



Democratic Support Service
PO Box 136
County Hall
Northampton
NN1 1AT

CABINET

Minutes of the meeting held on 9 December 2008
Venue: Council Chamber, County Hall (Meeting held in public)

PRESENT:

Cabinet Member

Councillor Jim Harker

Councillor Andre Gonzalez De Savage

Councillor Andrew Grant

Councillor Ursula Jones

Councillor Joan Kirkbride

Councillor Bill Parker

Councillor Bob Seery

Councillor Ben Smith

Portfolio

Leader of the Council and Community
Leadership (Chairman)

Customers & Communities

Commercial & Asset Management

Policy & Partnerships

Children & Young People

Finance

Transport & Highways

Deputy Leader of the Council and Environment
& Growth

OTHER COUNCILLORS PRESENT:

Councillor

Councillor George Blackwell

Councillor Robin Brown

Councillor Mark Bullock

Councillor Brandon Eldred

Councillor Michael Hill

Councillor Brian Hoare

Councillor Jane Hollis

Councillor Bernard Ingram

Councillor Olwen Loud

Councillor Roy Mayhew

Councillor John McGhee

Councillor Les Patterson

Councillor Rupert Reichhold

Councillor Bob Scott

Councillor Heather Smith

Councillor Michael Tye

Councillor Malcolm Waters

Councillor Jonathan West

Councillor Terry Wire

Role

Deputy Chair, Development Control Committee

Lead Scrutiny Councillor

Deputy Leader, Labour Group

Assistant Cabinet Member

Assistant Cabinet Member

Leader, Liberal Democrat Group

Vice Champion, Scrutiny Management Board

Assistant Cabinet Member

Labour Shadow for Education & Schools

Deputy Chair, Communities Scrutiny Committee

Leader, Labour Group

Deputy Leader – Labour Group

Assistant Cabinet Member

Labour Shadow for Environment

Vice Champion, Scrutiny Management Board

Business Manager, Conservative Group

Vice Chairman, Adult Social Care & Health Scrutiny
Committee

Chairman, Adult Social Care & Health Scrutiny
Committee

Group Business Manager, Labour Group

ALSO PRESENT:

Officer	Role
Paul Blantern	Corporate Director of Customer & Community Services
Mark Chant	Head of Spatial, Environmental Economical Planning
Tony Ciaburro	Corporate Director of Environment, Growth and Commissioning
Barbel Gale	Committee Assistant (Policy & Partnerships) (Minutes)
Paul Hanson	Committee Manager (Policy & Partnerships)
Mark Harris	Head of Commissioning, Policy and Business Improvement
Alex Hopkins	Assistant Chief Executive Policy & Partnerships and Monitoring Officer
Katherine Kerswell	Chief Executive
Damon Lawrenson	Assistant Chief Executive Finance & Commercial Management
Paul McArthur	Deputy Monitoring Officer
Charlie MacNally	Corporate Director of Health and Adult Social Services
Mick O'Leary	Labour Group Political Assistant (Policy & Partnerships)
Adam Simmonds	Head of Strategy and Business Administration

There were 15 members of the public in attendance.

148/08 Apologies for non attendance:

Apologies were received from Councillor Rosemary Bromwich

149/08 Notification of request from members of the public to address the meeting

Notifications were received from the following people:

Item B1 – Northamptonshire Minerals & Waste Development Framework (MWDF): Locations for Waste Development and Locations for Minerals Development – proposed submission

- Councillor Anne Addison (South Northamptonshire Council)
- Mr Christopher Mair (Milton Malsor Parish Council)
- Mr Malcolm Brice (Chairman, Collingtree Parish Council)
- Mr Andrew Sharman (Ringstead Parish Council)
- Mr Nick Bullimore (Bullimore Sands)
- Mr Chris Smith (Heaton Planning)

150/08 Minutes of the meeting held in public on 11 November 2008

RESOLVED: the Minutes of meeting held in public on 11 November 2008 were agreed and signed as a true record.

