



**NORTHAMPTON**  
**BOROUGH COUNCIL**

# **CABINET AGENDA**

**Wednesday, 19 October 2016**

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

6:30 pm

**Members of the Cabinet:**

**Councillor:** Mary Markham (Leader of the Council)

**Councillor:** Jonathan Nunn (Deputy Leader)

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

**Chief Executive** David Kennedy

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 M Markham	Leader
Councillor J Nunn	Deputy Leader
Councillor A Bottwood	Environment
Councillor B Eldred	Finance
Councillor T Hadland	Regeneration, Enterprise and Planning
Councillor M Hallam	Community Safety
Councillor S Hibbert	Housing
Councillor A King	Community Engagement

### 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, St. Giles Square, Northampton, NN1 1DE.  
on Wednesday, 19 October 2016  
at 6:30 pm.

**D Kennedy**  
**Chief Executive**

**AGENDA**

- 1. APOLOGIES**
- 2. MINUTES**
- 3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE**
- 4. DEPUTATIONS/PUBLIC ADDRESSES**
- 5. DECLARATIONS OF INTEREST**
- 6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES**  
None.
- 7. BARN OWL PUB - POTENTIAL RELAXATION OF RESTRICTIVE COVENANT.**  
Report of Director of Regeneration, Enterprise and Planning (Copy herewith)
- 8. FUNDING FOR EMERGENCY NIGHTSHELTER**  
 Report of the Chief Executive (Copy herewith)
- 9. NORTHAMPTON WATERSIDE ENTERPRISE ZONE: PROPOSED PURCHASE OF LAND AT ST. PETER'S WAY.**  
Report of the Director of Regeneration, Enterprise and Planning (Copy herewith)
- 10. BODY WORN CAMERAS**  
Report of Director of Customers and Communities (Copy herewith)
- 11. PUBLIC SPACES PROTECTION ORDER**  
Report of Director of Customers of Communities (Copy to follow)
- 12. NORTHAMPTON RELATED DEVELOPMENT AREA 5 YEAR HOUSING LAND SUPPLY ASSESSMENT**  
Report of Director of Regeneration, Enterprise and Planning (Copy herewith)
- 13. ABINGTON PARK CAFÉ: PROPOSED LEASE AND LICENCE. PARK INN HOTEL: PROPOSED GROUND LEASE EXTENSION**  
 Report of the Director of Regeneration, Enterprise and Planning. (Copy herewith)

#### **14. 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.”

#### **SUPPLEMENTARY AGENDA**

**Exempted Under Schedule  
12A of L.Govt Act 1972  
Para No:-**



## NORTHAMPTON BOROUGH COUNCIL

### CABINET

Wednesday, 28 September 2016

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

#### 1. APOLOGIES

Apologies were received from Councillor Bottwood.

#### 2. MINUTES

The minutes of the meeting held on the 7<sup>th</sup> September 2016 were agreed and signed by the Leader with the following amendment:

'Item 9 – Review of Older Persons' Housing;

*"All Councils generally required bungalows and many would be re-classified as sheltered housing as well as possibly up to 600 flats. A new standard for designated sheltered housing was also included in the report"* be replaced with:

"Most of the Councils 'general needs' bungalow would be re-classified as older persons housing and up to 6000 flats, currently classified as 'sheltered housing' would be re-classified to 'general needs'".

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

There was no intention to hold any parts of the meeting in private.

#### 4. DEPUTATIONS/PUBLIC ADDRESSES

There were none.

#### 5. DECLARATIONS OF INTEREST

Councillor Hadland declared a personal non-pecuniary interest in Item 7 – 'Efficiency Plan and Medium Term Financial Strategy' as a Trustee of Delapre Abbey Preservation Trust.

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

There were none.

#### 7. EFFICIENCY PLAN AND MEDIUM TERM FINANCIAL STRATEGY

Councillor Beardsworth addressed Cabinet and expressed some concerns about the report as the Council relies on Business Rates and New Homes Bonuses for its' funding. She questioned whether the Administration were 'Living now and Paying later'. She further commented that the income from Business Rates and New Homes Bonus were limited due to Boundary issues.

Councillor Eldred, as the relevant Cabinet Member submitted a report and elaborated thereon. He noted that those businesses in the Enterprise Zone received a discount on their rates but not a 100% reduction. He stated that the Efficiency Plan compliments the Council's current financial plan and explained that both the General Fund and the Housing Revenue Accounts were in good order. He further noted that a 4 year plan was a positive way forward

as it would allow the Council to have full knowledge of the exact funding they would receive for the year which would provide stability and could lead to future cost-neutral budgets.

**RESOLVED:**

1. That the Government's offer of a four year funding settlement be accepted.
2. That the draft Efficiency Plan as attached in Appendix 1 of the report, for submission to the Department of Communities and Local Government be approved.
3. That the realignment of earmarked reserves as set out in Appendix 2 of the report be approved.
4. That the proposed governance arrangements supporting the achievement of the Efficiency Plan, as set out in Appendix 3 of the report be approved.

**8. GRANT FUNDING TO THE NORTHAMPTON AND DISTRICT CITIZEN ADVICE BUREAU AND COMMUNITY LAW SERVICE (NORTHAMPTON & COUNTY)**

Councillor King, as the relevant Cabinet Member submitted a report and elaborated thereon. She commented that the Administration recognised the hard work of Citizens Advice and Community Law Service Northampton & County and Cabinet were asked to provide forward funding which would run from 1st April 2016 to the 31<sup>st</sup> March 2019.

The Deputy Leader commented that consideration could be given to similar grant applications by going out to other organisations.

**RESOLVED:**

That the forward funding from the Partnership Grant in the total sum per annum of £150,000 for CAB and CLS for years 2017/18 and 2018/19, to deliver information and advice services in the Borough of Northampton be approved.

The meeting concluded at 6.09pm

Appendices  
Appendix 1 Plan



**NORTHAMPTON**  
BOROUGH COUNCIL

## CABINET REPORT

<b>Report Title</b>	<b>Former Barn Owl Public House</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	19 <sup>th</sup> October 2016
<b>Key Decision:</b>	NO
<b>Within Policy:</b>	YES
<b>Policy Document:</b>	NO
<b>Directorate:</b>	Regeneration, Enterprise & Planning
<b>Accountable Cabinet Member:</b>	Cllr Tim Hadland, Member for Regeneration, Enterprise and Planning
<b>Ward(s)</b>	Rectory Farm

### 1. Purpose

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- 1.1 This report outlines an offer received for the relaxation of a restrictive covenant against use of the former Barn Owl Public House other than for a public house.

### 2. Recommendation

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- 2.1 That Cabinet agrees to release the freehold covenant prohibiting the use of the former Barn Owl Public House, other than as a public house, subject to payment of £30,000 from the owner to the Council and the Council receiving a legally binding agreement for the provision of a room for community use at no charge to the community.



