

NORTHAMPTON BOROUGH COUNCIL

CABINET

Wednesday, 24 March 2021

PRESENT: Councillor Nunn (Chair); Councillor Larratt (Deputy Chair); Councillors Eldred, Hadland, Hallam, J Hill, Hibbert and King

APOLOGIES:

1. APOLOGIES

There were no apologies for absence.

2. MINUTES

The minutes of the meeting held on 3rd March 2021 were agreed and signed by the Chair.

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

The Leader advised that there was an intention to hold part of the meeting in private.

Item 10 (Sixfields) contained information which the Court and Deloitte had asked not to be made public at present – this would be discussed in private (Item 13).

The full information relating to Item 11 (Avenue Campus) had previously been seen by Cabinet. However, some of the papers had not been attached to the formal agenda, so in the interests of good governance the decision would be affirmed at this meeting. This included an appendix which would be considered in private (Item 14).

4. DEPUTATIONS/PUBLIC ADDRESSES

There were none.

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

There were no issues arising from Overview and Scrutiny Committees.

7. REPORT IN THE PUBLIC INTEREST REGARDING THE COUNCIL'S LOANS TO NORTHAMPTON TOWN FOOTBALL CLUB (ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2016) AND FINALISED ACTION PLAN

The Leader of the Council presented the report outlining the final draft Action Plan relating to the Council's loans to Northampton Town Football Club. The report took in full the recommendations made by KPMG and put a response and confirmed accountability for each of the ongoing next steps. The recommendations were to accept the final action plan and forward it to the Shadow Authority to allow the new West Northamptonshire Council to proceed with the actions.

Councillor Stone questioned how much information had been given to the new authority and how Councillors and residents would be able to monitor the implementation and impact of the Action Plan. Councillor Stone also asked about the Council's relationship with the Football Club and the Supporters' Trust. The Leader stated that as a Public Interest Report, it would be taken very seriously and Members kept informed. Relations with the club and

supporters were generally good.

Councillor Beardsworth expressed the view that the problems had occurred because due diligence had not been followed, and asked how a similar situation could be prevented in future. The Leader advised that these issues had been discussed previously, and it was important that appropriate governance was in place.

RESOLVED:

Cabinet:

- 2.1 Accepted the final draft Action Plan following the Report in the Public Interest (“the Report”) regarding the Council’s loans to Northampton Town Football Club (NTFC) (accounts for the year ended 31 March 2016), and
- 2.2 Agreed to forward the final draft Action Plan following this meeting to West Northamptonshire Shadow Authority to allow the successor authority (West Northamptonshire Council) to consider the future actions and how this is managed and reported on, through its own governance processes and determine them as it sees fit.
- 2.3 Noted that relevant notices will be published and consultations with the external auditor will be undertaken in accordance with the requirements of the Audit and Accountability Act 2014.

8. VULCAN WORKS - FIT OUT AND ADDITIONAL ROOF WORKS

Councillor Hadland as the relevant Cabinet Member outlined the report. The project had gone well, although delayed slightly by the pandemic, and preparations were now being made to let the contract for the Fit-Out of the building, together with some necessary roof works. The next steps were outlined in the table at 3.1.10 on page 18, with the project due to complete by October.

Councillor Hadland noted that the titles of those to whom authority was designated in the recommendations might change, but the decisions themselves would still stand. The project would be an asset to the Cultural Quarter and to the town as a whole.

RESOLVED:

- 2.1. Cabinet noted the progress being made on the construction of the Vulcan Works Creative Hub (VWCH).
- 2.2. Cabinet approved the Fit-Out works required to open VWCH and approves the drawdown of £670,000 from the Development Pool for the completion of this work.
- 2.3. Cabinet approved the drawdown of £500,000 from the ringfenced funding in the Development Pool for the additional roofing works which have been undertaken on the project.
- 2.4. Cabinet delegated authority to the Acting Director of Economy and Assets in consultation with the Borough Secretary, the Chief Finance officer and the Cabinet Member for Regeneration and Enterprise to appoint a contractor for the Fit Out works and equipment required to open the Vulcan Works Creative Hub.
- 2.5. Cabinet noted the progress and next steps for the procurement of an operator for the Vulcan Works Creative Hub (VWCH)

2.6. Cabinet noted that West Northamptonshire Council will progress with the work set out within this report from 1st April 2021, having been consulted on the report's contents.

9. BIKE PARK - CONTRACTOR PROCUREMENT

Councillor Hadland as the relevant Cabinet Member presented the report. This was an exciting opportunity to transform a disused area of the Delapre golf course into a bike park. A dedicated area for bikes would be a positive step as there had been problems with cycling conflicting with other uses. The Northampton Badger Society had expressed concerns about wildlife on the site, but the planned use would retain some wild areas. Councillor Nunn had also received queries about wildlife. Councillor Beardsworth asked how motorcycles were to be excluded from the area. Councillor Nunn advised that this had been carefully considered and appropriate barriers would be put in place. Councillor Larratt noted that two public footpaths crossed the site; these were separate from the cycle tracks, so there would be no conflict.