151/08 Declarations of Interest by Councillors

Item	Councillor	Type	Nature
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A2	Jim Harker	Personal	Pending board member of EMDA
B1	Joan Kirkbride	Personal	Member for the area including Heyford
B1	Bernard Ingram	Personal	Member for the area including Milton Malsor
B1 & B2	Andrew Grant	Personal	Member of South Northants Council Member of Northamptonshire Waste Partnership
B2	Andre Gonzalez de Savage	Personal	Member of Northamptonshire Waste Partnership
B2	Bob Scott	Personal	Member of Unite Union
B2	Jane Hollis	Personal	Member of Northampton Borough Council and represents them on the Northamptonshire Waste Partnership
B2	Michael Hill	Personal	Member of Northamptonshire Waste Partnership
B2	Ben Smith	Personal	Member of Northamptonshire Waste Partnership Board member of River Nene Regional park Company

152/08 Announcements

The Chairman said that Councillor Tavener had passed away on Friday 21 November. He said she had been a valuable link between the County Council and the Borough Council and had promoted partnership working. A minutes silence was held in remembrance and councillors were invited to sign a memorial book after the meeting.

153/08 Northamptonshire Minerals & Waste Development Framework (MWDF): Locations for Waste Development and Locations for Minerals Development – proposed submission

SUBMITTED by: the Corporate Director of Environment, Growth and Commissioning

With the agreement of the Cabinet, the Chairman moved to this item because of the number of members of the public who had asked to speak. He invited Councillor Smith to introduce the report (copies of which had been circulated previously). Councillor Smith made the following points:

- the MWDF replaces the old Minerals Local Plan and the Waste Local Plan and was a portfolio of documents rather than a single document;
- If approved, consultation on the Locations for Waste Development and Locations for Minerals Development documents would begin for 8 weeks from January 2009;
- the responses of that consultation would be passed on to an independent inspector whose report would be binding on the Council;
- he appreciated that this was not the most popular use of land but that such sites were needed and he clarified that the decision taken was not the end of the process but the beginning of the final part; and
- he informed Cabinet that Site WS2 (Kettering South) would be removed from the proposed submission due to the landowner withdrawing the site from sale.

The Chairman invited Councillor Ann Addison of South Northamptonshire Council to speak. Councillor Addison made the following points:

- she wanted to support the Parish Council in its request to remove the site at Milton Malsor from the Minerals Local Plan;
- she believed that the site, if worked, would have an adverse impact on residents and the listed and historic buildings, including nuisance from noise and dust;
- she believed that to remove the sand from the site a new haul road would need to be constructed over green fields and across a railway line to exit on to the old A43;
- there were three other suitable sites within Northamptonshire, namely Stoke Albany East, Stoke Albany West and Bozeat where gravel was already being extracted;
- these other sites were in rural locations away from villages, decreasing the potential impact on residential amenity and safety;
- she felt that the other sites would have limited impact on water resources, air pollution, historic environment, recreational opportunities and nature conservation along with no access problems;
- she believed the Milton Malsor site contained around 2 million tonnes of soft sand and it was estimated that the County needed 2.5 million tonnes to cope with the proposed development within the County;
- she believed that the two Stoke Albany sites contained approximately 3 million tonnes between them making the Milton Malsor site surplus to requirements; and
- she asked that Cabinet recommend the removal of the Milton Malsor site for the Location for Minerals plan.

The Chairman thanked Councillor Addison and invited Mr Christopher Mair of Milton Malsor Parish Council to speak. Mr Mair made the following points:

- the Parish Council considered that the site at Milton Malsor should be removed from the plan because there were more suitable sites and it was felt that the decision was contrary to the County Council's own site assessments;
- he was concerned with the proposal to locate a site for soft sand extraction within 200m of Milton Malsor and Collingtree, both conservation areas;
- there were over 1600 residents living in the two parishes and he felt it would impact severely on residents amenity and quality of life;
- 176 letters of objection were acknowledged by the County Council in the first deposit draft, issued in November 2004 and a further 170 letters of objection were acknowledged in the Minerals Plan inquiry issued in October 2005. It was felt that the County Council had ignored those letters and should have published them in the Preferred Options document issued in October 2007;
- the Bozeat site was more suitable due to its location and that it would not impact upon resident's amenity value and quality of life;
- he was concerned that the residents wellbeing and livelihoods' would be severely compromised for more than 10 years at the expense of commercial enterprise when more suitable sites were available; and
- he asked the Cabinet members to endorse his request to remove the site in Milton Malsor from the plan.

