

## **MINUTES**

OF THE PROCEEDINGS OF A MEETING OF NORTHAMPTON BOROUGH COUNCIL HELD AT THE GUILDHALL, NORTHAMPTON, ON Monday, 14 December 2015 AT SIX THIRTY O’CLOCK IN THE EVENING

**PRESENT:** HER WORSHIP THE MAYOR Councillor Flavell (in the Chair).

**COUNCILLORS:** Ansell, Ashraf, Aziz, Beardsworth, Birch, Bottwood, Cali, Chunga, Davenport, G Eales, T Eales, Eldred, Golby, Gowen, Hadland, Hallam, Haque, Hibbert, Hill, Hill, Kilbride, King, Lane, Larratt, Malpas, Markham, Marriott, McCutcheon, Meredith, Nunn, Oldham, Parekh, Patel, Russell, Sargeant, Shaw, Smith, Stone and Walker

### **1. DECLARATIONS OF INTEREST**

Councillor Eldred declared a personal non pecuniary interest in Item 7 – Cabinet Member presentations, as a Parish Councillor for East Hunsbury.

### **2. MINUTES.**

The minutes of the proceedings of the Extraordinary Meeting of Council held on the 2<sup>nd</sup> November 2015 and the Ordinary meeting of Council also held on the 2<sup>nd</sup> November 2015 were agreed and signed by the Mayor

### **3. APOLOGIES.**

Apologies were received from Councillors Culbard, Choudary, Duffy, Lynch, Oldham and Caswell.

### **4. MAYOR'S ANNOUNCEMENTS.**

The Mayor informed Council that former Councillor John Bigley, who was a councillor in the 1960s and 1970s, had died and noted that the Mayor would be attending his funeral to be held at the Crematorium on the 15<sup>th</sup> December 2015 at 12.30pm.

She updated Members that the Mayor’s Gala Ball had been a huge success and thanked those Members who attended. On the evening just over £2,000 was raised from the raffle and auction in aid of the Mayor’s Charity. The Mayor had and would continue to do Christmas visits to the local hospices. On the 20<sup>th</sup> December 2015 a service is being held with carols led by the choir of Malcolm Arnold Academy at 6pm at All Saints church and welcomed members to attend.

Members were informed that Councillor Ansell has used his empowerment funding to produce 200 calendars for the Northampton Hope Centre, with the artwork being hand painted by one of their clients. It was noted that there were not many left but they would be available after the meeting and if anyone wished to purchase one they would need to speak to Councillor Ansell.

The Mayor noted that a carol service had been held at Christ Church, where a total of £500 was raised for her charity. The Mayor invited everyone down to the Mayor's Parlour for Christmas drinks after the meeting.

## **5. PUBLIC COMMENTS AND PETITIONS**

Mr Andrew Stretton addressed Council and commented that they had wanted to have the Close that they loved in to be adopted, but that this had yet to happen and urged the Council to put into place a process to protect those with unadopted roads who are affected by developers going into liquidation and subsequently having not had the roads adopted.

Mr Arthur Newbury commented that the growth rate of Northampton was tremendous and the influx of people into Northampton was affecting local services including schools and infrastructure and there was a need for Northampton to be the number one Town.

Mr Norman Adams commented that an Ombudsman report on a complaint related to Planning had highlighted the fact that it was possible that members of the public addressing Planning Committee were more knowledgeable than the committee and officers on some matters.

Mr David Huffadine-Smith questioned if the cold weather protocol was implemented in November when conditions were below zero on a number of days. He also asked what the futures of the maisonettes were on Little Cross Street which had become derelict. He further questioned whether the Council could make any correlations between the increases of buy-to-let properties and HMOs and gang masters, people smuggling and people in servitude. He also asked for clarification as to who would be liable for the costs of re-running the Upton and Duston Parish Council elections.

## **6. MEMBER AND PUBLIC QUESTION TIME**

The Mayor advised that 24 questions had been received from Councillors and members of the public and that the answers had been tabled in accordance with the Constitution.

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

In response to a supplementary question asked relating to question 4, Councillor Hibbert confirmed that whilst there had been no prosecutions of rogue landlords had taken place in 2 years, a new team of staff were being trained and that they would “take no prisoners” once established.

In response to a supplementary question asked relating to question 5, Councillor Markham explained that she did not have a specific number of refugees to be received into Northampton but once she had a specific figure she would update Council.

In response to a supplementary question asked relating to question 8, Councillor

Eldred confirmed that the list would be referred back to officers for further clarification.

