shortage of affordable rented housing, have resulted in a sharp increase in the Council's use of temporary accommodation and the amount of time that homeless households are required to wait until they are offered settled housing.
- 3.3.3 The issues and the overall pressure remains broadly the same as when it was last reported to cabinet as part of the period 8 monitoring position.
- 3.3.4 Customers & Communities – The Customers & Communities area is forecasting an overspend of £0.071m. This is an improvement of £0.495m compared to the overspend of £566k forecast at period 8. The improved forecast position for Period 10 reflects work undertaken by officers to review the first six months of operation of the Environmental Services Contract which commenced in June 2018. The financial profiling and payment mechanism are understood and the impact of the first two months under the previous operator are now better understood. The main component of the improved position is a change to the profiling of the contract payments against the original budget assumptions.
- 3.3.5 Chief Finance Officer – The Chief Finance Officer area is showing an increased pressure of £0.246m in period 10. This is due to the expected additional external audit costs associated with the audit of the 2016/17 and 2017/18 statement of accounts.

- 3.3.6 Other – Other currently reported variances amount to a net overspend of £0.064m.
- 3.3.7 Corporate budgets – There is a forecast underspend of £0.497m against the Corporate budgets. This is made up of two items. First, a £0.247m underspend on debt financing as a result of greater interest income due to cash balances remaining higher, and also a rise in interest rates. The second item is an amount of £0.250m that was budgeted to be contributed to reserves in year to protect against future pressures arising from homelessness and temporary accommodation. As that risk has materialised in 2018/19, this can be released in the current year.
- 3.3.8 Corporate Management Board are actively seeking options and actions to manage and mitigate the impact of the risk of an overspend in 2018/19.

### **3.4 HRA Revenue Budget (Green)**

- 3.4.1 There is currently an overall underspend of £0.742m being forecast. This predominantly comprises of a reduction in the transfer to the Bad Debt Provision of £0.300m following a mid-year review, with the remainder of the under-spend relating to revenue budgets including staff vacancies, utility costs, responsive and void repairs.

### **3.5 General Fund Capital Programme**

- 3.5.1 The General Fund capital programme is currently forecast to spend up to the latest budget of £16.3m. There have been a number of in -year changes since the previous Cabinet Report as a consequence of a review of all schemes in preparation of the Capital Programme starting in 2019/20. These are detailed in the tables in Appendix 1 together with items approved under delegation.
- 3.5.2 Any further additions to the capital programme, including any strategic property purchases, will be subject to the development of a robust business case. In line with Financial Regulations, any proposed additions to the programme greater than £0.25m and/or requiring additional funding from Council resources, will be brought to Cabinet for approval.

### **3.6 HRA Capital Programme**

- 3.6.1 The approved HRA Capital Programme for 2018/19 stands at £25.694m. It is currently expected that the capital budget will be fully spent in the year except for £0.109m in relation to ICT and £0.410m in relation to Buybacks (a budget for purchasing former council houses and other spot purchases of housing) that is expected to be carried forward into 2019/20.

### **3.7 Choices (Options)**

- 3.7.1 Cabinet is asked to note the reported financial position and agree the recommendations. There are no alternative options, other than not to agree the recommendations.

## **4 Implications (including financial)**

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### **4.1 Policy**

- 4.1.1 The Council agreed a balanced budget for the Capital Programme and Revenue Budgets for both the General Fund and the HRA in February 2018. Delivery of the budget is monitored through the budget monitoring framework.

### **4.2 Resources and Risk**

- 4.2.1 This report informs the Cabinet of the forecast outturn positions for capital and revenue, for both the General Fund and HRA, as at the end of November 2018. It also highlights the key risks identified to date in delivering those budgets.
- 4.2.2 All schemes included in the capital programme, or put forward for approval, are fully funded, either through borrowing, internal resources or external funding arrangements.

### **4.3 Legal**

- 4.3.1 There are no direct legal implications arising from this report.

### **4.4 Equality and Health**

- 4.4.1 There are no direct equalities implications arising from this report.
- 4.4.2 A full Community/Equalities Impact Analysis has been completed for the 2018/19 Budget and is available on the Council website.

### **4.5 Consultees (Internal and External)**

- 4.5.1 Heads of Service, Budget Managers and Management Board are consulted as part of the budget monitoring process on a monthly basis.

### **4.6 How the Proposals Deliver Priority Outcomes**

- 4.6.1 Regular financial monitoring is a key control mechanism and contributes directly to the priorities of sustaining “effective and prudent financial management” and being “an agile, transparent organisation with good governance”.

### **4.7 Other Implications**

- 4.1.1 There are no other implications arising from this report.

## **5 Background Papers**

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- 5.1 Cabinet and Council Budget and Capital Programme Reports February 2018.

**Stuart McGregor, Section 151 Officer**



## Appendix 1

### General Fund Capital Budget Changes January 2019

Reference	Scheme Title	£k	Comments
BA216	Central Museum Development	(5,212)	Reprofiling of spend to 19/20
BA221	Vulcan Works	(70)	Reprofiling of spend to 19/20
BA244	St James Mill Link Road	(1,640)	Removal of scheme following review
BA257	Environmental Services Contract	(2,640)	Reprofiling of some spend across the contract life of 10 years
BA673	Parks / Allotments / Cemeteries Enhancements	137	Addition of projects to this Block Contract that are fully funded by s106 funding (see table below)
BA687	St Peters Waterside	(1,014)	Removal of scheme following review
	Fernie Fields	180	Addition of scheme at February 19 Cabinet
<b>TOTAL</b>		<b>(10,260)</b>	

#### Approved under Delegation

#### BA673 - Parks/Allotments/Cemeteries Block Programme

Scheme Title	£k
Abington Park Security Bollards	11
Notre Dame Cemetery	5
Thornton Park Play Area	35
Errington Park Play Area	40
Ecton Brook Play Area	46
<b>TOTAL</b>	<b>137</b>

Appendices

1



**NORTHAMPTON**  
BOROUGH COUNCIL

## CABINET REPORT

<b>Report Title</b>	<b>Corporate Communications Strategy</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	13 March 2019
<b>Key Decision:</b>	NO
<b>Within Policy:</b>	YES
<b>Policy Document:</b>	YES
<b>Service Area:</b>	Communications
<b>Accountable Cabinet Member:</b>	Councillor Jonathan Nunn
<b>Ward(s)</b>	All

### 1. Purpose

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- 1.1 To seek Cabinet approval for the Communications Strategy which covers the period 1 April 2019 to 31 March 2020. This document outlines how the Council will use good communications to build a stronger reputation, involve and inform residents, engage effectively with stakeholders and improve customer satisfaction.

### 2. Recommendations

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- 2.1 It is recommended that Cabinet approves the Communications Strategy 2019-20.

### 3. Issues and Choices

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#### 3.1 Report Background

- 3.1.1 Good communication has an important role to play in modern local government.

- 3.1.2 Research from Ipsos MORI on behalf of the Local Government Association (LGA) has shown a direct link between good communication and satisfaction levels among residents.
- 3.1.3 LGcommunications built on the LGA's research to offer a more in-depth analysis of how the whole organisation has its own part to play in reputation management.
- 3.1.4 Good communications has also been shown to enhance stakeholder participation and engagement while protecting and building reputation.
- 3.1.5 The Council has for some years operated without a formal Communications Strategy based on its Corporate Plan.
- 3.1.6 The creation of a new Corporate Plan for late 2018 to March 2020 offered the opportunity to create a Communications Strategy to ensure the Council's delivery of its priorities was well communicated.
- 3.1.7 The proposed Communications Strategy would provide a framework for publicising the council's priority work and help the Communications Team prioritise its activity to maximum effect.
- 3.1.8 The Strategy, along with a variety of supporting documents, will build on the strong foundations which are in place at the Council for providing quality information to stakeholders in an extensive and inclusive fashion.
- 3.1.9 Its stated commitment is as follows:  
"The purpose of this strategy is to ensure communication about the Council's priorities is carried out in an effective and consistent way."
- 3.1.10 The Strategy will deliver this by:  
a) ensuring our communication is valuable and accessible to all;  
b) representing the full diversity of our communities and ensuring equality of access to all our services;  
c) providing accurate information in a clear and simple style;  
d) using a wide range of methods in a holistic, joined-up manner, to maximise reach;  
e) engaging in two-way conversations to capture the views of our audiences; and  
f) being open and transparent in our approach.
- 3.1.11 It will be supported by the recently-established Internal Communications Strategy; the Social Media and Corporate Style Guidelines; the Social Media Protocol; the Local Government Digital Standards; and the Local Government Reform Communications Strategy.

## **3.2 Issues**

- 3.2.1 In the absence of a Communications Strategy, the Council's communication has become too broad and unfocused.

- 3.2.2 Issues during the past few years with delivery of projects has resulted in the perception of poor value for money and lack of progress, which in turn has impacted on the Council's reputation.
- 3.2.1 While the council has turned a corner on several high-profile issues arising in recent years, they continue to have reputational impact.
- 3.2.2 Local government reform in Northamptonshire presents a number of challenges during the coming year and while the process will largely be led externally, it will still impact the individual constituent authorities' reputations.

### **3.3 Choices (Options)**

#### **3.3.1 Option one (preferred)**

The preferred option is for Cabinet can choose to adopt the Corporate Communications Strategy 2019-2020, which will enable the Communications Team to appropriately focus its activity for the year.

#### **3.3.2 Option two (not recommended)**

Cabinet can decline to adopt the Corporate Communications Strategy 2019-2020. This option is not recommended as it would leave the Council's communications activity unfocused.