### **3. Issues and Choices**

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#### **3.1 Report Background**

- 3.1.1 A developer has acquired the freehold of the former Barn Owl Public House shown on the Plan at Appendix 1.
- 3.1.2 The developer has received planning permission for redevelopment of the property as a supermarket and has advised that they are, at present, proposing to grant a lease of the premises to the Cooperative Retail Group.
- 3.1.3 There is a restrictive covenant in the freehold title of the site in favour of Northampton Development Corporation (arising from the original sale by NDC on development of Rectory Farm in the mid-1980's) to which the Council have the benefit. This prohibits the construction of anything other than a Public House and subsequent use otherwise than as a Public House.
- 3.1.4 The Council owns the freehold of another retail unit serving the same estate which is let to a Costcutter supermarket. The Council also owns other areas of land in the vicinity.
- 3.1.5 The Council have notified the developer of the restriction in the title and advised that that they should not implement their planning permission without referring the matter to the Council
- 3.1.6 The developers have acknowledged this and have advised that they do not consider the covenant enforceable under anti-competition legislation. They have further advised that they intend to implement the planning permission and will resist any attempt to impose the restrictive covenant through the court system.
- 3.1.7 Counsel's opinion has been obtained by the Council and they have advised that there are good prospects of enforcing the covenant.
- 3.1.8 The developer's solicitors have advised that they have also obtained Counsel's advice and their advice is that the covenant is not enforceable due to anti-competition law.
- 3.1.9 LGSS Law Limited have advised that for the Council to impose the terms of the covenant, they would need to seek a High Court Injunction (which is a discretionary remedy) and which, if contested, could involve significant costs for the Council. The advice is that should the Council lose, they could incur court costs of £50,000 – £100,000. In addition if the market moves against the landowner, while proceedings are in progress, damages for lost opportunity and a reduction in value of the asset might also be an issue. These damages are extremely difficult to firmly estimate in advance but it would not be unreasonable to place the risk in excess of £100,000
- 3.1.10 The Council therefore needs, amongst other things to balance the likelihood of success in proceedings against the financial risk involved. Whilst Counsel's advice is in favour of the covenant being enforceable, this does not

guarantee success or indeed the recovery of all costs incurred in any proceedings.

- 3.1.11 There has been an unsuccessful application by a local community for the pub to be listed as an asset of community value and there have been representations made seeking to secure use of the building for community uses.
- 3.1.12 During discussions with the developer a payment of £30,000 was proposed for the Council's agreement not to enforce the restrictive covenant. The developer also agreed to obtain an undertaking from the tenant that they would provide a room within the building for community uses at no charge.
- 3.1.13 The developer has advised that should the Council successfully prevent the development they intend to leave the site vacant.
- 3.1.14 Cabinet is advised that there are other public houses in the areas of Development Corporation developments where the Council has or may have the benefit of enforceable restrictions on use. The viability of public houses generally is currently a difficult issue for owners and operators and there may be similar cases to the Barn Owl which will arise in future. This report and Cabinet's decision is not intended to establish any policy on this situation and each one will need to be treated on its merits as and when any proposal for change of use is received.

## **3.2 Issues**

- 3.2.1 The enforceability of the restrictive covenant is not definitive.
- 3.2.2 The potential cost of enforcing the covenant should the Council lose are significant.
- 3.2.3 Even if the Council are successful in arguing that the covenant is enforceable, it may in future be discharged or modified by the Upper Tribunal under s84 Law of Property Act 1925 by reason of either:
- 3.2.4 s84(1)(a) "...changes in the character of the property or the neighbourhood *or other circumstances of the case which the Upper Tribunal may deem material...*" ; or
- 3.2.5 s84 (1)(aa) "... the continued existence [of the covenant] would impede some reasonable user of the land for... ...private purposes..."
- 3.2.6 Counsel advised that it would be 'difficult' for the owner to get the covenant lifted but not impossible and so litigation for an injunction might not be an end to the matter.
- 3.2.7 The developer has advised that should they be unsuccessful in resisting the imposition of the restrictive covenant they will leave the site vacant and unoccupied

## **3.3 Choices (Options)**

- 3.3.1 The Council could chose to accept the payment of £30,000 subject to confirmation of a room for community use at no charge. On balance, this is the recommended option in this particular case.

3.3.2 The Council could choose to reject the payment of £30,000 and seek to impose the restrictive covenant through the court system.

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

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### **4.1.1 Policy**

4.1.1 This case has been considered on its individual merits and any similar cases, should they arise, will be considered in the same way.

### **4.1.2 Resources and Risk**

4.2.1 Should the Council accept the payment they would incur the legal costs of preparation of an agreement not to enforce the restrictive covenant.

4.2.2 Should the Council choose to enforce the covenant by pursuing an injunction the initial application would cost £8,000- £12,000.

4.2.3 Should the Council pursue the injunction to its fullest extent and (notwithstanding Counsel's advice) fail it could be liable for potential costs of £50,000 – £200,000.

### **4.3 Legal**

4.3.1 As referred to earlier in this report, Counsel's opinion has been obtained on the enforceability of the covenant. That advice is positive that the covenant effectively binds the Barn Owl property and can be enforced notwithstanding the legal arguments (particularly those relating to restraint of trade and competition law) put forward by the owners of the property.

4.3.2 Similarly, Counsel has advised on the prospect of the owner being able to get the covenant varied by the Upper Tribunal were the Council to refuse to release it. Again, Counsel is of the view that such an application, if opposed by the Council, would face significant difficulties.

4.3.3 The owner of the property has indicated a willingness to litigate on the matter but has also proposed a financial settlement and made the offer of arranging for a community room to be made available in the premises after conversion. The costs of litigation have been indicated earlier in this report and scale of the financial risk to both parties would be significant.

4.3.4 Accordingly, Cabinet is in a position to be able to consider the financial offer and wider issues that the circumstances of the matter raise to decide whether or not it wishes to accept the owner's offer.

4.3.5 If Cabinet decided to accept the owner's offer LGSS Law would settle a form of agreement with the owner not to enforce the covenant.

### **4.4 Equality and Health**

4.4.1 N/A

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

4.5.1 Legal, Finance and Governance inputs matters are to be sought.

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

4.6.1 Should the payment of £30,000 be accepted the revenue income to the Council can be used to assist in the delivery of priority outcomes.