The Chairman thanked Mr Mair and invited Mr Malcolm Brice, Chairman, Collingtree Parish Council to speak. Mr Brice made the following points:

- Collingtree Parish Council were working closely with Milton Malsor Parish Council to achieve the removal of the Milton Malsor site from the plan;
- the responses shown in the statement MA4.2 of the Minerals and Waste Development Framework did not equate to the 83% shown as being in favour of the site;
- evidence for more suitable sites had been overlooked and that the claim that it was a suitable, workable site was unsound;
- the conservation village of Collingtree would often be affected by noise and dust from the site;
- he believed that the sites near Stoke Albany, were not being taken forward for preferred despite evidence of very little nuisance being likely; and
- he asked that the site be removed from the preferred status and ideally the plan itself.

The Chairman thanked Mr Brice and invited Mr Andrew Sharman of Ringstead Parish Council to speak. Mr Sharman made the following points:

- Ringstead Parish Council were opposed to the site MA9 and he felt that the site did not meet the test of viability and that the limestone on the site was of low volume and poor quality;
- it would be necessary to remove 3-4 times as much overlay to get to the limestone;
- the site was very exposed as there was a slope of 50 feet, it was clear of trees and was above the top of Ringstead Church;
- planning consent had been refused previously because 6 ancient monuments had been identified in an archaeological survey carried out in 1990; and
- great efforts had been made to recover from the severe environmental impact of quarrying and if the site was used it was felt that it would set back recovery by 20 years.

The Chairman thanked Mr Sharman and invited Mr Nick Bullimore of Bullimore Sands to speak. Mr Bullimore made the following points:

- the company had been operating the Duddington quarry since 1980 and were the principal limestone producer in Northamptonshire;
- They would not be interested in the site at Ringstead due to the limited resources or the site at Wakerley due to the high costs involved;
- The site at Eastern Lodge would be more suitable and it was only a mile from their existing site; and
- he felt that they would be happy to commit to the Eastern Lodge site.

The Chairman thanked Mr Bullimore and invited Mr Chris Smith of Heaton Planning to speak. Mr Smith made the following points:

- he explained that he was a planning consultant representing Bullimores Sand and Gravel Ltd and that they had been Northamptonshire's main limestone aggregate producer for at least the last 20 years;
- he believed that Bullimores Duddington Quarry would run out of limestone within the next 8 years and were keen to find a good quality replacement as a sound long term investment;

- he had concerns about the Ringstead and Wakerley sites feeling that they provided insufficient security of supply for the growth area;
- Ringstead had insufficient reserves and had poor quality limestone and would also appear to have environmental issues due to a previous refusal for planning permission;
- Bullimores felt that Easton Lodge had more positives because it was not located near residential areas, it had operator backing, there were no major environmental issues;
- Easton Lodge had the potential to supply Collyweston Slate Log and some building stone and increased deliverability, flexibility and soundness to the Minerals Development Framework;
- he believed there were no major objections to Easton Lodge from consultation either from communities or key consultees; and
- he felt that the inclusion of Easton Lodge would not make the Minerals Development Framework more contentious but would make it more deliverable and sound.