## **4. Implications (including financial implications)**

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### **4.1 Policy**

- 4.1.1 There are no direct policy implications arising from adoption of this Strategy.

### **4.2 Resources and Risk**

- 4.2.1 Adoption of the strategy would help focus the Communications Team's activity, thereby making better use of the available resource. Failure to adopt would lead to continued unfocused delivery and under-utilisation of communications resource.

### **4.3 Legal**

- 4.3.1 Legal services have reviewed the contents of the proposed Corporate Communications Strategy 2019-2020 and have no comments.

### **4.4 Equality and Health**

- 4.4.1 Adoption of the Corporate Communications Strategy 2019-2020 will help ensure that Council communication is inclusive through use of a wide variety of channels to publicise its work.
- 4.4.2 There are no direct health implications arising from adoption of this Strategy.

### **4.5 Consultees (Internal and External)**

4.5.1 Cabinet members, Corporate Management Board and Council staff have been consulted on the Strategy.

4.5.2 Feedback has been used to refine the document.

#### **4.6 How the Proposals deliver Priority Outcomes**

4.6.1 The Corporate Communications Strategy 2019-20 will help support and promote the Council's vision, mission and values as set out in the Corporate Plan 2018-2020, in particular:

- We want to encourage strong community bonds and ensure that everyone has the opportunity to achieve their ambitions.
- We and a great many residents are extremely proud of our town and we want to help provide even more reasons for those feelings of belonging and ownership.
- We will work with customers, communities and partners
- Creating and communicating a shared vision and influencing others through information and knowledge to realise the vision
- Honesty with strong moral principles
- Understanding what our customers want and in order to deliver above and beyond their expectations

4.6.2 Adoption of the Strategy meets the following specific priorities as set out within the Corporate Plan 2018-2020:

Support a range of events and activities throughout the year to celebrate our town and its heritage

- Support the wider social, cultural, economic and environmental benefits that the town's heritage can bring
- Promote awareness of the impact of vehicle emissions on health
- Continue to promote the 'Night's Out Northampton' Campaign
- Work with the University of Northampton to deliver community safety messages to students
- Work with partners to tackle serious organised crime, focusing on initiatives to reduce youth violence, gangs and knife crime
- Promote key community safety messages
- Utilise community payback, community volunteers and voluntary organisations to address environmental issues
- Use community events to celebrate the diversity of the town
- Continue to implement our multi-agency 'Together We Change Lives' strategy
- Develop a people/workforce strategy and implement the NBC people plan
- Develop and deliver an employee engagement plan
- Provide a resolution at the first point of contact
- Deliver simpler, clearer, faster services designed around the customer need
- Doing the right things, in the right way for the people of Northampton in an open, honest and accountable manner

## **5. Appendices**

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6.1 Corporate Communications Strategy 2019-2020

## **6. Background Papers**

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5.1 [Local Government Association Reputation of Local Government campaign](#)

5.2 [LGcommunications/LGA New Reputation Guide](#)

**Craig Forsyth**  
**Marketing & Communications Manager**  
**01604 837306**

## 1. Introduction

Northampton residents and businesses are at the heart of everything we do. The ambitious plans outlined in our Corporate Plan are aimed at building a stronger economy, creating resilient communities and delivering exceptional services everyone can be proud of.

Communication has a vital role to play in this, ensuring that people are aware of the excellent services we provide and how to access them. It is also important to remember that communication is a two-way process and that we need to listen to residents as much as we talk to them.

At times we will want to encourage residents to change their behaviour, perhaps to increase recycling or boost town centre fortunes for instance, and good communication is a crucial tool in achieving this. Also, within such challenging financial conditions, effective engagement can help protect the council's reputation and improve public confidence.

Therefore the ultimate aim of this strategy is to ensure all staff, residents, partners and everyone who deals with Northampton Borough Council have a clear understanding and a positive perception of our vision, aims, values, services and achievements, leading to higher levels of satisfaction and engagement.

## 2. Our corporate priorities

We have a new Corporate Plan to take us through to March 2020, when Northamptonshire is expected to be part of significant changes in the local government landscape. An anticipated move to unitary governance is the subject of several separate communications strategies which are continually being adapted to ensure they achieve the desired results.

In the meantime, our corporate vision is simple:

- We are **ambitious** about Northampton's economic fortunes with particular focus on the town centre and enterprise zone
- Our aim is to ensure Northampton is a **prosperous** place where people can achieve their ambitions
- A great many of our residents are **proud** of Northampton and we want to give them ever more reasons to love the town

With this vision in mind, our mission is to be enterprising and innovative in our approach, working with customers, communities and partners to deliver a great Northampton in which to live, work study and invest.

Our priorities are to create:

- A stronger economy
- Resilient communities
- Exceptional services to be proud of

Key messages arising from each priority are covered in the "What will we communicate section" below.

### **3. Purpose and commitment**

The purpose of this strategy is to ensure communication about the council's priorities is carried out in an effective and consistent way.

We are committed to:

- Ensuring our communication is valuable and accessible to all
- Representing the full diversity of our communities and ensuring equality of access to all our services
- Providing accurate information in a clear and simple style
- Using a wide range of methods in a holistic, joined-up manner, to maximise reach
- Engaging in two-way conversations to capture the views of our audiences
- Being open and transparent in our approach

#### **3.1 Key objectives and outcomes**

- Deliver a first class media management service
- Streamline and strengthen our digital channels and content
- Develop key print publications
- Execute proactive campaigns that support corporate priorities
- Support and engage staff in their roles as ambassadors for the Council

#### **3.2 At the end of this strategy the Council's communications will:**

- Improve relationships and positive output from local media agencies
- Empower audience members to manage their own information and service needs
- Be better led by audience enquiries and feedback
- Increase footfall to events and attractions and improve engagement with campaigns
- Be more accessible and engaging
- Have solid, built-in evaluation and monitoring techniques

### **4. What will we communicate?**

As outlined previously, a primary function of this strategy is to ensure our audiences are well informed about council services. In order to achieve this, we need to deliver regular, clear and consistent messages based on the council's key priorities.

The three priority areas outlined above are broken down into subsections and a pick-and-mix selection of key messages for each of these can be found in appendix 1. Our headline key messages are as follows:

**A stronger economy** – We are creating a thriving, vibrant town which is clean, safe and attracts regular investment

**Resilient Communities** – We engage, protect and empower our diverse communities with partnership working, regular events and activities and increased housing support

**Exceptional services to be proud of** – we are committed to providing exceptional services which always put our customer first, help increase our income and promotes our open and honest approach



## **5. Who communicates with whom?**

Everyone associated with Northampton Borough Council has a responsibility to protect its reputation, so an understanding of the impact their actions have is vital.

Quite simply, everyone has the potential to communicate with everyone, so it is important that all staff and councillors understand the basic principles by which we work.

As a communications team, our primary audiences are as follows:

- Staff and potential new staff and trades unions
- Residents
- Businesses and potential investors
- Members, partner councils, town and parish councils
- Northamptonshire's Health Sector
- Northamptonshire Police and PCC and other emergency services
- Educational establishments
- Voluntary and community sector
- MPs, Central Government
- Media

In many instances, staff and members from across the rest of the organisation will engage with each other or external stakeholders. In these instances, they should adhere as closely as possible to the commitments in section 3 above.

## **6. How do we communicate?**

There is a wide variety of methods for communication and we try and utilise as many of them as possible, to ensure we reach the maximum number of people. This document deals primarily with external communications, but we also use a wide variety of internal communications channels to engage with staff.

### **Media**

Media can be an effective way to disseminate information but the results can be variable. Advertising is the only guaranteed way to ensure the Council's primary messages remain intact. It is worth noting that Northamptonshire has dedicated Local Democracy Reporting Service staff scrutinising Council activity so the more proactive the Council can be in terms of communicating about its activity, the better. For this reason, it is important that the Communications Team receives timely updates from all service areas where appropriate.

### **Press conferences**

These are used extremely sparingly in order to maintain impact. They are usually necessary when there is a particularly big announcement which requires or is likely to attract a high level of media involvement.

### **Media interviews**

Cabinet members usually undertake media interviews though, in some circumstances and with their agreement, staff might offer interviews where that is the more expedient or effective option. It is important that key messages are understood and adhered to.

### **Press releases**

These are used frequently in order to ensure key messages remain in the public domain. Content is always focused on Council or partnership activity with the intention of informing members of the public about initiatives, events and developments in the borough.

### **Social Media**

Primarily Facebook and Twitter, though the council also utilises Instagram to promote Love Northampton activity. This activity could be used to support more extensive activity via web, press release, direct mail and so on, or to provide bite-sized chunks of detail to ensure key messages become established.

### **Website**

The Council's revamped website was launched in November 2018 and its news section is used as a repository for council updates which are then promoted via a variety of methods, primarily social media.

### **Direct mail and advertising**

Due to cost these are used sparingly for particularly hard-to-reach groups, though Council Tax demands offer an ideal opportunity to communicate with every household within the borough. Advertising is sometimes considered in local publications to promote events in the locality.

### **Parish meetings and community groups**

Parish meetings or attendance at community groups offers the opportunity to engage directly with specific communities, where residents can ask questions and receive updates. It is often also a good opportunity to distribute printed materials without the additional cost of postage.

### **Members**

Council members are clearly ambassadors for the Council and its work, and have the ability to access and inform sections of their communities which might otherwise be hard to reach. They are provided with as much information as possible in order that they can speak with authority when asked about Council activity.