#### **4.7 Other Implications**

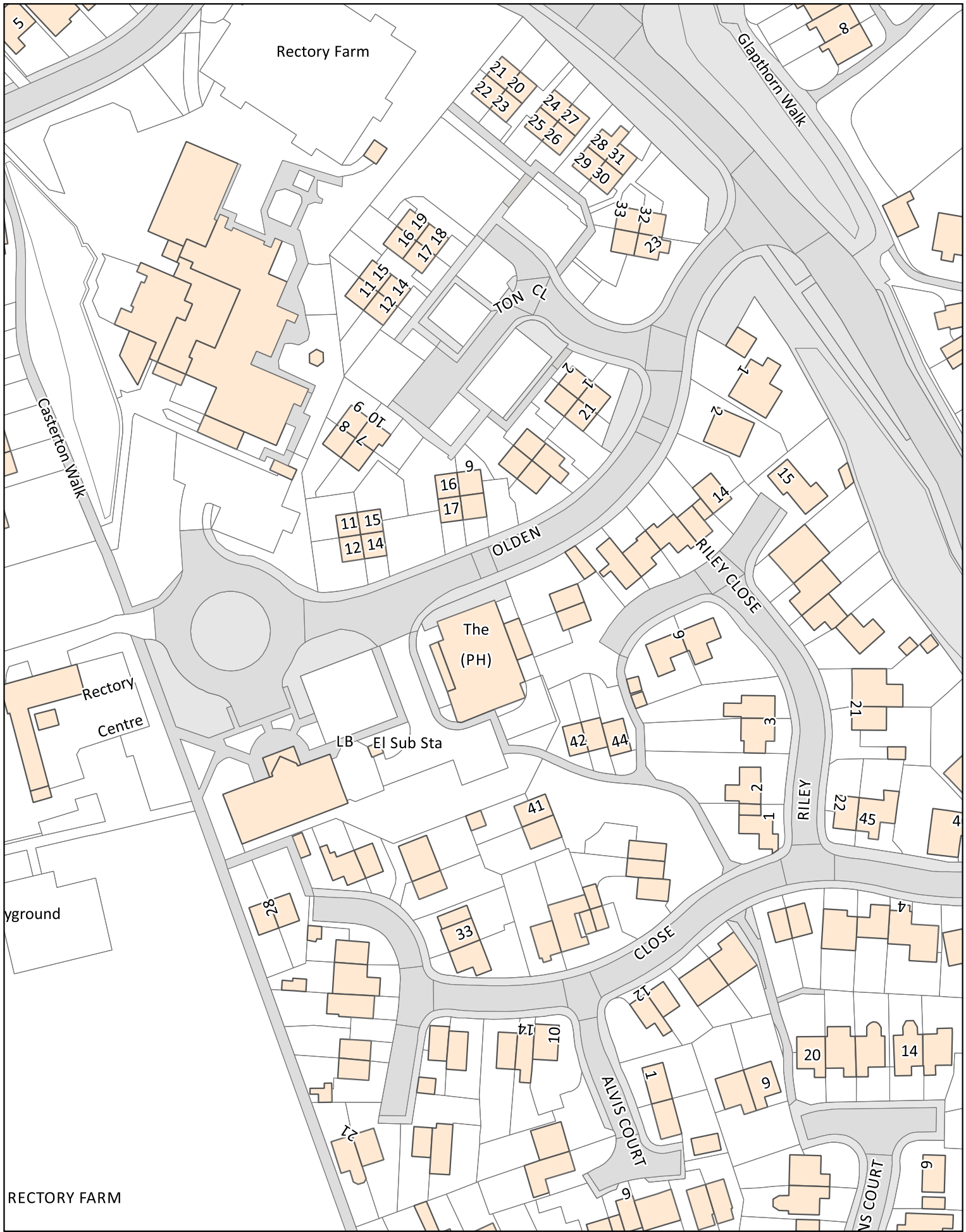
4.7.1 We are not aware of any other implications arising from the recommendations contained within this report

### **5. Background Papers**

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5.1 A file, reference BOGMM / 01 contains information which is legally privileged and of commercial sensitivity and so is not attached to this report.

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



RECTORY FARM



**NORTHAMPTON**  
BOROUGH COUNCIL

**Title: Barn Owl Plan Appendix 1**

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**Date:** 26-09-2016

**Scale:** 1:1,072

**Drawn by:** -----

**Appendices**

None



## CABINET REPORT

<b>Report Title</b>	<b>Funding for Emergency Nightshelter</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	19 October 2016
<b>Key Decision:</b>	Yes
<b>Within Policy:</b>	Yes
<b>Policy Document:</b>	No
<b>Directorate:</b>	Chief Executive's
<b>Accountable Cabinet Member:</b>	Councillor Stephen Hibbert
<b>Ward(s)</b>	Castle

### 1. Purpose

- 1.1 On 8 June 2016, Cabinet approved '**Together we change lives**', the borough's Multi Agency Strategy for ending the need for people to sleep rough in Northampton.
- 1.2 One of the 10 priorities in the Multi Agency Strategy is to establish a temporary nightshelter that will provide emergency shelter for people who are sleeping rough, or are at risk of sleeping rough, in Northampton until the Street Outreach Workers are able to help them resolve their housing problems and/or move into supported housing.
- 1.3 Although Cabinet agreed to delegate authority to the Chief Executive (in consultation with the Cabinet Member for Housing & Wellbeing and subject to due diligence and the production of a detailed business case signed-off by the Section 151 Officer) to establish an emergency nightshelter, the revenue costs incurred in running the nightshelter will require changes to the Council's 2016/17 General Fund Budget.
- 1.4 The purpose of this report is to inform Cabinet of the progress that has been made to establish a nightshelter in the town and to approve changes to the Budget.

## **2. Recommendations**

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- 2.1 That Cabinet approves capital expenditure of up to £100,000 to support the refurbishment of the nightshelter, using the Council's capital resources approved by Council in February 2016; and
- 2.2 That Cabinet approves the one-off supplementary estimate for revenue costs of £160,000 to fund the nightshelter until September 2018, as set out in Paragraph 4.2.6, and for these costs to be funded from housing reserves approved by Council in February 2016.

## **3. Issues and Choices**

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### **3.1 Report Background**

- 3.1.1 On 5 February 2016, the Council's Housing & Wellbeing Service and Community Safety Team hosted a half day Workshop to kick-start the development of a 3 year Multi Agency Rough Sleepers Strategy that will not only help rough sleepers to leave the streets and rebuild their lives but also tackle the main causes of rough sleeping.
- 3.1.2 Everyone attending the Workshop agreed that the problem of rough sleeping can only be resolved if all services and organisations work more effectively with one another, deliver a consistent message and actively encourage rough sleepers to engage with housing and support providers and leave the streets. They also agreed that, although much more needs to be done to help people sustain their tenancies, an emergency nightshelter is required (at least in the short-term) to accommodate rough sleepers.
- 3.1.3 On 24 March 2016, a team of 32 volunteers took part in Northampton's Rough Sleepers Count, covering all of the wards in the borough between Midnight and 3.00am. Although it was too unsafe for the volunteers to enter the derelict St Edmund's Hospital site to check for rough sleepers, they observed a total of 21 people (19 men and 2 women) 'bedded down' in the borough.
- 3.1.4 On 29 April 2016, the Council organised a second half day Rough Sleepers Strategy Workshop that showcased the innovative and inspiring work of the Council's new Street Outreach Workers, provided details of the town's plans for a temporary nightshelter and considered the themes, priorities and actions for the new Strategy.
- 3.1.5 The Multi Agency Strategy was approved by Cabinet on 8 June 2016 and launched at a Rough Sleepers Workshop on 13 July 2016.
- 3.1.6 Everyone has agreed there is a need for all services to be a lot more persistent and assertive in their work with people who are sleeping rough and to make it clear that, when the nightshelter opens, there will be no need to sleep rough in Northampton.
- 3.1.7 On 27 September 2016, the Council's Planning Committee approved a temporary change of use for the former British Rail Sports & Social Club in St Andrew's Road, Northampton. The premises can now be used as a nightshelter, each day between the hours of 9.00pm and 9.00am, for a period of up to two years.

## **3.2 Issues**

### The need for an emergency nightshelter

- 3.2.1 Although improvements are already being made to the way in which services and organisations work together to tackle, prevent and reduce rough sleeping in Northampton, there are currently far too many people sleeping rough in the town to accommodate all of them in Oasis House or the other supported housing schemes.
- 3.2.2 At present, the Council's Street Outreach Workers do not have access to an emergency shelter, so they are unable to provide an immediate housing solution for someone they find sleeping rough, or at risk of having to sleep rough, if there are no vacancies in Oasis House (which has 48 flats) or another supported housing scheme.
- 3.2.3 Until the Multi Agency Strategy starts to have a marked and sustained impact on the number of people who become homeless and the speed with which people are able to move on (in a successful, planned way) from Oasis House and other supported housing schemes, most of the people who are sleeping on the streets will have no option but to continue doing so until suitable accommodation becomes available.
- 3.2.4 Recent improvements in the sharing of intelligence has made it easier for the Street Outreach Workers to find and make contact with most homeless people within a few days of them first sleeping rough. This early contact – before the person's self-esteem and physical and mental health deteriorates – is essential, not just for their health and wellbeing but also for achieving an early resolution of their housing problems.
- 3.2.5 The provision of an emergency nightshelter will play a significant role in helping to end the need for people to sleep rough in Northampton. It will also ensure that, when someone is sleeping rough, or is at risk of sleeping rough, they can be offered a place to stay that is safe, warm and dry while they engage with the services and organisations best placed to assess and address their housing and support needs.