The Chairman thanked Mr Smith and opened the discussion to all Councillors, who made the following points:

- concerns were raised about the site at Milton Malsor and it was felt that the site would have major impact on traffic and should be removed;
- there was no indication of where the people offering support to the site were from;
- a query was raised about where Nene Regional park would fit in and if they had been consulted;
- it was felt that it was totally impractical that the site at Heyford was included and it was requested that the site be withdrawn from the plan;
- the site at Stoke Albany should be promoted;
- there was a need to ensure quality of restoration work following developments; and
- if the site at Milton Malsor was included that it would have a big impact on the quality of life for the two local villages.

Councillor Smith made the following points in response to points raised:

- the consultation period would allow representations to be made;
- he clarified that the inspector would recommend which sites were included in the plan and explained that all sites were subject to the planning application process;
- it was hard to find acceptable soft sand sites;
- he felt that Ringstead would serve western Northamptonshire and would not have an impact on the Nene Valley Bird Reservation;
- he clarified that the quality of restoration was important; and
- he commended the plan although he appreciated that there were objections.

RESOLVED: that Cabinet agreed that the Locations for Waste Development and Locations for Minerals Development Development Plan Documents be published for representations to be made on them, with the intention to subsequently submit both to the Secretary of State/Planning Inspectorate for public examination, but that site WS2 in the Locations for Waste Development Document (Kettering South) be withdrawn from the Plan.

154/08 Council Plan 2009-2013, Service Plans 2009-2010 and Budget 2009-2010 and other financial plans

Submitted by: the Assistant Chief Executive Finance & Commercial Management and Assistant Chief Executive Policy and Partnerships

The Chairman invited Councillor Parker to introduce the report (copies of which were circulated at the meeting). Councillor Parker made the following points:

- the budget focused on the Council's priorities whilst keeping Council Tax below the rate of inflation;
- 70% of the Council's income came from the Government either directly or through grants. For 2009/10 the breakdown of grant income would be:
 - Formula grant £149m;
 - Area based grant £29m; and
 - Specific Grants £518m
- he described the Comprehensive Spending Review in October 2007 as the worst settlement in 10 years;
- the Council had been investing in new systems such as Enterprise Resource Planning (ERP) which would ensure managers controlled their budgets effectively;
- the Audit Commission had reported that the use of resources had improved, with specific improvement made in both financial standing and internal control;
- the key features of the spending programme were listed as:
 - £419m – approximate total spending;
 - £89m – Children and Young People's Services;
 - £137m – Health and Adult Social Services;
 - £68m – Environment, Growth and Commissioning; and
 - £384 – direct school funding;
- there were various initiatives such as £250,000 for helping the voluntary sector to provide more interesting and fulfilling opportunities for young people during out of school hours;
- the budget would help to provide a secure, healthy and independent future for our children and young people through initiatives as an extra £500k to increase foster care payments;
- the budget would also help to provided a secure, healthy and independent future for our adults though investing an extra £900,000 to fund residential care for the elderly;
- £500,000 was allocated to a project to divert waste wood away from landfill;
- the increase in the County Council's share of Council Tax would be 3.9% against the current RPI inflation figure of 4.2%; and
- he was delighted to recommend the reports.

Councillors made the following points:

- it was felt that the budget report was misleading because the Council was in the top ⅓ of County Councils for funding but in the bottom 25% when it came to performance;
- a query was raised as to why £32m had been spent on consultants;
- concern was expressed that first time youth offending was up by 50%;

- concerns were expressed that the budget for 2008/09 would not be brought in on target;
- it was felt that each year spending had increased without having more income and that reserves were being used to keep Council Tax down and balance the budget;
- concerns were raised about what the public would be consulted on; and
- it was felt that the budget was unrealistic.

Councillor Parker responded that there would be a consistent commitment to keep the Council Tax increase as low as possible.