### **Staff**

Well-informed and engaged staff can provide an effective ambassadorial front-line role when dealing with residents.

### **Voluntary and community organisations**

Each authority engages with local volunteers and they are encouraged to distribute and spread the word about Council activity.

### **Internal channels**

The Council uses a wide variety of internal communications channels from face-to-face staff briefings to a staff e-newsletter. For a full outline see the refreshed Internal Communications Strategy agreed by Corporate Management Board in October 2018.

## **6.1 Engagement and consultation**

The council engages and consults with the public regarding many aspects of its work. This is usually carried out by individual service areas but where appropriate the Communications Team helps publicise.

A variety of methods are adopted for both engagement and consultation:

### **Forums**

Departments work with a wide variety of organisations including residents', community, and parish clerks' forums, park management committees, and voluntary sector partners, including regular meetings. These offer the opportunity to engage directly with the community and encourage participation in consultations.

### **Survey Monkey**

This is the Council's primary tool for carrying out consultations, coupled with publicity through an appropriate assortment of channels.

### **Email**

In some circumstances, consultation responses are requested via direct email, publicised in the same way as the Council's Survey Monkey work.

### **External consultants**

The council also makes judicious use of consultants where the situation dictates that this is the most appropriate mechanism.

## **7. Did it work?**

As part of the communications process, it is important to consider how success will be measured. There are a number of excellent indicators, some of which are outlined below:

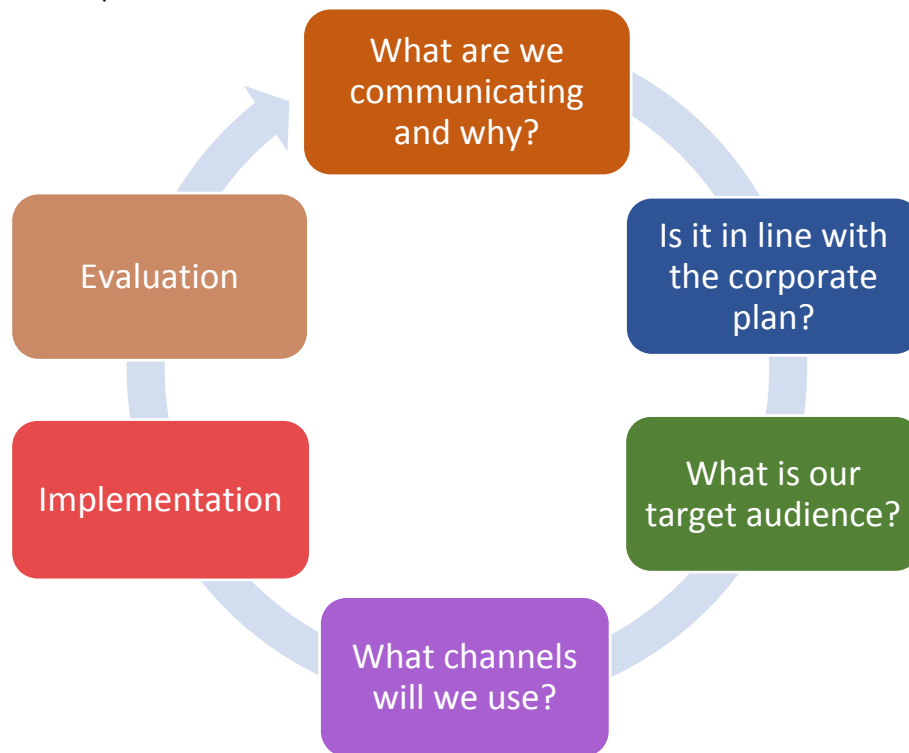
- Public consultation results
- Resident surveys
- Community group engagement
- Customer feedback
- Feedback from stakeholder partners
- Google analytics regarding messaging
- Social media metrics (both in terms of views and interactions)
- Web page views
- External monitoring by organisations like SOCITM, the society for public sector IT practitioners
- Media coverage

Staff surveys can offer a good indication of whether internal communications have been successful, though in most instances just speaking with colleagues is the best way to gauge progress.

## **8. Communications cycle**

Each time we identify a new message, no matter the audience, we will follow the same process. Not only will this ensure our communications are as effective as possible in each instance, it will also

provide incremental improvements.



### Appendix 1 – Key messages by priority area

This appendix offers a suite of potential key messages which can be used, mixed and matched depending on the external communications going out.

#### A stronger economy

<b>A clean, green and tidy town</b>	<b>Creating a thriving, vibrant town</b>	<b>Shaping place and driving growth</b>
We work with partners to make Northampton a clean and attractive place for residents and visitors alike	We arrange and support a wide range of events and activities throughout the year to celebrate the town, its businesses, communities and heritage	We already have several key strategies in place and are working on more to ensure growth is planned, strategic and effective
We carefully manage our environmental services and enforcement contracts to ensure they operate in an effective and reasonable way to raise standards and change anti-social behaviour such as fly-tipping and littering	We are working to improve Northampton’s Market Square to create a focal point for more town centre activity, building on a wide and diverse range of events held there	We will continue to seek additional investment to enable project and infrastructure delivery
Improved air quality, particularly in areas with high pollution readings, is a priority	Working with partners, we endeavour to ensure Northampton is safe and welcoming	Our strategies will help us attract additional development and investment across the borough
	We establish and support ways of highlighting Northampton’s long and rich history and its current cultural offer	
	Work with developers to ensure schemes make a positive contribution to the vitality of Northampton and its communities	

#### Resilient Communities

<b>Keeping the town and people safe</b>	<b>Empowering local people</b>	<b>More homes, better homes</b>
Our successful campaigns around encouraging safer nights out and reducing knife crime will continue to be developed	We engage with partners and communities, through a variety of forums and our neighbourhood wardens and park rangers, on days of action which bring residents and	We are working with developers and other delivery partners to accelerate delivery of much-needed housing

	businesses together to work on neighbourhood priorities	
We are taking an active part in delivering solutions to risks, including the introduction of a taxi-marshalling scheme and the establishment of safe routes home	We work with schools to deliver community safety and environmental messages in order to instil acceptable behaviours early	Our enforcement work in the private rental sector is nationally recognised and we continue to build on that good reputation
We use the powers available to us through the activity of our neighbourhood wardens, park rangers and enforcement contract to tackle environmental issues including noise nuisance and anti-social behaviour	Our work to support community events like Diwali, Chinese New Year and the Northampton Carnival helps bring residents together to celebrate diversity	We work with a wide range of partner organisations to reduce homelessness and remove the need for people to sleep rough in Northampton
We continue to work with community safety partners to tackle serious and organised crime, including county lines drugs gangs		Having demonstrated its effectiveness, we are now looking to increase capacity of Northampton's Nightshelter to accommodate women
The work we do helps protect the most vulnerable in our society		We are looking to create a stock of homes which can act as temporary accommodation, thereby decreasing our reliance on bed and breakfast
Thousands of residents come together each year for our firework display which helps cut back on the number of domestic events which often end in injury and damage to property		

### Exceptional services to be proud of

<b>Spending your money wisely</b>	<b>Putting the customer first</b>	<b>Improving governance</b>
We have established good lines of communication with our staff which is helping maintain good levels of job satisfaction, retention and a desire to deliver value for money	We will continue to provide excellent customer service as assessed by the Cabinet Office against its exacting standards	We are open and honest in our approach and ensure information is available to customers wherever possible
We have established close working links with other local authorities across the county in order to explore the	We work closely with a wide range of relevant partners to provide a holistic service to customers at the first point of	Our governance processes have been continually improved during the past few years and we are constantly

potential for joint working and achieve economies of scale	contact	looking for ways to enhance our approach
We are considering potential investments which could help increase income and reduce reliance on decreasing government grants	We have improved the council website to help customers access our services more readily and we continue to monitor access to ensure that content is relevant and up to date	
We seek to wisely spend the funds that we collect through taxation		

Appendices  
1



**NORTHAMPTON**  
BOROUGH COUNCIL

## CABINET REPORT

<b>Report Title</b>	<b>Northants Waste Partnership – Updated Memorandum of Understanding</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	6 <sup>th</sup> March 2019
<b>Key Decision:</b>	No
<b>Within Policy:</b>	Yes
<b>Policy Document:</b>	No
<b>Service Area:</b>	Customers and Communities
<b>Accountable Cabinet Member:</b>	Cllr Mike Hallam
<b>Ward(s)</b>	Borough Wide

### 1. Purpose

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The purpose of this report is to recommend that cabinet agree to adopt the updated and revised version of the Northamptonshire Waste Partnership (NWP) Memorandum of Understanding (MoU)

### 2. Recommendations

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- 2.1 To agree to the adoption of the updated and revised Memorandum of Understanding relating to membership of the Northamptonshire Waste Partnership.
- 2.2 To delegate to the Cabinet Member for the Environment the authority to sign the amended MoU.

### 3. Issues and Choices

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#### 3.1 Report Background

- 3.1.1 Northampton Borough Council is a member of the Northamptonshire Waste Partnership (NWP). The partnership operates under a Memorandum of



Understanding. The MoU was originally drafted and agreed by all NWP Partners in 2004. The partners are listed in Appendix 1 and currently include all eight Local Authorities in Northamptonshire.