### The number of people sleeping rough

- 3.2.6 Based on all of the intelligence – and the daily advice surgeries and twice-weekly outreach sessions undertaken by the Council's Street Outreach Workers – it is estimated that there are currently around 15 people sleeping rough in Northampton (compared to around 25 in February 2016) and that, of these, around half are unemployed European migrants who are failing to exercise their treaty rights.
- 3.2.7 Furthermore, of the 21 people found 'bedded down' during the Rough Sleepers Count on 24 March 2016, it is believed that only 4 are now sleeping rough in Northampton.
- 3.2.8 Although planning consent has been given for the nightshelter to accommodate up to 20 homeless people, moving residents on quickly will ensure that the number of people sleeping in the nightshelter continues to be manageable and a lot less than 20.
- 3.2.9 For many people, the nightshelter will provide them with an invaluable 'stop gap' that meets their immediate needs when they have become homeless at very short notice and while they are helped to make their own arrangements. For others, it will provide somewhere safe to stay while they await an offer of accommodation in Oasis House or one of the other supported housing scheme in Northampton.



### Conversion and refurbishment of the nightshelter

- 3.2.10 The Council acquired the former British Rail Sports & Social Club, as a strategic purchase, to support its longer term plans for promoting Northampton's heritage and improving the local area as an important gateway to the town.
- 3.2.11 In order to make effective use of this empty, derelict building and help end the need for people to sleep rough in Northampton, it has been agreed that it will be converted and refurbished in a manner that enables it to be used, for a temporary period, as an emergency nightshelter for people who would otherwise need to sleep rough.
- 3.2.12 Structural and drainage surveys have been carried out on the property and, although these show no immediate cause for concern, the building needs to be refurbished and brought up to date to ensure that it is safe, habitable and compliant not just for its intended use as a temporary nightshelter but also for any future short-term use.
- 3.2.13 The planned works include a rewire, gas and heating compliance, fire alarm and smoke / heat detection and minor building works. The required works will be carried out by the Council's approved contractors in accordance with the Construction (Design and Management) Regulations 2015 at a cost of between £70,000 - £100,000.
- 3.2.14 Funding for these building works (which include a contingency of £30,000) has already been approved by the Council's Capital Programme Board, and the project costs have been absorbed by the Housing & Wellbeing Service.
- 3.2.15 Given the very low number of females that sleep rough, personal safety considerations and the need for on-site shower facilities, it has been decided that the nightshelter will only provide emergency shelter for homeless men. Alternative arrangements are being made to ensure that there is no need for women to sleep rough in Northampton.
- 3.2.16 Discussions have taken place with Historic England and the proposed internal and external works do not require Secretary of State consent. The external works of ground vegetation clearance and tree pruning are also free of restrictions as no digging or ground disturbance will take place.

### Offers of public support for the nightshelter

- 3.2.17 Since the publication of '**Together we change lives**', a large number of local people, groups, organisations and businesses have offered their help with the refurbishment, decoration and furnishing of the nightshelter. As well as offering their time, they have offered to donate building materials, whitegoods, bedding and toiletries.
- 3.2.18 A number of businesses have offered to release some of their staff to assist with the refurbishment and decoration of the nightshelter – and to work on special projects in Spring Boroughs – as part of their Corporate Social Responsibility programme.
- 3.2.19 Although the Council must undertake the compliance and safety works itself, the generosity of local people, groups, organisations and businesses offers an opportunity to set up and run the nightshelter in a way that inspires people to get involved and work together to make a real difference and end the need for people to sleep rough.
- 3.2.20 It is hoped that, by involving the community in the 'challenge' of creating a nightshelter and improving the neighbourhood by November 2016 will strengthen the sense of 'community' and inspire people to take part in other challenges in the future.

### Staffing and operating costs of the nightshelter

- 3.2.21 Two full-time staff – a Co-ordinator and an Assistant Co-ordinator – will be responsible for the day-to-day management of the nightshelter and, complementing the work of the Council's Street Outreach Workers, they will be employed either directly by the Council or by another organisation and seconded to the Council.
- 3.2.22 The Co-ordinator and Assistant Co-ordinator will be supported by a large team of volunteers and a broad range of local services and organisations. Management of the nightshelter will be overseen by a multi agency Management Board that will be Chaired by the Council's Head of Housing & Wellbeing.
- 3.2.23 Although it is intended to encourage local residents and businesses to provide financial support for some of the operating costs of the nightshelter, this support is likely to relate to improvements to the comfort and enjoyment of the homeless people living in the nightshelter, rather than to the essential running costs of the building.
- 3.2.24 When the nightshelter is fully operational, consideration will be given to the merits and feasibility of it operating as a not-for-profit Charitable Incorporated Organisation (CIO) with a view to it attracting grant funding towards its overall operating costs and, in doing so, reducing the size of the Council's financial contribution.
- 3.2.25 It is estimated that the cost to the Council of operating the nightshelter – including the employee costs, the business rates, the utilities, the cleaning, the repairs and maintenance and the insurance, etc – will be in the region of £83,200 per annum.
- 3.2.26 On the basis of this estimate – and assuming that the nightshelter is up and running by November 2016, the operating costs will be approximately £34,667 in 2016/17.

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

- 3.3.1 Cabinet can choose to approve capital expenditure of up to £100,000 to support the refurbishment of the nightshelter and approve the one-off supplementary estimate for revenue costs of £160,000 to fund the nightshelter until September 2018 or:
- 3.3.2 Cabinet can choose to do nothing, but this will prevent the setting up of the nightshelter and undermine the delivery of the multi-agency rough sleeper's strategy.

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

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### **4.1 Policy**

- 4.1.1 The provision of an emergency nightshelter – a key element of the Multi Agency Strategy for ending the need for people to sleep rough in Northampton – is in line with Council policy and reflects the priorities in the Corporate Plan 2016-20.

### **4.2 Resources and Risk**

- 4.2.1 Since the publication of '**Together we change lives**', local people, groups, organisations and businesses have offered their help with the refurbishment, decoration and furnishing of the nightshelter. As well as offering their time, they have offered to donate building materials, whitegoods, bedding and toiletries.