In response to a supplementary question asked relating to question 9, Councillor Hibbert confirmed that information relating and detailing overcrowding and legal minimum bedroom sizes were available on the Authorities' website.

In response to a supplementary question asked relating to question 11, Councillor Hadland confirmed that whilst there were no restrictions in national planning policy on the location of fast food outlets near schools, this could be considered as part of the preparation of the next Local Plan. An early step in the preparation of the Plan is the preparation of a wide-ranging issues and options paper which the opposition would have full involvement with.

In response to a supplementary question asked to question 12, Councillor Markham explained that there were on going monthly meetings with SEMLEP and NEP partners.

In response to a supplementary question asked relating to question 14, Councillor Bottwood confirmed that whilst the section 46 notices had not resulted in fines, there was a 3 stage process in place but none that had reached stage 2 were suitable for further action.

In response to a supplementary question asked relating to question 16, Councillor Hallam commented that he was not going to cover old ground and that capital would be received through Section 106 monies.

In response to a supplementary question asked relating to question 17, Councillor Hallam commented that the draft budget would be released on 16<sup>th</sup> December 2015 and was not in a position to comment on budget matters until after the release of the papers.

In response to a supplementary question asked relating to question 18, Councillor Hadland commented that work was underway with regards to the progress of the Conservation Area for Kingsthorpe.

In response to a supplementary question asked relating to question 21, Councillor Hibbert commented that since 2014/2015 706 garages had been repaired at a cost of £75,000 and a study was being undertaken.

In response to a supplementary question asked relating to question 22, Councillor Hadland commented that developers could not be compelled to adopt roads and the best advice was to not purchase a property without a bond in place. He stated that there was no mechanism for a refund of Council Tax but suggested that residents consider applying to the Valuation Office to have their properties re-banded for the purposes of Council Tax.

In response to a supplementary question asked relating to question 23, Councillor Markham commented that future discussions would be had in relation to the Avenue Campus of the University of Northampton.

## **7. CABINET MEMBER PRESENTATIONS**

Councillor Markham, as the Leader of the Council submitted her Cabinet Member report and elaborated thereon. She welcomed the new Chairman of Northampton Town Football Club (NTFC), Mr Kelvin Thomas, and congratulated the football club on their current position at the top of League Two. On the 11<sup>th</sup> December 2015 the Memorandum of Understanding was accepted and the administration petition was withdrawn. Councillor Markham noted that the Police, External Auditors and the Audit Committee, supported by Internal Auditors, were going to examine where the funds had gone and what had happened. She confirmed that the budget was being compiled and would be available later in the week and commented that she was delighted to see that St Giles Street had won the city category of the Great British High Street competition. She further reported that she had attended the first AGM of NPH and noted that it would be a year since they had been established on the 5<sup>th</sup> January..

In response to questions asked, Councillor Markham explained she would gather information from NPH about the movement of staff and report back. She further answered that there would be a full and robust investigation into the money loaned to NTFC. In response to another question it was explained that there was a number of private hire vehicle operators who had not renewed their operator licenses but that there were various reasons for this and not all of those who had not renewed were uninsured as they may not have been actively working as taxi drivers and continued to thank the Licensing department for their work.

Councillor Hallam submitted his Cabinet Member report and noted that the Chancellor had set out the Government's spending plans which would see a continued reduction in public sector spending. He reported that the draft Budget for 2016/17 and the Medium Term Financial Plan 2016-21 for both the General Fund and the Housing Revenue Account would be presented to Cabinet on the 16<sup>th</sup> December 2015 and thanked officers for their hard work.

In response to questions asked, Councillor Hallam commented that there were no plans to look at referring the decision to enter into a contract with LGSS, as the contract had so far reduced spending by £4 million with another £2 million anticipated to be saved in the next two years.

Councillor King submitted her Cabinet Member report and elaborated thereon. It was noted that there had been a vast amount of work undertaken by the Forums and they included a week of Action on Hate Crime supported by an event being held on the All Saints Piazza. It was further noted that an event had been held in the Guildhall to commemorate 50 years of the Race Relations Act.

In response to questions asked, Councillor King confirmed that whilst there was no longer a Hate Crime Unit, there was still a Hate Crime officer who was responsible for the recording of Hate Crime incidents. In response to a question asked about uninsured private hire vehicles carrying passengers, she explained that the authority were responsible for sending out renewal letters to operators, but that it was hoped that this could be expanded to a 5 year programme and enquiries were being made into accessing a new IT system which would generate automatic reminders.