- 3.1.2 The MoU sets out an agreement for the operation of the NWP and seeks to clarify and record the responsibilities of partners both individually and collectively. The purpose of this report is to highlight the small number of changes which have been recommended by the NWP Steering Group and to agree a final version for adoption by all Partners.
- 3.1.3 Since 2004 Northampton Borough Council have left the partnership on two occasions, once in 2015 and again in March 2018. On both occasions this was as a result of budgetary constraints.
- 3.1.4 In preparation for the forthcoming Unitary arrangement and in recognition of the benefits of partnership working, including wider financial efficiencies, the Council re-joined in June 2018. Northamptonshire County Council who had previously left the partnership in March 2018 also re-joined in June 2018.
- 3.1.5 An audit of NWP took place last year and made a recommendation that should any member of the partnership decide to leave then they should not receive a share of any partnership reserves.
- 3.1.6 Membership of NWP for 18/19 consists of a contribution from each partner authority of £11,250.
- 3.1.7 NWP Board have agreed that each partner authority will seek authority from their decision making body for adoption of the revised MoU.

## **3.2 Issues**

- 3.2.1 The following changes have been made to the Memorandum of Understanding:
- 3.2.2 Northampton Borough Council and Northamptonshire County Council are reinstated into the list of Partners.
- 3.2.3 The quorum for holding meetings has been increased from three Partners to four in attendance.
- 3.2.4 A section is included to clarify that if a member of the partnership decides to leave then they do not receive a share of any partnership reserves.

## **3.3 Choices (Options)**

- 3.3.1 Cabinet can choose to accept the changes to the memorandum of understanding
- 3.3.2 Cabinet can choose not to accept the changes to the memorandum of understanding

- 3.3.3 Cabinet can choose to accept some of the changes to the memorandum of understanding

## **4. Implications (including financial implications)**

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### **4.1 Policy**

- 4.1.1 If Cabinet agree to adopt the updated and revised MoU then the existing MoU will be replaced. The revised MoU will include re-instatement of the Council into the list of partners.

### **4.2 Resources and Risk**

- 4.2.1 The cost of membership of the NWP for 18/19 is £11,250 per annum per partner authority. There is no additional cost in relation to the amended MoU.
- 4.2.2 One amendment to the MoU states that should a member of the partnership decide to leave then they will not receive a share of any partnership reserves. On the previous two occasions when the Council left the partnership they did not receive any reserves.

### **4.3 Legal**

- 4.3.1 The Memorandum of Understanding is not a legally binding agreement, so there are no legal comments to make at this stage.

### **4.4 Equality and Health**

- 4.4.1 There are no equality and health issues. The proposal does not involve a change in service.

### **4.5 Consultees (Internal and External)**

- 4.5.1 The Northampton Waste Partnership has a board made up of relevant key councillors and officers from all member authorities, these changes have been debated and agreed by this board. The Cabinet Member for the Environment and the Head of Customers and Communities are both members of the NWP Board.

### **4.6 How the Proposals deliver Priority Outcomes**

- 4.6.1 This proposal supports the Council's Corporate Plan objectives: Making the best use of our assets, working with partners to provide joined up service, empowering communities to develop their areas and developing stronger and more resilient communities. It also supports the Council's Corporate Plan objective in relation to creating an attractive, clean and safe environment.

### **4.7 Other Implications**

None

## **5 Background Papers**

5.1 Northampton Waste Partnership 17/18 Final Audit Report

## **6. Appendices**

6.1 Appendix 1 Updated Northampton Waste Partnership Memorandum of Understanding.

## **7. Next Steps**

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7.1 If agreed, The Cabinet Member for the Environment will sign the revised memorandum of Understanding at the next NWP Board meeting.

**Marion Goodman**  
**Head of Customer and Communities**  
[mgoodman@northampton.gov.uk](mailto:mgoodman@northampton.gov.uk)  
01604 838273



# **NORTHAMPTONSHIRE WASTE PARTNERSHIP**

## **MEMORANDUM OF UNDERSTANDING**

Borough Council of Wellingborough

Corby Borough Council

Daventry District Council

East Northamptonshire Council

Kettering Borough Council

Northampton Borough Council

Northamptonshire County Council

South Northamptonshire Council

December 2018

## **SECTIONS**

- 1 PURPOSE OF THIS MEMORANDUM OF UNDERSTANDING (MOU)
  - 2 CONTEXT
  - 3 STATUS OF THE MOU AND PARTNERSHIP
  - 4 PARTNERSHIP PRINCIPLES
  - 5 CODE OF CONDUCT
  - 6 OBJECTIVES
  - 7 MEMBERSHIP AND VOTING
  - 8 MEETINGS AND CHAIRING
  - 9 OFFICER SUPPORT GROUP AND NWP EXECUTIVE OFFICER
  - 10 ADMINISTRATION
  - 11 DISPUTE RESOLUTION
  - 12 DURATION
  - 13 CONFIDENTIALITY
  - 14 INTELLECTUAL PROPERTY RIGHTS
  - 15 FREEDOM OF INFORMATION ACT 2000 & ENVIRONMENTAL INFORMATION REGULATIONS 2004
- SCHEDULE 1 – EXECUTION OF THE MOU – SIGNATURES
- SCHEDULE 2 – INTER-RELATIONS WITH VARIOUS GROUPS
- SCHEDULE 3 – TERMS OF REFERENCE / CONSTITUTION OF THE STEERING GROUP
- SCHEDULE 4 – TERMS OF REFERENCE OF THE WASTE FOCUS GROUP
- SCHEDULE 5 – TERMS OF REFERENCE OF THE RECYCLE FO NORTHAMPTONSHIRE GROUP
- SCHEDULE 6 – TERMS OF REFERENCE FOR THE ENFORCEMENT GROUP

**NORTHAMPTONSHIRE WASTE MANAGEMENT PARTNERSHIP FOR  
NORTHAMPTONSHIRE**

**MEMORANDUM OF UNDERSTANDING**

**1 PURPOSE OF THIS MEMORANDUM OF UNDERSTANDING**

- 1.1 This Memorandum of Understanding (the "**MoU**") sets out the Partners' (as defined below) agreement for the operation of the Northamptonshire Waste Partnership (the "**Partnership**") and replaces the previous memorandum of understanding signed by the Partners in 2012 relating to the Partnership.
- 1.2 This MoU clarifies and records the responsibilities of the Partners to the MoU individually and collectively, including to each other.

The parties to this MoU (who are also the "**Partners**" of the Partnership) are:

- (a) Borough Council of Wellingborough;
- (b) Corby Borough Council;
- (c) Daventry District Council;
- (d) East Northamptonshire Council
- (e) Northampton Borough Council
- (f) Northamptonshire County Council
- (g) Kettering Borough Council;
- (h) South Northamptonshire Council

**2 CONTEXT**

- 2.1 The Partners recognise that all Local Authorities within Northamptonshire share a responsibility for and a commitment to the effective delivery of a joint and sustainable approach to managing the municipal solid waste arising in Northamptonshire.
- 2.2 The Partners have set up:
- (a) a "**Steering Group**" comprising Directors and senior officers from each Partner; and
  - (b) a "**Waste Focus Group**" comprising technical officers from each Partner.

(c) A “**Recycle For Northamptonshire Group**” comprising recycling officers from each Partner.

(d) As and when required “Task Group” comprising relevant Members or Officers.

Schedule 2 to this MoU sets out an organogram illustrating the role and function of these groups.

2.3 The Partnership has agreed the Terms of Reference / Constitution for the Steering Group (as set out in Schedule 3) and the Waste Focus Group Terms of Reference (as set out in Schedule 4) and such Terms of Reference may be amended from time to time by agreement of the Partnership in accordance with clause 10.

2.4 In 2007, the Northamptonshire Joint Municipal Waste Management Strategy (the “**Strategy**”) was produced. In 2012, the Strategy went through a “light touch” update to take into account legislative and local changes. The Partners have discussed and agreed the Strategy and have adopted it.

2.5 The Partners recognise that:

(a) joint working is the most effective way of achieving the objectives of the Strategy;

(b) continued joint working and collaboration builds on the partnership working to date.

2.6 To implement the Strategy and to facilitate joint working between the Partners, the Partners acknowledge the need for and benefits of closer partnership working and in particular to develop greater integration between the WDA and WCAs. This MoU provides the link in the development of this closer partnership working.

2.7 Nothing contained or implied in this MoU shall prejudice or affect the Partners' rights, powers, discretions, duties and obligations in their functions as local authorities and or in any other capacity. All rights, powers, discretions, duties and obligations of the Partners under all laws may at all times be fully and effectually exercised as if the Partners were not party to this MoU.

### **3 STATUS OF THE MOU AND THE PARTNERSHIP**

3.1 This MoU is intended to be an operational document. It is not a formal or legally binding contract and the Partners expect that its scope will evolve over time. The Partners, individually and collectively, have (by signing this MoU) agreed to use all reasonable endeavours to comply with the terms and spirit of this MoU. They will not be obliged to

undertake participation or expenditure which they have not agreed to as individual Partners except where they each agree to commit funding of a specific amount (one-off or annually) to be pooled, so as to be expended as determined by agreement of the Partnership.

- 3.2 As the Partnership is not a legal entity, it cannot employ staff or enter into contracts in its own right, and will therefore have to act through an agent - normally one of the Partners.
- 3.3 The Partnership has no delegated or Executive Powers. The Partnership cannot (with the exception of deciding expenditure from any pooled budgets referred to in clause 3.1 above) make any recommendations back to individual Partners that are binding on the Partners individually or collectively.