- 4.2.2 A number of businesses have offered to release some of their staff to assist with the refurbishment and decoration of the nightshelter as part of their Corporate Social Responsibility programme.
- 4.2.3 Although local residents and businesses will be encouraged to provide financial support for some of the operating costs of the nightshelter, this support is likely to relate to the comfort and enjoyment of the homeless people living in the nightshelter, rather than to the essential running costs of the building.
- 4.2.4 When the nightshelter is fully operational, consideration will be given to the merits and feasibility of it operating as a not-for-profit Charitable Incorporated Organisation (CIO) with a view to it attracting grant funding towards its overall operating costs and reducing the size of the Council's financial contribution.
- 4.2.5 The business case and financial implications of establishing the temporary nightshelter for a period of up to 2 years have been produced and costed. The other project costs are being absorbed by the Housing & Wellbeing Service reserves.
- 4.2.6 Assuming that the nightshelter is up and running from November 2016 and that it operates until the end of September 2018 (when planning consent for a temporary change of use will expire), the total costs of refurbishing and running the nightshelter – including the employment of a full-time Co-ordinator and Assistant Co-ordinator – are expected to be as follows:

<b>CAPITAL</b>	2016/17	2017/18	2018/19	Total
Conversion, compliance and refurbishment works	£100,000 <sup>1</sup>	£0	£0	£100,000
			<b>TOTAL</b>	<b>£100,000</b>

Note <sup>1</sup> Includes contingency of £30,000

<b>REVENUE</b>	2016/17 (5 months)	2017/18 (12 months)	2018/19 (6 months)	Total
Employee costs	£27,500	£66,000	£33,000	£126,500
Utilities	£ 1,250	£ 3,000	£ 1,500	£ 5,750
Repairs, maintenance, cleaning and servicing	£ 4,167	£10,000	£ 5,000	£ 19,167
Office expenses	£ 500	£ 1,200	£ 600	£ 2,300
Waste disposal	£ 750	£ 1,800	£ 900	£ 3,450
Miscellaneous	£ 500	£ 1,200	£ 600	£ 2,300
<b>TOTAL</b>	<b>£34,667</b>	<b>£83,200</b>	<b>£41,600</b>	<b>£159,467</b>

- 4.2.7 It is proposed that the capital expenditure of up to £100,000 is met from the Council's capital resources and the revenue costs of operating the emergency nightshelter until September 2019 (around £160,000) are met from the Housing & Wellbeing reserves.

4.2.8 As the provision of the nightshelter will assist everyone's efforts to tackle, prevent and reduce rough sleeping, its overall impact on town centre businesses and the cost of delivering public services (including homelessness, policing, community safety and enforcement) is likely to be positive.

### **4.3 Legal**

4.3.1 The Council has wide and extensive powers to implement the proposals contained in this report through the General Power of Competence in the Localism Act 2011.

4.3.2 The Homelessness Act 2002 introduced the requirement for housing authorities to take a preventative approach to homelessness.

### **4.4 Equality and Health**

4.4.1 A full Community Impact Assessment has been completed for '**Together we change lives**', the Multi Agency Strategy for ending the need for people to sleep rough.

4.4.2 By improving the co-ordination and effectiveness of local services and organisations, and striving to end the need for people to sleep rough in Northampton, the nightshelter will improve the wellbeing and life chances of people with protected characteristics, including homeless people and people with disabilities, and it will, therefore, have a positive impact on Equality and Diversity.

4.4.3 The development of this Strategy is part of the Council's commitment to improving communities and our town as a place to live. During all stages of this project, the Council will have due regard to its Public Sector Duty and will continue to work to tackle discrimination and inequality and contribute to developing a fairer society.

4.4.4 Although the nightshelter will only be able to accommodate homeless men, emergency shelter – in Oasis House, supported housing or Bed & Breakfast, as appropriate – will be offered to women who are sleeping rough if they require it.

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

4.5.1 In February 2016 and April 2016, the Council hosted two half day Workshops to obtain the views of a wide range of stakeholders – including charities, faith groups, health and social care professionals, housing projects, advice and support providers, the neighbourhood wardens, the Police and the anti-social behaviour unit – on the causes of rough sleeping and the action that is required to help people off the streets and end the need for people to sleep rough in Northampton.

4.5.2 Everyone who attended the Workshops was enthusiastic about the idea of adopting a fresh, multi agency approach to tackling, preventing and reducing rough sleeping, and of setting up a temporary nightshelter that has the capacity to offer all local rough sleepers emergency shelter until they are able to move into settled housing.

4.5.3 Local residents and stakeholders have been consulted in relation to the nightshelter's planning application. The Head of Housing & Wellbeing has briefed the local Ward Councillors and representatives of the Spring Boroughs Neighbourhood Forum.

## 4.6 How the Proposals deliver Priority Outcomes

4.6.1 The provision of a temporary nightshelter is one of the 10 strategic priorities in the Multi Agency Rough Sleepers Strategy approved by Cabinet on 8 June 2016 and will help meet 3 of the priorities in the Corporate Plan:

- **Safer Communities:** The nightshelter will help people (including rough sleepers, residents, shoppers, visitors and businesses) to feel safe and secure by reducing rough sleeping, begging and street drinking.
- **Housing for Everyone:** The nightshelter will end the need for people to sleep rough in Northampton by providing people with access to a safe and secure home and helping people to achieve and maintain independence.
- **Working Hard and Spending your Money Wisely:** The nightshelter will actively promote collaborative multi agency working and, in doing so, it will help the Council to get the best from the resources available.

4.6.2 The nightshelter will also make a positive contribution to 2 of the 3 Business Development Priorities that support the Corporate Plan and help manage the Council's future financial challenges:

- **Empowering Communities:** The nightshelter will encourage communities to become actively involved in tackling homelessness and improving the neighbourhoods where they live in order to help make everywhere in Northampton a great place to live, visit, work, study and invest.
- **Partnership Working:** The nightshelter will help build strong and effective relationships between partners, based on a coherent, consistent and clearly defined approach to partnership working. As well as increasing efficiency and effectiveness, this will reduce duplication, deliver better outcomes and improve residents' housing, health and wellbeing.

## Background Papers

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'Together we change lives. Ending the need for people to sleep rough in Northampton'  
(Multi Agency Strategy 2016-19)

Community Impact Assessment

Emergency Nightshelter Business Case

**Phil Harris**  
**Head of Housing and Wellbeing**  
**01604 837871**

The general exception process in Regulation 10 requires that where the publication of the intention to make a Key Decision under Regulation 9 is impracticable, that decision may only be made where the proper officer has informed the Chairman of the Overview and Scrutiny Committee by notice in writing, of the matter about which the decision is to be made. The Key Decision may then only be made after 5 clear days have elapsed following the publication of the notice given to the Chair of Overview and Scrutiny.

Regulation 11 states that where the date by which a Key Decision must be made, makes compliance with Regulation 10 (the general exception process) impracticable, the decision may only be made where the decision maker has obtained agreement from the Chair of the Overview and Scrutiny Committee that the making of the decision is urgent and cannot reasonably be deferred.

Confirmation of this can be found at the link below:

<http://www.northampton.gov.uk/downloads/file/9224/special-urgency-notice--nightshelter--cabinet--19th-october-2016>

Appendices



**NORTHAMPTON**  
BOROUGH COUNCIL

## CABINET REPORT

<b>Report Title</b>	<b>Northampton Waterside Enterprise Zone: Proposed Purchase of Land at St. Peter's Way.</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	October 19 <sup>th</sup> 2016.
<b>Key Decision:</b>	No
<b>Within Policy:</b>	Yes
<b>Policy Document:</b>	No
<b>Directorate:</b>	Regeneration, Enterprise & Planning
<b>Accountable Cabinet Member:</b>	Councillor Tim Hadland
<b>Ward(s)</b>	Castle

### 1. Purpose

- 1.1 At a previous meeting of Cabinet the purchase of a site as a strategic acquisition within the Enterprise Zone was agreed (see Plan at Appendix 1). This report updates Cabinet on progress including work commissioned as part of the Council's required due diligence to support the purchase of land and seeks the appropriate authority to advance and conclude the matter.