RESOLVED: that Cabinet

1. **agreed the updated Council Plan for 2009-13 (in Appendix1) as the basis for consultation;**
2. **agreed the draft Directorate Service Plans for 2009-10 (listed as Appendix 2) as the basis for consultation;**
3. **agreed the draft budget framework (listed as Appendix 3) as the basis for consultation; and**
4. **agreed the draft financial plans and budgets including the Draft Revenue Budget Proposals (2009-13) and the draft Medium Term Capital Programme proposals (2009-13) (listed as Appendix 4) as the basis for consultation.**

155/08 Arrangements for the transfer to the Council from the East Midlands Development Agency (EMDA) of sub-regional Single Programme funding from 1st April 2009

SUBMITTED by: the Corporate Director of Environment, Growth and Commissioning

The Chairman introduced the report (copies of which had been previously circulated). He said that the report was to secure the decision on the transfer of Sub-Regional Single Programme (Single Programme) funding from *emda* to Northamptonshire County Council from April 2009 and to ensure that appropriate arrangements were put in place to effectively manage and deliver the new sub-regional funding and leadership responsibilities and accountabilities placed on the Council.

RESOLVED: Cabinet

1. **agreed that the Council welcomes the principle of the transfer by *emda* of Sub-Regional Single Programme funding and associated responsibilities and accountabilities to the Council;**
2. **agreed that the Council shall manage the delivery of the Sub-Regional Single Programme for 2009/10 through Northamptonshire Enterprise Limited, under an extension of the existing Service Level Agreement with the Council for economic development services;**
3. **agreed the approach set out in paragraphs 4.14 to 4.17 of the report, regarding the management of issues arising from the dissolution of Welland Partnership;**
4. **agreed the priority themes for investment of the Sub-Regional Single Programme funding for 2009/10 set out in paragraph 4.7 of the report.**

5. **delegate responsibility to the Corporate Director for Environment, Growth & Commissioning to:**
 - a. **complete negotiations with *emda* and Northamptonshire Enterprises; and**
 - b. **to execute any related funding contracts for projects and activities, including the novation of relevant existing contracts from Northamptonshire Enterprise and Welland Partnership; and**
6. **delegate responsibility for executing the 'Declaration of Grant for Economic Development' with *emda* to the Chief Executive**

156/08 Service Level Agreement relating to Northamptonshire Waste Partnership and the Northamptonshire County Council and Milton Keynes Council Residual Waste Management Project

SUBMITTED by: the Corporate Director of Environment, Growth and Commissioning

The Chairman invited Councillor Smith to introduce the report (copies of which had been circulated previously). Councillor Smith made the following points

- the County Council was the lead partner in a partnership with Milton Keynes Council for the procurement of residual waste treatment facilities;
- the project would result in a contract between NCC and a commercial organisation committing the councils to deliver a specified number of tonnes of waste for treatment;
- the contractor would need to know the tonnage and make up of the waste received; and
- the contract for the residual waste treatment facilities would need to have a low minimum and high maximum tonnage in order to give the Council maximum flexibility.

Councillor Mayhew said that he hoped the District and Borough Councils were on board. Councillor Smith clarified that full discussions had been held with the District and Borough councils.

RESOLVED: that Cabinet agreed the proposed service level agreement for waste management between the county council and the district and borough councils.

157/08 Northamptonshire Place and Movement Guide

SUBMITTED by: the Corporate Director of Environment, Growth and Commissioning

The Chairman invited Councillor Seery to introduce the report (copies of which had been circulated previously). Councillor Seery made the following points:

- the guide was an important technical document for managing future development and guiding the consideration of relevant applications by Planning Authorities within the County;
- the guide fully accorded with Central Government Planning Policy Guidance and would replace the 'Design Guide For Residential Roads' document dated January 2000;

- the guide recognised the important need to make better use of Developer Contributions such as Section 106 Planning Agreements to achieve many of its objectives;
- adoption and implementation of the guide would help to address the current challenges of the Housing Growth Proposals within the County;
- effective consultation had been carried out and a review of the effectiveness of the provisions would be carried out after a reasonable; and
- he urged Cabinet to endorse the guide.

Councillors made the following points:

- the report was welcomed and praised for providing storage for cycles;
- a suggestion was made that provision be made in the future for communal areas to dry washing; and
- concerns were raised about the possibility of a deficit of parking spaces.