#### **4 PARTNERSHIP PRINCIPLES**

- 4.1 Each of the Partners has shown commitment to the Partnership through their ongoing participation in and support of the Partnership, the Steering Group, the Waste Focus Group and the Recycle For Northamptonshire Group. This reflects an underlying aim for continuing cooperation and a longer term vision to deliver the Partnership's vision jointly to implement the policies set out in the Strategy.
- 4.2 The Partners, individually and collectively, agree the following key principles (the "**Partnership Principles**") to guide the activities of the Partnership:

(a) **Transparency**

All Partners are committed to ensuring the planning, development and implementation of the Strategy is as transparent as possible to all, each other and to the public.

(b) **Consultation**

- (i) All Partners recognise the importance of consultation and the need to consult as widely as possible with all stakeholders in Northamptonshire.
- (ii) All significant new initiatives, contracts and changes in working practices that impact on the way waste services are delivered in Northamptonshire shall be openly discussed between the Partners.

(c) **Co-Operation**

- (i) Actions and decisions to be taken by the Partnership should reflect what is in the best interests of all council taxpayers and the implications for individual



Partners within the geographical area of Northamptonshire and take into account what is fair and equitable for each Partner.

- (ii) The Partners accept the need to work more closely together to provide more effective, efficient and financially viable waste services. The Partnership will explore the development of joint initiatives between all or some of the Partners, with or without third party authorities or private companies on waste minimisation, recycling, recovery, treatment, collection and disposal.
- (iii) The Partners agree collectively to monitor and review the effectiveness of the strategies adopted in Northamptonshire, as well as consider the options for the future delivery of services to meet the aims and objectives of the Strategy.
- (iv) The Partners agree to work together in a spirit of mutual trust, support and respect, and to ensure that when difficulties or differences of opinion arise they are addressed quickly, honestly and openly and to share in a fair and equitable manner (having regard to their statutory responsibilities) the costs and work involved in achieving the Partnership Principles and the Partnership Objectives.
- (v) The Partners recognise the need to take a wider view on waste management in Northamptonshire than that of any individual WCA or WDA if their collective strategy objectives are to be met.
- (vi) The Partners agree that coordinated actions are more likely to achieve the shared strategy of the Partnership.

(d) **Information**

- (i) In recognition of the importance of information and statistics in relation to waste services, the Partners agree to provide and share information necessary to monitor and measure the effectiveness of initiatives.
- (ii) Such information should be collected and presented in an agreed format to enable quick and easy interpretation to the Partners and the public.
- (iii) The Partners agree to ensure that information and statistics provided are accurate, supplied in a timely fashion and produced to high standards of data quality.

(e) **Cost and Benefits Sharing**

To share in a fair and equitable manner the work and costs involved and the economies made, in achieving the Partnership Principles and the Partnership Objectives (defined below). The Partners agree that the Steering Group will usually be the appropriate forum for the discussion of such sharing arrangements. The Steering Group, guided by the Partnership, will develop such sharing arrangements for presentation to the Partnership. It is however agreed that individual Partners will have to agree with any cost, work or economy sharing proposals which are made. The Steering Group will not be able to make these decisions on their behalf.

**5. CODE OF CONDUCT**

5.1 All Members of the NWP Board shall at all times conduct themselves in a reasonable manner when attending meetings or any other function in connection with the NWP Board.

5.2 Members may come into contact with confidential information during the course of their mandate. In such circumstances, Members must never:

- a) disclose such information to any third parties; or
- b) use the information to the disadvantage or discredit of any of the eight partners of the NWP or anyone else.

5.3 All Members shall agree to abide by this code of conduct and failure to do so will result in the Members referring the matter to the Leaders group for consideration.

**6 OBJECTIVES**

6.1 The Partners agree to work towards achieving the objectives of the Partnership (the "**Partnership Objectives**"). The Partnership Objectives are to:

- (a) enable the Partners to work together to deliver the policies and targets identified in the Strategy;
- (b) examine the different options for working with other local authorities as appropriate, on waste management;

- (c) develop a long-term vision and influence the long-term planning needs for waste as a resource in Northamptonshire. To ensure the development of the Waste Development Framework contributes to the successful delivery of the Strategy;
- (d) keep the Strategy under review and to monitor its implementation and effectiveness;
- (e) explore all options for the future procurement and delivery of municipal waste collection, recovery, treatment and disposal, including minimisation and reuse. This shall also include the possibility of future joint contracts for refuse collection (including or excluding recyclable materials) and/or waste disposal and including an examination of the opportunities for continued involvement of the existing in-house providers employed by any Partner;
- (f) work with, and support as required, statutory agencies, non-governmental organisations (NGOs), commercial enterprises of all sizes, business, scientific, commercial and voluntary/not for profit organisations and other bodies who are in pursuit of developing, supporting and influencing the future direction of sustainable waste/resource management;
- (g) consider and evaluate, where appropriate, processes to manage waste from commercial and industrial sources from within and outside Northamptonshire if commensurate benefits accrue to Northamptonshire residents and it contributes to their overall environmental, social or economic well being;
- (h) discuss at meeting(s) of the Partnership any plans for any Partner to enter into arrangements relating to waste disposal and/or collection and/or recycling (a Proposal) with:
  - (i) any one or more of the Partners; or
  - (ii) any third party,

in order that Partnership can assess, prior to the Proposal being entered into, the effect of such plans on the activities of the Partnership and its members and discuss whether there is scope for greater Partnership involvement in the Proposal;
- (i) work between the Partners on the detailed design and delivery of a waste management solution integrated across the whole county and as existing contracts expire, where practicable, seek to facilitate the letting of new contracts which

harmonise with Strategy arrangements to enable the development of such an integrated solution;

- (j) as a minimum reach and maintain the levels of county-wide recycling and composting performance committed to in the Strategy and to seek to ensure that budgets are made available to maintain this level of performance;
- (k) prior to implementing any significant changes to their collection methodology or systems to discuss with the Steering Group and report to the Partnership the potential impact on the development and implementation of the Strategy;
- (l) in all of its considerations and recommendations be bound by the principles of Best Value and to maximise the opportunities under the power to promote the environmental, social and economic well-being in all matters related to waste/resource management and to support the development of future proposals for inclusion in community strategies.

## **7 MEMBERSHIP AND VOTING**

- 7.1 Each Partner will appoint two elected members and one substitute elected members to serve on the Partnership Board (called "**Partnership Members**"). Whilst appointments may be reviewed annually some strong consistency of membership is encouraged.
- 7.2 Each Partnership Member appointed to represent the Partner at meetings shall have sufficient knowledge and authority on waste matters to contribute effectively to the meetings. This would normally include the member of that Council with Lead Member /Portfolio Holder responsibility (as appropriate to that Council's political structure) for waste issues.
- 7.3 Each Partner shall be entitled to a total of one vote to be cast on behalf of such Partner by its Partnership Member(s) or the substitutes. Determination of Partnership's decisions shall be made by voting. Voting will be carried out in such a manner that each Partner acts freely and independently. This will include ballot voting where necessary. Each of the Partners agrees that its vote shall be cast in a manner consistent with the Partner's policy objectives rather than in accordance with any personal view of the Partnership Member or substitute exercising the right to vote on behalf of the Partner.
- 7.4 The Partnership will endeavour to reach agreement on issues that are voted upon taking all reasonable steps to reach a consensus.
- 7.5 If the Board cannot reach an agreement then the Chair has the casting vote.

## **8 MEETINGS AND CHAIRING**

- 8.1 The Partnership shall meet as a Board and shall elect from its Partnership Members a Chair and a Vice-Chair.
- 8.2 The Chair and Vice-Chair will be from different Partners. They will be elected annually unless agreed otherwise by the Partners.
- 8.3 At least three meetings a year will be held dependent upon issues that arise or decisions that need to be considered.
- 8.4 Meetings are not open to the public but non-members of the Partnership may attend by invitation. Confidential items of business may be considered in private at the end of meetings at the Chairman's discretion.
- 8.5 A special meeting shall be held if called by either the Chair or by at least 50% of the Elected Members from Partner Authorities requesting in writing (to the EO) such a meeting.
- 8.6 The quorum for a meeting shall be four Partners.
- 8.7 The agenda calling the meeting and accompanying reports shall be circulated to all Partnership Members (and their substitutes and to members of the Steering Group) at least ten working days before the meeting. With the agreement of the Chair or in his/her absence the Vice-Chair, agendas and papers may, in respect of an urgent item, be circulated later than ten working days before the meeting but not less than five working days.

## **9 OFFICER SUPPORT GROUP AND NWP EXECUTIVE OFFICER**

- 9.1 The Partners shall, by applying pooled resources, employ (through one of the Partners) a Partnership executive officer (the "**NWP Executive Officer**") to advance the Partnership Principles and Partnership Objectives.
- 9.2 The role and work programme for the NWP Executive Officer will be determined and monitored by the Partners. The NWP Executive Officer will report to the Chair.
- 9.3 The Steering Group together with the NWP Executive Officer shall support the Partnership.
- 9.4 The Steering Group will prepare reports and recommendations for consideration by the Partnership. Officers forming the Steering Group shall be at a senior level and be in a position to represent their individual Authority views on strategic waste issues.

- 9.5 The Officers of each Partner shall be responsible for implementing Partnership's position (once adopted by all Partners).
- 9.6 The Partnership, through the Steering Group, may agree to the setting up of other officer working groups to discuss and take forward any particular issues with particular emphasis on joint working. Alternatively, consultants may be engaged by the Steering Group to take specific projects forward. The funding of such consultants will be achieved via applying pooled resources. Any additional groups or consultants engaged will be accountable to the Partnership through the Steering Group.