### 2. Recommendations

- 2.1 That progress to date in advancing the proposed purchase is noted.
- 2.2 That the various studies commissioned from AMECfw as a part of the Council's environmental due diligence associated with the proposed purchase and the appointment of Nabarro as external legal advisors be endorsed.
- 2.3 That the Director of Planning, Regeneration & Enterprise acting in consultation with the Chief Finance Officer and the Cabinet Members for Planning, Regeneration & Enterprise and Finance, be authorised to complete the due diligence process and to agree appropriate terms in-principle for the purchase of the site from National Grid.

- 2.4 That the Director of Planning, Regeneration & Enterprise be requested to submit a further report, as appropriate, to enable Cabinet to confirm the purchase.

### **3. Issues and Choices**

#### **3.1 Report Background**

- 3.1.1 At a previous meeting of Cabinet a report concerning this matter was considered and it was resolved that the site be purchased by the Council, subject to the usual considerations. That resolution, although clearly indicating the will of Cabinet, would benefit from additional resolutions to accord with the Council's enhanced governance framework. Appropriate recommendations are therefore set out for consideration.
- 3.1.2 The site is currently owned by National Grid and is part of a former Gas Works that covered a wider area. The site was subject to remediation between July and December 2014 to a commercial open store use standard. It is irregular in shape and covers an area of approximately 1.5 hectares. The site is located at an elevation of approximately 60m above the ordnance datum and the site is generally flat. The site contains a building known as Horizon House on its northern edge, which is being considered for inclusion on the Local Interest List. This comprises a two storey red-brick building which is currently boarded up and secured. An electricity substation is located in the east of the site, and appears to be in good condition. The remaining structures comprise the floor-slab/foundations of the former Centrica Billing Centre and hard-standing related to associated parking and loading areas, along with a number of lamp posts.
- 3.1.3 Historically, the original Gas Works commenced operation in 1824 and comprised a small works which was thought to be located on the site. The works expanded to the north and west of the site and after 1887 the works extended to the south of the site with production increasing quite rapidly at the time.
- 3.1.4 The Gas Works continued to grow until it covered approximately 11 hectares. In 1920, a sulphate and ammonia plant was developed as part of the works (which was located off-site). Gas production is believed to have stopped in or around 1968, with the gas holders then remaining in use for storage.
- 3.1.5 The Centrica Billing Centre was built on the site in the 1980's. In October 2013, the Centrica Building Centre and workshop buildings were demolished and today the only evidence of their existence is their remaining floor slabs.
- 3.1.6 Records and plans show that historic features located on the site included:
- A Gasholder beneath the former Centrica Billing Centre;
  - A Gasholder predominantly located under an existing National Grid Depot to the south of the site;
  - Tar pumps and tanks;



- Oil tanks (North of the southern Gasholder);
- Railway sidings;
- Carburettor water gas plant and tanks;
- Rectifier house;
- Coke shed;
- Boiler House;
- Garage;
- Workshop;
- Brick store;
- Governor / pressure booster.

3.1.7 These are all features that would typically be found on any former Gas Works site of this age, type and size. The production of town gas first took place in a time when environmental legislation and regulations were somewhat undeveloped compared to the regulatory regime that we have in place today; indeed, it was an industrial process that contaminated the site over a period of years. In these circumstances it is appropriate for any prospective purchaser to undertake environmental due diligence as the purchaser has to satisfy themselves as to the condition of the site and any associated potential or conceptual liabilities before they buy the land.

3.1.8 Assuming that the Council will, through the process of due diligence, be able to satisfy itself as to the condition of the site, the intention would be to use it to provide new office accommodation for Northampton Partnership Homes (NPH).

3.1.9 The Northampton Central Area Action Plan, approved in January 2013, states that 'the provision of office stock within the Central Area is weak' and that 'this long-standing trend needs to be reversed'. Moreover, it seeks to encourage the provision of an adequate supply of office floorspace. In relation to this particular site it says that 'development should be primarily focused on commercial office space'. Horizon House is also identified as a building to be retained. The use of the site for office space for NPH would therefore be acceptable 'in principle'.

## **3.2 Issues**

3.2.1 Given the above, the Council has employed specialist consultants, AMEC Foster Wheeler (AMECfw), to examine various matters so that the Council can make an informed decision on the purchase that it has resolved to make.

3.2.2 AMEC Foster Wheeler have been commissioned to undertake a number of studies. These include:

- A Desk Top Study and Review of Existing Geotechnical Information;
- A Review of Controlled Waters Risk Assessment;
- A Human Health Risk Assessment;
- Ecology;
- Utilities Survey;
- Flood Risk Assessment;
- Geotechnical Constraints;

3.2.3 When completed these studies will, in summary, provide the Council with information about the following matters:

- The history of the site, how it was remediated, and what other previous studies reveal about its condition and characteristics;
- The risks to controlled waters as assessed by a previous Detailed Quantitative Risk assessment (DQRA); this will, amongst other things, inform judgement about any potential or conceptual off-site risks;
- Risks to human health, to confirm whether remediation has adequately addressed the risk for future commercial use of the site, including Horizon House, should it be brought back into beneficial use;
- Ecological issues that need to be addressed like the presence of, for example, Japanese Knotweed or whether there are any protected species on the site, such as Bats, Badgers or Great Crested Newts;
- Where utilities are located on the site as they are not always where historic records would indicate, can be a development constraint and costly to relocate;
- The likelihood and risks to development posed by potential flooding. Clearly this can only be an appraisal at this stage because the Council does not have an actual development foot-print to consider;
- Where it may be difficult to build, where any new buildings may best be located and indeed, what building techniques, at a level of principle, it may be appropriate to employ.

3.2.4 Once due diligence has been completed a further external valuation, which has been commissioned, will be obtained to inform the final negotiations with National Grid.

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

- 3.3.1 Cabinet can endorse the due diligence work currently underway, enabling officers to negotiate and agree the proposed terms for the prospective purchase of the site from National Grid on an informed basis. This is the recommended option.
- 3.3.2 Cabinet could choose not to endorse the work being undertaken on environmental due diligence and simply purchase the land as seen, but this would potentially increase the risk profile of the proposed transaction, as the Council would then be purchasing without a satisfactory level of information and advice.

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

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### **4.1 Policy**

- 4.1 The site of the former Gasworks lies within the Northampton Waterside Enterprise Zone (NWEZ). The NWEZ comprises 122 hectares of land and runs adjacent to the River Nene from Sixfields in the West to the western edge of the new University of Northampton Campus. The Zone is predominantly made up of established business estates, but still includes some dormant sites that, for a variety of reasons, have not been delivered by the market. The site off St Peter's Way is an example of this. The acquisition of this site, should that be agreed by Cabinet, and its subsequent development would therefore regenerate the site and promote the economic well-being of the area.
- 4.2 Beyond that there are no specific policy implications arising from this report. Should the land be purchased and developed then any development would need to accord with the extant Development Plan for Northampton, including the Central Area Action Plan.