Responding to further questions, Councillor King explained that there had been an increase in the number of recorded instances of violence against the person as people were reporting more and some crimes could be recorded, such as those carried out through social media. She also mentioned that she worked closely with Women's Aid and worked closely alongside them.

Councillor Hadland submitted his Cabinet Member report and elaborated thereon. He stated that the St Giles Street award achievement was very much welcomed and noted that there was a report on the agenda to adopt the Duston Neighbourhood Plan.

In response to questions asked, it was explained that car parks were inspected daily and noted that the new pay on foot parking machines were hugely successful; the cost of which had been provided through the capital programme. Responding to questions relating to the recent Ombudsman report in relation to Planning, he commented that there was no criticism of the decision that had been made, but of the processes. He further commented that the Greyfriars scheme had gone through a vast array of consultation exercises and that there had been several expressions of interest.

Councillor Eldred submitted his Cabinet Member report and explained that there had been a total of 134 grant payments made to the Councillor Community fund since April 2015. He urged Councillors to consider applying for grant payments as there was still some money left over for small grant applications. He further noted that the Fireworks display on the Racecourse had attracted in the region of 18,000 visitors. Councillor Eldred proceeded to congratulate the Customer Services team who had been awarded the Customer Excellence Accreditation and a 'Compliance +' rating, the highest score that can be received.

In response to questions asked, Councillor Eldred explained that members were not formally invited to floor walks with the Customer Services team, but offered to arrange for any member to pay a visit at an allotted time. Responding to questions with regards to the expansion of the Museum, Councillor Eldred stated that they were currently waiting for the contractors to get back to them before they progressed. He also stated that with regards to Blackymoore Community Centre, it was anticipated that once the freehold had been signed, they would be able to transfer the land.

At this point, the allocated time had been met.

## **8. OPPOSITION GROUP BUSINESS**

Councillor Ashraf stated that the quality of housing impacted on people's lives and one issue that needed to be highlighted was the problem of people living in overcrowded conditions. She noted that Northampton had some good landlords but emphasised the need to tackle rogue landlords and commented that there was a need for work to be undertaken by both landlords and tenants to help try and keep people in their homes. She went on to suggest that the Administration should consider establishing a private renting forum. With regards to Houses in Multiple Occupancy (HMOs) she stated that they had contributed to the ever decreasing supply of family homes. She commented that there were 12,000 council properties

and still people were being pushed into properties owned by rogue landlords. She noted that there was a need for more affordable homes to be built and the accused the government of failing people by pricing them out of buying homes.

Councillor Hibbert responded by stating that affordable homes were being built and commented that twice as many council houses had been built in the last 2 years than at any time under the Labour government. He also reported that there were 100 new homes being built and a sheltered housing complex. He also noted that a new Social Lettings Agency was being established.

Councillor Ashraf, in response, stated that the underlying issue was a lack of homes being built and there was an urgent need for more affordable housing.

## **9. TREASURY MANAGEMENT MID-YEAR REPORT 2015-16**

Councillor Hallam proposed a report to note the treasury management activities and performance for the period 1<sup>st</sup> April to 30<sup>th</sup> September 2015.

Councillor Patel seconded the report.

Councillor Gowen expressed concern about the amount of borrowing and asked for reassurance that it would be paid back.

Councillor Beardsworth expressed concern that the correct procedures may not be in place and that the effect of that may have a knock on impact on front line services and may result the sale of assets.

### **RESOLVED:**

That Council notes the treasury management activities and performance for the period 1 April to 30 September 2015.

## **10. NOMINATION OF MAYOR AS PRESIDENT OF NORTHAMPTON SEA CADETS**

Councillor Markham submitted a report which sought Councils approval to consider an invitation that the Mayor of the Borough of Northampton should become, ex officio, President of Northampton Sea Cadets.

Councillor Hallam seconded the proposal.

Councillor Marriott offered support from the Labour Group for the report.

### **RESOLVED:**

That the Council accepted the invitation from Northampton Sea Cadets that the Mayor of the Borough of Northampton become, ex-officio, President of Northampton Sea Cadets.

## **11. DUSTON NEIGHBOURHOOD PLAN**

Councillor Hadland submitted a report that sought to make the Duston Neighbourhood Plan, following the referendum held on the 5<sup>th</sup> November r 2015.

Councillor Golby seconded the report and congratulated the Parish Council on their hard work.

Councillor Stone voiced her concerns about the turnout figures.