## **10.0 ADMINISTRATION :**

- 10.1 The Partner with responsibility for the employment of the NWP Executive Officer shall provide administrative support to the Partnership who shall:
- (a) arrange meetings and circulate agendas and reports;
  - (b) provide a venue for meetings;
  - (c) take minutes;
  - (d) advise the Chair of the meeting as to procedures;
  - (e) manage and co-ordinate to an agreed level the day-to-day administrative activities associated with the Partnership; and
  - (f) ensure that all necessary advice on the general implications of matters under consideration is obtained.

## **11 DURATION**

- 11.1 This agreement will remain in place subject to there being a minimum of six Partners at all times. The terms of this MoU may, however, be varied by agreement of all the Partners.
- 11.2 This MoU shall be reviewed every 12 months by the NWP Executive Officer who shall report its conclusions, should amendments be required, to the Steering Group. This MoU may be reviewed at any other time by agreement with all of the Partners at a meeting of the Partnership Board.
- 11.3 Any Partner may withdraw from the Partnership by giving not less than six months' notice in writing but not before such a proposal has been considered by the Partnership and the withdrawal shall not take effect until the following 31st March.

- 11.4 Any Partner who has given notice to withdraw from Partnership is entitled to attend meetings and take part in projects until the expiry of their notice period. Any Partner withdrawing from the Partnership is not entitled to a share of the NWP reserves on their departure.
- 11.5 Any former Partner may rejoin the Partnership at any time, by putting their intention in writing to the EO, who will immediately inform the Chair. Payment of the annual subscription for the year in which they rejoin will be the same as existing members but on a pro-rata basis, depending on what point in the year the Partner rejoins.

## **12 CONFIDENTIALITY**

- 12.1 Subject to clauses 13.2 and 13.3, the Partners shall keep confidential any information of a commercially sensitive nature obtained by reason of this MoU and shall not disclose such information to any third party or other councils without the consent of all other Partners during or after the period of this MoU. The Partners shall take all reasonable steps as from time to time as shall be necessary to ensure compliance with this clause.
- 12.2 Each of the Partners agrees to comply in a timely manner with all reasonable requests for information from other Partners in connection with the discharge by any Partner of its waste collection and/or disposal function ("**Statutory Function**") where the exercise of such function impacts upon the exercise of the Statutory Function of the requesting Partner.

## **13 INTELLECTUAL PROPERTY RIGHTS**

Subject to the rights of any third parties, the Partners will share equally all data, reports, drawings specifications, designs, inventions or other material produced or acquired including copyright in the course of their joint work. The Partners agree that any proposal by one partner to permit a third party to utilise the documents and materials produced by the Partnership shall be subject to the agreement of all other Partners. Any changes, amendments or updates made to documents and materials, if made under the terms of this MoU, shall be jointly owned by the Partners.

## **14 FREEDOM OF INFORMATION ACT 2000 AND ENVIRONMENTAL INFORMATION REGULATIONS 2004**

- 14.1 Each of the Partners acknowledges that each of the others is subject to the requirements of the Freedom of Information Act 2000 ("**FoIA**") and the Environmental Information Regulations 2004 ("**EIR**") and each Partner shall where reasonable assist and co-operate with the other Partner (at their own expense) to enable the other Partner to comply with these information disclosure obligations.

- 14.2 Where a Partner receives a request for information under either the FoIA or the EIR in relation to information which it is holding on behalf of any of the other Partner in relation to the Partnership, it shall:
- (a) transfer the request for information to the other Partner as soon as practicable after receipt and in any event within two working days of receiving a request for information;
  - (b) provide the other Partner with a copy of all information in its possession or power in the form that the Partner requires within ten working days (or such longer period as the Partner may specify); and
  - (c) provide all necessary assistance as reasonably requested by the other Authority to enable the Authority to respond to a request for information within the time for compliance set out in the FoIA or the EIR.
- 14.3 Where a Partner receives a request for information under the FoIA or the EIR which relates to the this MoU or the Partnership, it shall inform the other Partners of the request for information as soon as practicable after receipt and in any event at least two working days before disclosure and shall use all reasonable endeavours to consult with the other Partner prior to disclosure and shall consider all representations made by the other Partner in relation to the decision whether or not to disclose the information requested.
- 14.4 The Partners shall be responsible for determining in their absolute discretion whether any information requested under the FoIA or the EIR:
- (a) is exempt from disclosure under the FoIA or the EIR;
  - (b) is to be disclosed in response to a request for information.
- 14.5 Each Partner acknowledges that the other Partners may be obliged under the FoIA or the EIR to disclose information:
- (a) without consulting with the other Partner where it has not been practicable to achieve such consultation; or
  - (b) following consultation with the other Partner and having taken their views into account.



**Schedule 1**

**EXECUTION OF THE MOU**

**SIGNATURES**

This MoU is agreed by the following:

.....

On behalf of Borough Council of Wellingborough

.....

On behalf of Corby Borough Council

.....

On behalf of Daventry District Council

.....

On behalf of East Northamptonshire Council

.....

On behalf of Kettering Borough Council

.....

On behalf of Northampton Borough Council

.....

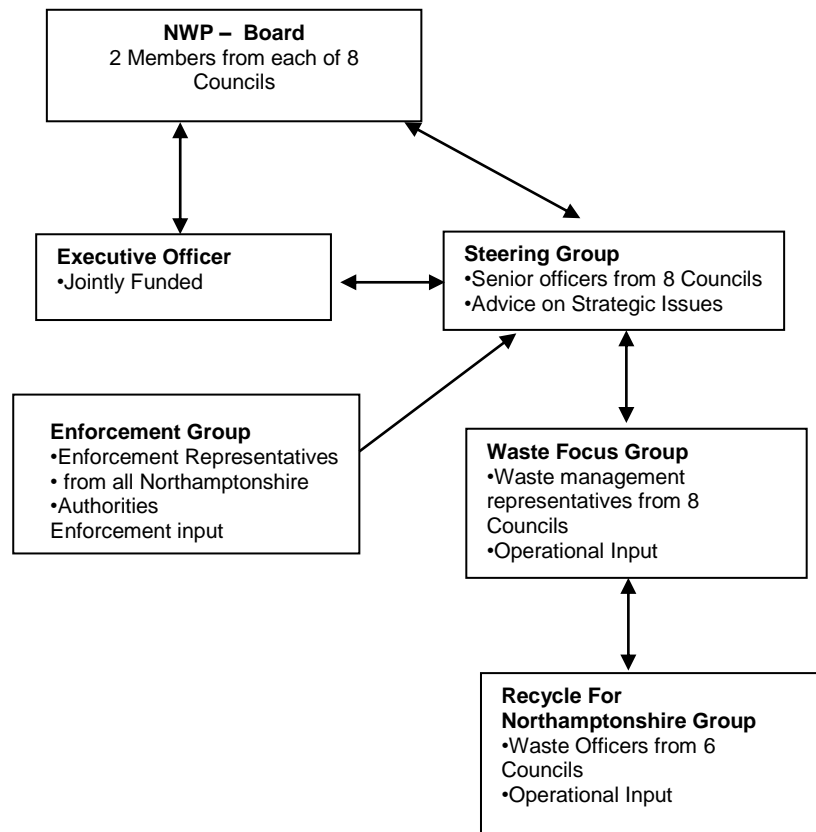
On behalf of Northamptonshire County Council Council

.....

On behalf of South Northamptonshire Council

## Schedule 2

### Inter-relations within the Northamptonshire Waste Partnership



### Schedule 3

## NORTHAMPTONSHIRE WASTE PARTNERSHIP

### TERMS OF REFERENCE / CONSTITUTION OF

#### THE STEERING GROUP

#### 1) AIM

The principal aim of the Steering Group is to make recommendations to the Northamptonshire Waste Partnership (the "NWP") as to the most efficient and effective way to develop, promote and deliver and monitor the Northamptonshire Joint Municipal Waste Management Strategy (the "Strategy").

#### 2) OBJECTIVES

In pursuance of the aim set out in Clause 1 (but not otherwise), the Steering Group shall have the following objectives:-

- 2.1 to form an opinion on any submission by the Steering Group Officers ("Officers") regarding their respective projects;
- 2.2 to submit to the NWP any reports or any other form of recommendation as is from time to time appropriate;
- 2.3 to act on any directions or instructions given by the NWP or the Chief Executive group in relation to delivery of the Strategy;
- 2.4 to liaise and give recommendations as appropriate with various groups all with a view to furthering the delivery of the Strategy;
- 2.5 to participate in the recruitment of and make recommendations on the appointment of the Executive Officer and other Officers as appropriate on behalf of the NWP.
- 2.6 to undertake feasibility studies, surveys of opinion or fact, consultations whether private or public, or other activities similar in purpose;
- 2.7 to recommend to the NWP the engagement of such consultants and advisers as are considered appropriate from time to time;
- 2.8 to do anything which may be incidental or conducive to the furtherance of the aim of this constitution; and
- 2.9 to provide such further assistance and support to the NWP as the NWP may from time to time request in connection with the delivery of the NWP's objectives and the Strategy.

#### 3) PARTNERING PRINCIPLES

- 3.1 The Officers agree to establish and support a partnering relationship between the Officers to facilitate the delivery of the Strategy

- 3.2 The aim of this clause is to identify the high level principles which underpin the workings of the Steering Group and the delivery of the Strategy and to set out key factors for a successful relationship between the Officers.
- 3.3 The Principles:
- 3.3.1 to develop close working relationships between the Officers at all levels;
  - 3.3.2 to recognise each others' needs, constraints, limitations, capabilities, roles and responsibilities to achieve mutually beneficial outcomes;
  - 3.3.3 to identify, by regular meetings, weaknesses and strengths in the relationship between and amongst the Officers and to work together to overcome the weaknesses and to build on the strengths;
  - 3.3.4 to commit to the early recognition and resolution of differences, conflicts and disputes between the Officers in a “no surprise” environment;
  - 3.3.5 to support, defend and promote the partnering relationship and its principles of operation; and
  - 3.3.6 to keep working in openness and trust in a transparent information and data sharing environment.