It was agreed that the bike park would be an asset to the town and add to the great leisure offer in the area.

RESOLVED:

2.1 Cabinet supported the Hardingstone 9 Bike Park project including the acceptance of the Places To Ride application, subject to the conditions set out in 3.2.1 and 3.2.2 in the report.

2.2 Cabinet delegated authority to the Acting Director of Economy and Assets, in consultation with the Borough Secretary, Chief Finance Officer and Cabinet Member for Regeneration and Enterprise to appoint and enter into a Contract with the successful contractor for the construction works to convert a disused nine hole golf course into a mountain bike centre and general outdoor facility following completion of the tender process. West Northamptonshire Cabinet will receive further reports to their Executive should these be required.

2.3 Cabinet noted the land annexed to this report is currently leased to Delapre Golf Club and that negotiations to release the area of the land are ongoing and subject to contract and approval by West Northamptonshire Council. The appointment of the Contractor will not complete before the land is brought back into Council control.

2.4 Cabinet approved a legal budget of up to a maximum of £25,000 if deemed necessary by the Acting Director of Economy and Assets in consultation with and the approval of the Borough Secretary to procure external legal expertise in construction in connection with the works proposed herein to the Bike Park.

2.5 Cabinet noted that West Northamptonshire Council will progress with the work set out within this report from 1st April 2021, having been consulted on the report's contents.

10. SIXFIELDS - UPDATE ON THE VARIOUS ENFORCEMENT AND RECOVERY STREAMS

The Leader of the Council presented the report providing Cabinet with a high level update on enforcement activities to recover the lost loan monies.

Councillor Stone questioned whether it would have been better to wait for the Public Interest Report and the police investigation before proceeding with attempted recovery of funds, rather than spending public money for an uncertain outcome. The Leader advised that this

would not have been the best approach and that each time money had been spent it had been rigorously assessed and the risks carefully considered.

Councillor Beardsworth asked how much had been spent, how much had been recovered, and when the case would go to trial. The Leader advised that the amount recovered was contained in the report and that the costs incurred would be provided separately. The Deputy Monitoring Officer agreed to ask the Borough Secretary to provide a comprehensive response on the monies spent to date.

RESOLVED:

2.1 Cabinet noted this update report.

11. PROPOSED REDEVELOPMENT OF THE FORMER AVENUE CAMPUS TO PROVIDE AFFORDABLE HOUSING

Councillor Hibbert as the relevant Cabinet Member advised that the decision had been made by Cabinet on 17th February 2021. However, the financial paper and plan, although seen by Cabinet, had not been attached to the agenda. In the interests of good governance, the decision was to be reaffirmed.

During the private discussion, the Deputy Monitoring Officer proposed an amendment to the recommendations (shown at 2.1 below) to ensure that due diligence was followed and the written consent of the shadow authority was obtained before proceeding with the project.

RESOLVED:

- 2.1 Cabinet agreed that the Borough Council would not commit to any agreement to complete this project until due diligence had been completed to the satisfaction of both the Borough Secretary and Monitoring Officer and the Head of Finance and Section 151 Officer and in addition, the Shadow West Northamptonshire Council had given its written consent to the project and its expenditure.
- 2.2 Cabinet noted the contents of Appendix A and Appendix B (attached to this report) and, affirming the decisions that it made on 17 February 2021:
- a) Approved, 'in principle', the redevelopment of the Avenue Campus site (within the Housing Revenue Account) to provide up to 170 affordable homes, subject to satisfactory due diligence and planning approval of the reserved matters application for 112 homes;
 - b) Delegated to the Director of Housing and Wellbeing, in consultation with the Chief Finance Officer, the Borough Secretary, the Cabinet Member for Housing and Wellbeing and the Cabinet Member for Finance, the authority to approve the new affordable housing scheme, subject to planning approval and due diligence and following the outcome of the Council's application for funding from Homes England;
 - c) Delegated to the Director of Housing and Wellbeing, in consultation with the Chief Finance Officer and the Cabinet Member for Housing and Wellbeing, the authority to determine the rent levels and services charges for the new affordable homes; and
 - d) Delegated to the Director of Housing and Wellbeing, in consultation with the Cabinet Member for Housing and Wellbeing and Northampton Partnership Homes, the authority to develop and approve a Local Lettings Policy that determines how the homes are allocated; and

- e) Noted that, if this development and approval of this affordable housing scheme cannot be concluded by 1 April 2021, this work will need to be concluded by the new West Northamptonshire Council through its governance processes and relevant Officers.

12. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the public and Press be excluded from the remainder of the meeting on the grounds that there was 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.

The Motion was Carried.

13. SIXFIELDS - UPDATE ON THE VARIOUS ENFORCEMENT AND RECOVERY STREAMS - PRIVATE

This item was considered in private.

RESOLVED:

2.1 Cabinet noted this update report.

14. PROPOSED REDEVELOPMENT OF THE FORMER AVENUE CAMPUS TO PROVIDE AFFORDABLE HOUSING - EXEMPT APPENDIX B

This item was considered in private.

The meeting concluded at 6:50 pm