Councillor Seery said that there would be limitations on what could be achieved without the support of district and borough councils and the difficulty of the multi modal systems was the cost.

RESOLVED: that Cabinet formally adopted the provisions of the proposed Northamptonshire Place and Movement Guide contained in appendix 2 of the report.

158/08 Adoption of Model Publication Scheme

SUBMITTED by: the Assistant Chief Executive Policy and Partnerships

The Chairman invited Councillor Jones to introduce the report (copies of which had been circulated previously). Councillor Jones made the following points:

- the adoptions of the scheme would ensure compliance with statutory obligations;
- the scheme would allow the public quick and easy access to information which would reduce the need for Freedom of Information requests; and
- she recommended that Cabinet agree adoption of the scheme.

Councillor Hoare queried if an existing scheme was already in place.

Councillor Jones replied that about 75% of the documents were already available and existing information was being amended to fit the scheme. Maintenance of the information would be an ongoing process.

RESOLVED: that Cabinet

- 1. approved the adoption by the Council of the 'Model Publication Scheme' issued and approved by the Information Commissioner.**
- 2. delegated approval of any subsequent amendments to the Scheme to the Head of Legal and Democratic Services in consultation with the Cabinet Member with responsibility for Policy and Partnerships.**

159/08 Corporate Report on Performance: 2008/09 Quarter 2

SUBMITTED by: the Assistant Chief Executive Policy and Partnerships

The Chairman invited the Chief Executive to introduce the report (copies of which had been circulated previously). The Chief Executive made the following points:

- the report was an executive summary and full details were available on the Council's website if required;
- the report was an improvement on the previous one, as over 50% of the Performance Indicators had been reported on which was on a par with other Local Authorities;
- the report gave increased amount of detailed report on projects, staffing, customer feedback and consultation; and
- sickness levels for staff were recorded at 3.1 days per employee.

RESOLVED: Cabinet considered the Corporate Performance Report for Quarter 2 of 2008/09 (appendix 1)

160/08 Monthly Financial Report for the period ending 30 November 2008

SUBMITTED by: the Chief Executive, Corporate Directors and Assistant Chief Executives

The Chairman invited Councillor Parker to introduce the report (copies of which had been circulated previously). Councillor Parker felt that the Recovery Plan was an excellent example of how the Assistant Chief Executives and Corporate Directors were getting involved and controlling the budgets.

Councillors made the following points:

- the £4m improvement was welcomed but concerns were raised about how the numbers in the report had jumped around;
- it was felt that it would be beneficial to see the planned Capital Programme expenditure in the report; and
- it was felt that the Capital Programme was at 50% of where it started.

Councillor Parker responded that a different report would be produced to show the Capital Programme budget.

RESOLVED: that Cabinet: noted the current financial position for 2008-09

161/08 Cabinet Meeting Dates

SUBMITTED by: the Assistant Chief Executive Policy and Partnerships

The Chairman introduced the report (copies of which had been circulated previously) and said that The purpose of the report is to advise Councillors of the schedule of Cabinet meetings for 2009-2010.

RESOLVED: that Cabinet agreed the schedule of dates for future Cabinet meetings as set out in the appendix to the report.

162/08 Future Household Waste Recycling Centre (HWRC) Service

SUBMITTED by: the Corporate Director of Environment, Growth and Commissioning

The Chairman invited Councillor Smith to introduce the report (copies of which had been circulated previously). Councillor Smith made the following points:

- the aim would be to make savings for the Council by reducing Landfill Allowance Trading Scheme (LATS) penalties;
- there were not proposals to close any sites;
- he presented an award to the Wellingborough site for having the highest rate of recycling (over 78%) in the county; and
- recycling in Northamptonshire had become successful over the last three years.

RESOLVED: that Cabinet approved to undertake a procurement process to secure a replacement HWRC Contract to become effective on expiry of the current Contract at the end of March 2010

There being no further business, the meeting concluded at 16:05pm

Barbel Gale
Committee Assistant
Legal & Democratic Services