### **3.4 Problem Resolution**

The Officers agree to adopt and adhere to an agreed and systematic approach to problem resolution which recognises the principles set out above and:

- 3.4.1 seeks resolution without apportioning blame;
- 3.4.2 is based on mutually beneficial outcomes;
- 3.4.3 treats other Officers as equal parties in resolving differences of opinion;
- 3.4.4 contains a mutual acceptance that adversarial attitudes waste time and money; and
- 3.4.5 relies on more and better discussion – with less paperwork and more constructive correspondence.

## **15 MEMBERSHIP**

- 4.1 Membership of the Steering Group is open to the eight (8) partners of the NWP (Borough Council of Wellingborough, Corby Borough Council, Daventry District Council, East Northamptonshire Council, Kettering Borough Council, Northampton Borough Council, Northamptonshire County Council, South Northamptonshire Council);

- 4.2 Each partner of the NWP may nominate one (1) Officer to be a member of the Steering Group.
- 4.3 Each nominated Officer shall be a senior officer responsible for waste management.
- 4.4 Upon the agreement of the Officers, membership of the Steering Group may be extended to:-
  - a) another authority; and/or
  - b) a project director/manager under certain circumstances.

## **16 GENERAL STRUCTURE**

The structure of the Steering Group shall consist of:

- 5.1 Officers - have the right to attend general meeting (and any other meetings of the Steering Group);
- 5.2 Executive Officer – to act as chair of Steering Group general meetings (and any other meetings as necessary); and
- 5.3 any other officer as agreed unanimously by the Officers of the Steering Group from time to time and/or the NWP.

## **17 ESTABLISHMENT AND FUNCTIONS OF THE EXECUTIVE OFFICER**

- 6.1 An Executive Officer’s post has been established by the NWP.
- 6.2 The Executive Officer shall:
  - 6.2.1 work closely with the Steering Group, manage the affairs of the NWP in accordance with the Partnership Principles and Objectives, taking into account legislation, delegated powers, standing orders, financial regulations and best practice;
  - 6.2.2 represent and promote the aims of the NWP at all levels within the partner authorities (as well as externally) and develop professional relationships with other local authorities, trade organisations and other representative bodies;
  - 6.2.3 take the lead role within the Steering Group in developing and implementing joint-working initiatives that enable efficient and effective delivery of waste services throughout the county;
  - 6.2.4 act as chair to the Steering Group's general meetings and Special General Meetings;
  - 6.2.5 develop and recommend a business plan and annual action plan for the NWP;

- 6.2.6 help with provision and/or procurement of all necessary advice on the technical, legal and financial implications of matters under consideration; and
- 6.2.7 act as relationship manager for the NWP.
- 6.3 The Executive Officer shall have one vote on any matter.
- 6.4 In the event that the Executive Officer is unable to act as chair of a general meeting or a Special General Meeting of the Steering Group, the Officers shall, acting unanimously, nominate an Interim Executive Officer (for the purpose only of that meeting).
- 6.5 An Interim Executive Officer will not have a right to vote on any matters at a general meeting or Special General Meeting of the Steering Group.

## **18 STEERING GROUP MEETINGS**

- 7.1 The Steering Group shall meet every other month as planned in an annual schedule and otherwise as necessary at locations to be decided from time to time by the Steering Group.
- 7.2 The business to be dealt with at any meeting shall only be those included in the agenda which shall be sent five (5) working days prior to the meeting to all Officers with such supporting papers as are available.
- 7.3 Substitution of a Member for another Member from the same organisation for the purpose of a meeting shall be allowed. The named substitute will attend the meeting and vote as a Member.
- 7.4 Decisions will be made by unanimous agreement of all of the Officers of the Steering Group as far as is possible. In the event that a unanimous decision cannot be reached, decisions will be made by majority rule.
- 7.5 Upon the unanimous agreement of the Officers of the Steering Group, some matters might be excluded from the minutes of the meetings for reasons including, but not limited to, confidential and commercially sensitive matters.
- 7.6 Minutes of the meetings of the Steering Group will be made available to all Officers of the Steering Group, the Waste Focus Group and the Recycle For Northamptonshire Group by circulation. Minutes shall be submitted for approval at the next appropriate general meeting.
- 7.7 Non members of the NWP may attend Steering Group if invited to do so by Steering Group through the EO.

## **19 SPECIAL GENERAL MEETINGS**

- 8.1 A Special General Meeting may be called:
  - 8.1.1 at the discretion of the Steering Group; or

8.1.2 by written request to the Executive Officer.

8.2 Each Officer of the Steering Group shall be entitled to receive at least five (5) working days' notice of a Special General Meeting of the Steering Group. The business of each Special General Meeting shall confine itself to that specified in the particular notice.

8.3 Emergency meetings may be called by the Executive Officer waiving the previous requirements

## **20 FINANCE**

The Steering Group can spend money via the Executive Officer (the amount available is determined by the NWP). The Executive Officer will send a report to justify the expense to the NWP after consultation with the Steering Group

## **21 COMMUNICATION**

All Officers of the Steering Group shall abide by the NWP communication procedure and the NWP Press Protocol.

## **22 DISSOLUTION OF THE GROUP**

The Steering Group can only be dissolved upon the termination or appropriate variation of the NWP Memorandum of Understanding.

## **23 CHANGES TO THE MOU**

12.1 Any alterations or additions to this MOU shall only be made at a general meeting or at a Special General Meeting of the Steering Group called for that purpose.

12.2 Notice of any proposed alterations or amendments to this MOU shall be made in writing to the Executive Officer and must be in the hands of the Officers at least 14 days prior to the date of the general meeting or Special General Meeting.

12.3 Such alterations or additions to this MOU shall only become effective if carried by a majority of two-thirds of the voting Officers present at the meeting.

## **24 VOTING**

13.1 The quorum for all general meetings and Special General Meetings of the Steering Group shall be a minimum of four (4) Officers of the Steering Group and the Executive Officer (or Interim Executive Officer duly nominated in accordance with clause 6.4).

13.2 No general meeting or Special General Meeting of the Steering Group shall take place unless the quorum requirements of clause 13.1 are satisfied.

- 13.2 If a quorum is not present within 15 minutes after the time at which a meeting of the Steering Group was due to commence – or if, during a meeting, a quorum ceases to be present – the meeting shall stand adjourned until such time and place as may be determined by the Executive Officer or Interim Executive Officer chairing the meeting.
- 13.3 If an Officer is unable to attend a meeting of the Steering Group, it may give a notice to all other Officers and the Executive Officer that a proxy is to attend the meeting on the behalf of the Officer (a "Proxy Notice"). Such Proxy Notice must be given to all other Officers and the Executive Officer at least five (5) days before the convening of that meeting.
- 13.4 Only Officers present at a meeting of the Steering Group may vote. Persons who attend meetings of the Steering Group pursuant to a Proxy Notice are entitled to vote.
- 13.5 Only the Executive Officer (not the Interim Executive Officer) may vote on matters at general meetings or Special General Meetings of the Steering Group.
- 13.6 Each Officer shall have one vote only.
- 13.7 Where there is an equal number of votes on a proposed resolution at a general meeting or Special General Meeting, the Executive Officer will have the casting vote.
- 13.8 A resolution put to the vote at a meeting shall be decided on a show of hands.
- 13.9 Only items of business notified in writing to the Executive Officer, 14 days before the general meeting or Special General Meeting may be considered at the meeting, except upon the unanimous agreement of the Officers of the Steering Group.

## **25 INTER-RELATIONS WITH VARIOUS GROUPS**

See Schedule 2 above

## **26 ROLE OF STEERING GROUP DURING PROCUREMENT OF CONTRACTS**

- 15.1 To receive reports and updates from the group charged with the delivery of the project which affect the delivery of the Strategy and/or constitute a qualifying change as defined within the appropriate contract document relating to the project.
- 15.2 To make recommendations by way of report to the NWP following reports regarding the projects.
- 15.3 To assess and make available such resources as are required to negotiate the contracts related to the project.

## **27 CODE OF CONDUCT**

- 16.1 All Officers of the Steering Group shall at all times conduct themselves in a reasonable manner when attending meetings or any other function in connection with the Steering Group.



- 16.2 Officers may come into contact with confidential information during the course of their mandate. In such circumstances, Officers must never:
- 16.2.1 disclose such information to any third parties; or
  - 16.2.2 use the information to the disadvantage or discredit of any of the six partners of the NWP or anyone else.
- 16.3 All Officers shall agree to abide by this code of conduct and failure to do so will result in the Officers referring the matter to the Chief Executive group for consideration.

## **28 FREEDOM OF INFORMATION AND ENVIRONMENTAL INFORMATION REGULATIONS**

- 17.1 The Officers acknowledge that each partners of the NWP is subject to the requirements of the Freedom of Information Act 2000 (“**FoIA**”) and the Environmental Information Regulations 2004 (“**EIR**”) and each Officer shall where reasonable assist and co-operate with the other Officers (at each partner's own expense) to enable the other partners to comply with these information disclosure obligations.
- 17.2 Where a partner receives a request for information under the FoIA or the EIR which may interest the other partners, it shall inform the Officers of the request for information as soon as practicable after receipt and shall use all reasonable endeavours to consult with the other Officers prior to disclosure and shall consider all representations made by the other Officers in relation to the decision whether or not to disclose the information requested.