### **RESOLVED:**

1. That Council 'makes' the Duston Neighbourhood Plan, in accordance with section 38(A)(4) of the Planning and Compulsory Purchase Act 2004.
2. That the Duston Neighbourhood Plan and the Decision Statement (Appendix 1) be published on the Council's website and paper copies be provided in locations where people who live, work and carry on business in the area can view them.
3. That the Decision Statement and details on how to view the Duston Neighbourhood Plan be sent to the qualifying body (Duston Parish Council) and any person who asked to be notified of the Council's decision.
4. That Duston Parish Council be congratulated on the successful outcome of the referendum and the making of the Duston Neighbourhood Plan.

## **12. CHANGE TO COMMITTEE PLACES**

Councillor Patel submitted a report which sought ratification to changes to the membership of the Licensing Committee.

Councillor Nunn seconded the report.

### **RESOLVED:**

That Councillor Stone replaces Councillor Culbard on the Licensing Committee.

## **13. EXTENSION OF THE 6 MONTHS RULE FOR NON-ATTENDANCE**

Councillor Patel submitted a report which sought Councils approval for the reason for non-attendance at meetings of the authority.

Councillor Nunn seconded the report.

### **RESOLVED:**

That Councillor Vicky Culbard's reason of ill-health, as a reason for non-attendance at meetings of the authority, pursuant to section 85(1) of the Local Government Act 1972, in order that if six consecutive months elapse from Councillor Culbard's last attendance at a meeting of the authority, she will not cease to be a member of the authority through failure to attend, be approved.

#### **14. POLLING DISTRICTS AND POLLING PLACES REVIEW**

Councillor Patel submitted a report which explained the decisions taken by the General Purposes Committee on the 17<sup>th</sup> November 2015, relating to the review of Polling Districts and Polling Places and requested that these decisions be published and implemented.

Councillor Kilbride seconded the report.

#### **RESOLVED:**

That the decision taken by General Purposes Committee on behalf of the Council following the recommendations from the Local Returning Officer be noted.

That authorisation for the publication and implementation of the revised arrangements following the decision of General Purposes Committee be agreed.

#### **15. PARISH COUNCIL ELECTIONS**

Councillor Hallam submitted a report that present the final recommendations from the Local Returning Officer relating to the Review of the Polling Districts and Polling Places. He noted that the cost of the election of £42,000 would be costed to the Council and not the Parish Councils.

Councillor Patel seconded the report.

Councillor Stone questioned whether it would be easier and cheaper for it to be undertaken during the PCC elections and was informed that this would not be possible as there were time constraints that influenced when the elections could be held.

Councillor Beardsworth questioned where the money would come from within the budget and Councillor Meredith expressed disappointment that the election would be an extra cost incurred by the Council.

#### **RESOLVED:**

1. That the final representation of the Local Returning Officer be approved.
2. That the amendments to be included in the register due to be published on the 1st December 2015 be approved.

#### **16. NOTICES OF MOTION**

- i) Councillor Birch proposed and Councillor Marriott seconded:

“This Council recognises the ongoing problem of HIMO’s in many parts of the town.



It is further recognised that in recent times this Council has taken action (with cross party support) in tackling this ongoing problem.

This Council asks the relevant Cabinet members and the appropriate senior officers to investigate the possibility of having no more than 10 per cent of HIMOS in 50 metres in the Article 4 area and 10% of 100 metres for the rest of the borough”.

Councillor Hibbert proposed and Councillor J Hill seconded an amendment;

Amendment to read:

“This Council recognises the ongoing problems that are being caused by a minority of landlords of HIMOs in the town.

It is further recognised that this Council is taking robust action to tackle the problem by identifying substandard and unlicensed HIMOs and adopting a ‘zero tolerance’ approach to criminal, rogue and irresponsible landlords. The Administration has received, and welcomes, cross party support for this approach.

This Council notes that a review of local policy is planned in relation to HIMOs and this will complement the work on Northampton’s new overarching housing strategy. To this end, the relevant Cabinet members and the appropriate Senior Officers will explore all legal options”.

Members discussed both the substantive motion and the amended motion.

Following a debate, both the substantive motion and amended motions were withdrawn by the proposers.

Mr Norman Adams spoke in favour of Motion ii) and stated that he had concerns that the Government were forcing high value council homes to be sold on the open market whilst there was a decrease in the number of social houses being built and suggested that it was a sabotage of social housing.

ii) Councillor Stone proposed and Councillor Ashraf seconded:

“This council notes:

That the Housing and Planning Bill is currently being debated in Parliament, and if passed would threaten the provision of affordable homes for rent and buy through:

- forcing 'high-value' council homes to be sold on the open market
- extending the right-to-buy to housing association tenants
- undermining section 106 requirements on private developers to provide affordable homes.