### **4.2 Resources and Risks**

#### **Financial**

- 4.2.1 As previously reported the proposed purchase price previously for this strategic acquisition is approximately £1.5 million. Were the site to be used for say retail or housing use however, although this is not proposed, then overage provisions may apply such that the Council could be obliged to make a further payment to National Grid based upon a percentage of the uplift in site value at the point of the grant of permission; these are currently under discussion. Whilst, as stated above, such uses are not being promoted by the Council, Cabinet should nonetheless be aware that overage may apply under certain circumstances. This is not an unusual obligation and is often sought by sellers to ensure that they can obtain a reasonable share of any appropriate uplift in value, should that actually materialise. Such clauses are almost always time-limited and that would be the case here were such clauses to be appropriate and agreed.
- 4.2.2 The purchase of this site is currently included in the Council's Capital Programme at £1.5 million. The funding for the scheme is provided by £772k

from external contributions and £778k from the Council's Strategic Investment Reserve.

4.2.3 The cost of consultants and a specialist firm of lawyers to support the Councils proposed purchase of the site, is currently less than £73,000 and is very unlikely to fall outside of a level that can be approved under the scheme of delegation. Expenditure is being met from within approved budgets.

4.2.4 Should the Council purchase the site, it would incur revenue costs in managing the site and in keeping it secure. These costs are currently being estimated but preliminary work suggests that they should be relatively modest.

### **4.3 Legal**

4.3.1 In the light of the historic use of this site, the key considerations in relation to this proposed purchase will include the environmental risks which are inevitably involved in owning such property. These include both the statutory control regimes and the risk of third party actions. It is important to bear in mind that there is no suggestion at this stage of risk of damage or loss arising from these issues. Sites with a past history or this sort of use are not inevitably either dangerous or incapable of beneficial use. But due diligence needs to be carefully applied given the history of the site, irrespective of any intended end use or potential occupier.

4.3.2 Officers are addressing these issues through the commissioning of specialist advice on the physical condition of the site and by consulting with external lawyers, Nabarro, which have national experience in dealing with this type of transaction. Options are being explored both in terms concerning the allocation of any historic liabilities and on the possible availability of insurance as a mitigating factor for any residual risk. The outcome of both of these strands of work is awaited and final advice from external advisors will be weighted in determining whether to proceed with the acquisition.

4.3.3 This acquisition also gives rise to more conventional legal issues relating to the conveyancing process and the terms of any 'overage' provisions which are referred to elsewhere in the report. There are also residual matters from the agreements entered into by the former West Northamptonshire Development Corporation (WNDC) with National Grid in 2014 for investment in an initial clean-up of the site, where the Council are WNDC's successors. These will provide for the return to NBC at completion of any purchase of some of the money invested by WNDC in the preliminary remediation. These are being reviewed by LGSS Law.

### **4.4 Equality and Health**

4.4.1 Work has been commissioned from AMECfw to provide information about if there are any risks to Human Health arising from the commercial use of the site. This is currently being assessed and is the usual approach when dealing with sites of this type.

4.4.2 Work has also been commissioned to review any risks that there may be to controlled waters associated with the site. This will also consider if there are

any issues arising from the way the site was remediated. This is currently being assessed and this is also the usual approach when dealing with sites of this type.

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

4.5.1 As would be expected National Grid and their professional advisors have been consulted, as has a potential end user of the site, should it be purchased. The Environment Agency and the Utilities have also been consulted on appropriate issues. Internally, Legal, Finance, Property and Environmental Health have all been involved in the development of this proposal. They will continue to be involved until such time as the matter is concluded.

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

4.6.1 The purchase of the site and its subsequent development for commercial use would bring this dormant site in the Enterprise Zone back into productive use.

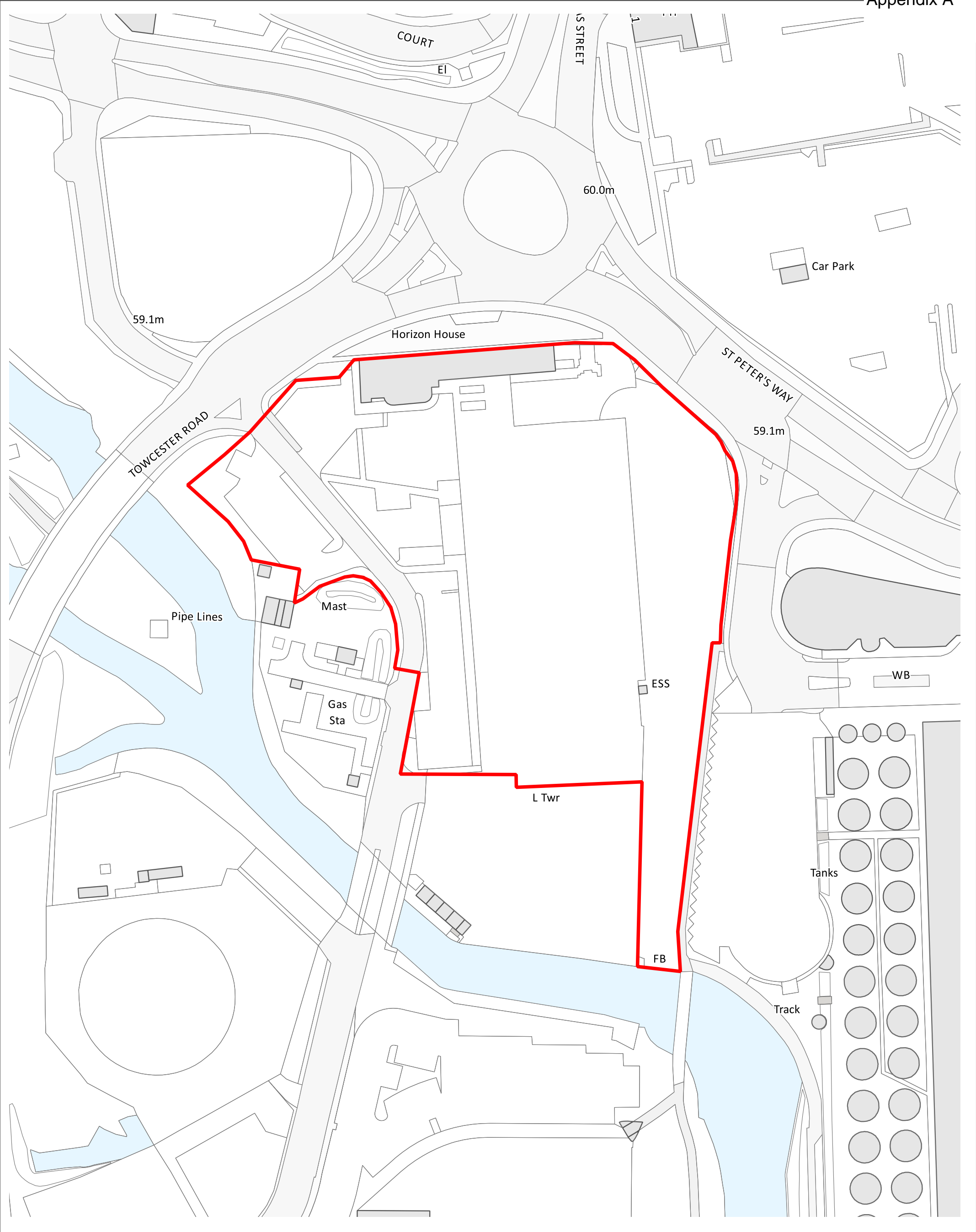
#### **4.7 Other Implications**

None identified.

### **5. Background Papers**

- 5.1 Cabinet Report, September 2015: Finance (to 31<sup>st</sup> July) and Performance Report, 30<sup>th</sup> June 2015.
- 5.2 West Northamptonshire, Joint Core Strategy Local Plan, December 2014.
- 5.3 Northampton Central Area Action Plan, January 2013.