## **29 LEGAL PROCEEDINGS**

- 18.1 No Officers of the Steering Group shall bring legal proceedings against the Group other than in the Courts of England. No person who has been an Officer of the Group shall bring legal proceedings against the Group in relation to any matter arising during or out of his membership of the Group other than in the Courts of England.

## Schedule 4

### NORTHAMPTONSHIRE WASTE PARTNERSHIP

#### TERMS OF REFERENCE OF THE WASTE FOCUS GROUP

##### Aim

1. The principal aim of the Waste Focus Group is to develop and facilitate close working relationships between partners at all levels to enable efficient, effective and sustainable delivery of waste services throughout Northamptonshire. In addition the group will ensure that, subject to existing statutory and administrative arrangements, all matters relating to the management of waste in the county are dealt with in a spirit of co-operation and partnership

##### Terms of Reference

2. To take responsibility for and help develop, promote, deliver and monitor the Joint Municipal Waste Management Strategy for Northamptonshire (the 'Strategy') and Action Plan in partnership with the Recycle For Northamptonshire Group .
3. To work towards a cohesive and effective structure for the delivery of waste management services.
4. To co-operate in the achievement of recycling and reduction targets across the county and work towards the implementation of measures to lead to preventing waste.
5. To exchange information relating to waste management operations within the constituent authorities.
6. To share best practice, debate new ideas and recommend to the Waste Steering Group partnership initiatives/projects for the Action Plan and ongoing Work Plan that will contribute to the delivery of the Strategy.
7. To eliminate duplication of effort and expenditure and provide a forum to share expertise, knowledge, best practice, identify opportunities for greater efficiency in service delivery, and deliver cost savings.
8. To contribute to the procurement process of the Waste Disposal Authority for long term waste treatment and disposal options.
9. To ensure all partnership activities and initiatives are communicated with and approved by the officers of the NWP Steering Group prior to commencement
10. To provide such further assistance and support to the Steering Group of the Northamptonshire Waste Partnership as they may from time to time request in connection with the delivery of the partnership objectives and the Strategy

##### Membership:

Membership of the Waste Focus Group is open to the eight partners of the NWP namely the Borough Council of Wellingborough, Corby Borough Council, Daventry District Council, East Northamptonshire Council, Kettering Borough Council, Northampton Borough Council, Northamptonshire County Council and South Northamptonshire Council. Waste Officers, or their

agreed representatives, from the partner authorities will attend the group meetings. Non members of the NWP may attend when invited to do so.

#### Inter-relationships within the Northamptonshire Waste Partnership

See Schedule 2 above.

#### Code of Conduct

All officers of the Waste Focus Group shall at all times conduct themselves in a reasonable manner when attending meetings or any other function in connection with the Waste Focus Group.

Officers may come into contact with confidential information during the course of their mandate. In such circumstances, officers must never disclose such information to any third parties or use the information to the disadvantage or discredit of any of the eight partners of the NWP or anyone else.

All officers shall agree to abide by this code of conduct and failure to do so will result in the officers referring the matter to the NWP Steering Group for consideration.

#### Frequency and recording of meetings:

The Waste Focus Group will meet on a monthly basis, such meetings to be chaired by the Executive Officer of the NWP. Minutes will be produced on a rota basis by the authority that is hosting the meeting.

#### Decision making:

Decisions will be reached by consensus. Where efforts to reach consensus fail, the matter will be referred to the Waste Steering Group for a final decision.

## Schedule 5

### NORTHAMPTONSHIRE WASTE PARTNERSHIP

#### TERMS OF REFERENCE OF THE RECYCLE FOR NORTHAMPTONSHIRE GROUP

##### Aim

11. The principal aim of the RfN Group is to develop and facilitate close working relationships between partners at all levels to enable efficient, effective and sustainable promotion of recycling and waste related services to the public.

##### Terms of Reference

12. To take responsibility for and help develop, promote, deliver and monitor the Joint Municipal Waste Management Strategy for Northamptonshire (the 'Strategy') and Action Plan in partnership with the Waste Focus Group.
13. To work towards a cohesive and effective structure for the promotion and marketing of waste management services.
14. To co-operate in the achievement of recycling and reduction targets across the county and work towards the implementation of measures to lead to preventing waste.
15. To share best practice, debate new ideas and recommend to the Waste Steering Group partnership initiatives/projects for the Action Plan and ongoing Work Plan that will contribute to the delivery of the Strategy.
16. To eliminate duplication of effort and expenditure and provide a forum to share expertise, knowledge, best practice, identify opportunities for greater efficiency in service delivery, and deliver cost savings.
17. To ensure all partnership activities and initiatives are communicated with and approved by the officers of the NWP Steering Group prior to commencement
18. To provide such further assistance and support to the Steering Group of the Northamptonshire Waste Partnership as they may from time to time request in connection with the delivery of the partnership objectives and the Strategy
19. To promote and enhance the RfN website.

##### Membership:

Membership of the RfN Group is open to the eight (8) partners of the NWP namely the Borough Council of Wellingborough, Corby Borough Council, Daventry District Council, East Northamptonshire Council, Kettering Borough Council, Northampton Borough Council, Northamptonshire County Council and South Northamptonshire Council. Waste Officers, or their agreed representatives, from the partner authorities will attend the group meetings. Non members of the NWP may attend when invited to do so.

## Inter-relations within the Northamptonshire Waste Partnership

See Schedule 2 above

### Code of Conduct

All officers of the Waste Focus Group shall at all times conduct themselves in a reasonable manner when attending meetings or any other function in connection with the Waste Focus Group.

Officers may come into contact with confidential information during the course of their mandate. In such circumstances, officers must never disclose such information to any third parties or use the information to the disadvantage or discredit of any of the eight partners of the NWP or anyone else.

All officers shall agree to abide by this code of conduct and failure to do so will result in the officers referring the matter to the NWP Steering Group for consideration.

### Frequency and recording of meetings:

The RfN Group will meet every other month, such meetings to be chaired by the Executive Officer of the NWP. Minutes will be produced on a rota basis by the authority that is hosting the meeting.

### Decision making:

Decisions will be reached by consensus. Where efforts to reach consensus fail, the matter will be referred to the Waste Steering Group for a final decision.

## **Schedule 6**

### **NORTHAMPTONSHIRE WASTE PARTNERSHIP**

#### **TERMS OF REFERENCE OF THE ENFORCEMENT GROUP**

#### **1. Purpose**

1.1 The group's purpose is to co-ordinate an effective approach to enforcement of waste legislation across Northamptonshire with particular emphasis on fly tipping.

#### **2. Membership**

2.1 The Group will consist of representatives from the following Waste/Environmental authorities within Northamptonshire and external partners:

- Corby Borough Council
- Daventry District Council
- East Northamptonshire District Council
- Environment Agency
- Kettering Borough Council
- Northampton Borough Council
- Northamptonshire County Council

- South Northamptonshire District Council
  - Wellingborough Borough Council
- 2.2 The representatives should have sufficient status as to be able to contribute towards influencing the implementation of the groups decisions and recommendations i.e. managers or key experienced enforcement personnel.
- 2.3 The representatives should take steps to cascade information from the group to all their Local Authority.
- 2.4 Representatives from other bodies may be invited as appropriate, but shall not be involved in the decision making process.

### **3. Waste Enforcement Group Functions**

3.1 The primary objective of the group is to co-ordinate the enforcement of waste legislation across Northamptonshire, with the aim of achieving consistency between the 7 authorities in their approach to meeting their statutory and non-statutory functions. In Addition the group should:

- Identify Good practice and encourage consistency and continual improvement
- Aid in the interpretation of relevant legislation
- Provide a forum for discussion, problem sharing and solving
- Co-ordinate responses to consultation processes
- Promote consistency in enforcement and general approach
- Engage with key stakeholders with the aim of reducing the incidents of Fly Tipping

### **4. Operation of the Waste Enforcement Group**

- 4.1 The Chair of the Group will be the County Council Fly Tipping Enforcement Officer based at Trading Standards, Wootton Hall, Mereway, Northampton, NN4 0GB.
- 4.2 Subsequent Meeting dates will be agreed as an agenda item at each group meeting
- 4.3 The group will meet every regularly, to be decided at each meeting.
- 4.4 The Chair must report to the Northamptonshire Waste Partnership. The agreed method of reporting will be by:
- Regular submission of Minutes and agendas
  - Attendance at briefings when requested
- 4.5 The Group agrees the following method of decision making:
- a) The aim must be to reach a consensus to enable general matters to be progressed
  - b) Where a consensus decision cannot be reached then the group must use the referral mechanism outlined in 4.5(d) below.
  - c) Where further guidance or information is required to progress a decision then the matter should be researched by the member submitting the agenda item.
  - d) If the matter still remains unresolved and the issue affects consistency of enforcement, then the matter shall be recorded in the minutes and be referred to the appropriate heads of service for guidance as appropriate.
- 4.6 Every agenda item should indicate who asked for it to be added to the agenda and a copy of any relevant background papers should be supplied directly to the Chair in good time prior to the meeting to allow circulation of the agenda.

- 4.7 Minutes should detail the start and end time of the meeting and should detail who is to take action in respect of each agreed item where necessary.
- 4.8 Any working party or sub group formed by the Waste Enforcement Group must have authority to progress issues in line with tasks assigned. Any recommendations made will be referred to the group for any further discussion if necessary and final endorsement.