That there is no commitment in the Bill that affordable homes will be replaced like-for-

like in the local area.

That whilst measures to help first-time buyers are welcome, the 'starter homes' proposals in the Bill will be unaffordable to families and young people on ordinary incomes in most parts of the country; will not preserve the taxpayer investment; and will be built at the expense of genuinely-affordable homes to rent and buy.

That the Bill undermines localism by taking 32 new wide and open-ended powers for the secretary over councils and local communities, including the ability to override local plans, to mandate rents for social tenants, and to impose a levy on stock-holding councils, violating the terms of the housing revenue account self-financing deal.

That the Bill, whilst introducing some welcome measures to get to grips with rogue landlords, does not help with the high rents, poor conditions and insecurity affecting many of England's 11m private renters – including one in four families with children - and does nothing to help arrest the recent rise in homelessness.

This council resolves:

To analyse and report on the likely impact of the forced sale of council homes, the extension of right-to-buy and the 'starter homes' requirement on the local availability of affordable homes. Such a report should be presented to a Cabinet meeting.

To analyse and report on any further likely impacts of the Bill on the local area.

To use this information to:

1. Support the Leader of the Council in writing to the Secretary of State with our concerns about the Bill.
2. Set up an urgent meeting between the Leader of the Council, Leaders of the Labour and Lib Dem Groups and the Chief Executive with the local members of Parliament to raise our concerns.
3. Make public our concerns, including by publishing the above information on the council's website and promoting through the local press”.

Council debated the motion.

Upon a vote, the motion was lost.

iii) Councillor Davenport proposed and Councillor G Eales seconded:

“This Council believes that all houses with gardens should have wheelie bins. Providing there is suitable access for both the wheelie bin to be brought to the front of the property and a refuse lorry.

This Council further believes it is more economical to have wheelie bins than pay for

a truck following the contractor to collect the 'unofficial bags' and we now have a big problem with rats.

This Council also believes that Section 46 notices are important tool in tackling the problem of putting out too many sacks. However, the effectiveness is limited as usually people do not leave evidence and there are not the resources to police it.

This Council asks the Cabinet to cost how much it would be to ensure all houses with gardens (providing there is suitable access) have wheelie bins. Once this is done the Cabinet will seek to ensure this will happen once the present contract comes to an end and/or is renewed at the latest”.

Council debated the motion.

Upon a vote, the motion was lost.

iv) Councillor Beardsworth proposed and Councillor Meredith seconded:

“The Conservative party reportedly received £36,000 in donations on the run up to the 2015 General Election from individuals connected to the Cobblers loan. Given that this loan money has currently gone missing, it is essential we retrieve as much as possible of the £10.25m, and that we avoid any perception of impropriety beyond what cannot be avoided.

Therefore, this Council resolves to formally request the return of all and any donations linked to anyone that could have financially benefitted from this loan to this Council from the Conservative Party, to be accounted against the NTFC loan”.

Council debated the motion.

Upon a requisition for a recorded vote;

There voted for the Motion: Councillors Ashraf, Beardsworth, Birch, Cali, Chunga, Davenport, G Eales, T Eales, Gowen, Haque, Marriot, McCutcheon, Meredith, Russell, Smith and Stone.

There voted against the Motion: Councillors Ansell, Aziz, Bottwood, Eldred, Golby, Hadland, Hallam, Hibbert, J Hill, M Hill, Kilbride, King, Lane, Larratt, Malpas, Markham, Nunn, Parekh, Patel, Sargeant, Shaw an Walker

There abstained the Mayor.

The Motion was lost.

v) Councillor Beardsworth proposed and Councillor Meredith seconded:

“Project Angel, the County Council’s new offices are expected to be complete by this time next year, Despite bringing thousands of extra workers into the town centre the project officers little new parking provision

At this moment in time, it is understood that NCC is in discussions with NBC regarding staff parking,

However, over the last several years we have seen a substantial reduction in parking capacity in the town centre, particularly in the South. At the same time, developments on these former parking sites increase pressure on the service

This Council therefore resolves to undertake a full audit of car parking capacity within the town centre, to ensure that future provision is adequate, to be presented to Council within 3 months”.

Council debated the motion.

Upon a vote, the motion was lost.

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

There were none.

The meeting concluded at 9.58pm