**Steve Boyes, Director Regeneration, Enterprise and Planning.**



**NORTHAMPTON**  
BOROUGH COUNCIL

## Potential Acquisition Site: Land off St Peters Way

23 September 2016  
1:1000 @ A4  
drawn by M Burgess

<b>Appendices</b> 1
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## CABINET REPORT

<b>Report Title</b>	<b>Body-Worn Video Policy</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	19 <sup>th</sup> October 2016
<b>Key Decision:</b>	Yes
<b>Within Policy:</b>	No
<b>Policy Document:</b>	Yes
<b>Directorate:</b>	Customer and Communities
<b>Accountable Cabinet Member:</b>	Cllr Alan Bottwood
<b>Ward(s)</b>	Borough Wide

### 1. Purpose

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1.1 To seek approval of the proposed Body-Worn Video Policy.

### 2. Recommendations

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2.2 That Cabinet approves the Body-Worn Video Policy appended to this report.

### 3. Issues and Choices

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#### 3.1 Report Background

3.1.1 As part of a comprehensive approach to improving the safety, cleanliness and maintenance of the town centre, and wider town, it is intended to introduce body-worn video to be used by selected employees in specified circumstances or on specified occasions.

- 3.1.2 Before introducing body-worn video, it is necessary to have a comprehensive and legally robust policy in place to ensure the effective deployment of these devices and to ensure legal compliance.
- 3.1.3 Employees who will utilise the body-worn video will mainly be those who work outdoors in the town centre or, on occasions, in other parts of the town, carrying out activities such as enforcement, security and regulation.
- 3.1.4 Such staff to potentially include, but not limited to, Neighbourhood Wardens, Park Rangers and Town Centre Operatives.
- 3.1.5 The main purpose of introducing body-worn video is to make staff safer and more effective in their roles by preventing, diffusing or reducing anti-social behaviours or by providing a source of additional evidence to support escalated action.
- 3.1.6 Training will be provided on an ongoing basis to maximise the impact of the body-worn video.
- 3.1.7 Overview and Scrutiny Panel undertook a review of the Impact of Anti-Social Behaviour in the town between July 2015 and March 2016. Recommendation 8.1.7 of their report dated March 2016 was that Neighbourhood Wardens responsible for the town centre are issued with a body worn CCTV camera on a trial basis of six months, following which their effectiveness is assessed; with a view to extending the trial further, outside the town centre, to include parks and open spaces.

#### General Purposes Committee

- 3.1.8 On 29<sup>th</sup> September 2016, General Purposes (GP) Committee was asked to approve the implementation of body-worn video, having considered the employment implications of their implementation.
- 3.1.9 GP Committee's considerations included health and safety, risk assessments, equality impacts assessments and staff and trade union consultation.
- 3.1.10 GP committee were advised that the main purpose of introducing body-worn video is to make staff safer and more effective in their roles by preventing, diffusing or reducing anti-social behaviours or by providing a source of additional evidence to support escalated action. It was explained to the committee that where equipment is already in use by Local Authorities, the equipment has been shown to improve safety, reduce crime and anti-social behaviour as well as improving the delivery of warden and ranger services through improved efficiency and better management of complaints and investigations.
- 3.1.11 GP committee were further advised that working within the town centre brings wardens into regular contact with the public sometimes in highly charged circumstances. The introduction of body-worn video allows the interaction and contact they have with the general public in certain situations to be recorded in an indisputable format.



- 3.1.12 Also wardens and park rangers are also sometimes subject to varying degrees of abuse whilst carrying out their duties. Some of the abuse can be serious e.g. physical or racial. Whilst wardens and rangers are fully trained to diffuse difficult situations, there are still unfortunately a number of reported incidents each year. The use of body-worn video is anticipated to reduce this. The Council has a duty to ensure, as far as is reasonably practicable, the health and safety of its employees.
- 3.1.13 It was discussed with GP Committee how documented evidence of conversations with the public will improve fairness, transparency and accountability in the management of complaints. It will also provide objective evidence of controversial events offering protection to both the general public and the wardens/rangers.
- 3.1.14 GP committee were assured that training will be provided on an ongoing basis to maximise the impact of the body-worn video. Training will cover not only the use of the cameras but the legislation which applies, including the Data Protection Act 1998 (DPA). The cameras will only be deployed in an overt manner by fully trained officers.

## **3.2 Choices (Options)**

- 3.2.1 Cabinet can approve the Body-Worn Video Policy as proposed in this report.
- 3.2.2 Cabinet could defer its decision and seek further information to allay any concerns it may have.
- 3.2.3 Cabinet could decide not to approve the proposed policy and, by implication, decide to not implement body-worn video for council employees.

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

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### **4.1 Policy**

- 4.1.1 If agreed, this report will make the Body-Worn Video Policy appended to this report an approved policy of the Council.
- 4.1.2 The proposed Body-Worn Video Policy is fully consistent with and aligned to the council's RIPA policy, as approved by cabinet on 8<sup>th</sup> June, 2016.

### **4.2 Resources and Risk**

- 4.2.1 There are no resource implications directly arising from this report.
- 4.2.2 A key purpose of the Body-Worn Video Policy is to reduce risks from legal challenge or from inefficient and ineffective use of body-worn videos that would be likely to arise if such a policy was not put in place.

### **4.3 Legal**

- 4.3.1 Detailed legal advice has been sought in developing the Body-Worn Video Policy and confirmation has been received from council lawyers that the policy is legally compliant and has been drafted in accordance with best practice.
- 4.3.2 Particular regard has been paid to Data Protection implications to ensure the Council is legally compliant in what would otherwise be an area of high risk.

### **4.4 Equality and Health**

- 4.4.1 An Equality Impact Assessment has been carried out on the use of body-worn video by council employees as set out in the proposed Body-Worn Video Policy.

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

- 4.5.1 Affected staff and trade unions have been consulted on the use of body-worn videos in accordance with the proposed Body-Worn Video Policy.

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

- 4.6.1 Staff who will utilise body-worn video such as Neighbourhood wardens contribute to 'Creating Empowered Communities' in Northampton by making the town centre and other parts of the town safer, cleaner and more welcoming. Body-worn video will help keep these staff safer and will therefore enable them to do their jobs more effectively.

## **5. Background Papers**

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Staff Implications of Body-Worn Video Policy  
Report to General Purposes Committee  
29 September 2016

**Julie Seddon, Director of Customers and Communities**



**NORTHAMPTON BOROUGH COUNCIL**

**BODY-WORN VIDEO POLICY**

## 1. INTRODUCTION

- 1.1. This document sets out Northampton Borough Council's policy and procedural guidelines for the use of body-worn video by Nominated Officers within the Borough of Northampton. It will enable employees to comply with the relevant legislation relating to video recording and outline the associated benefits to Nominated Officers and the general public. It also documents best practice procedures with regard to integrity of data images and video as well as its security and use.
- 1.2. The use of body-worn video by Nominated Officers within the Borough of Northampton is to act as a deterrent to acts of aggression or verbal and physical abuse towards Nominated Officers and where necessary to provide evidence to support Police investigations.
- 1.3. Body-worn video forms part of a Nominated Officers personal protective equipment and is provided solely for health and safety purposes. It will be used in an overt manner and Nominated Officers will give clear warnings to members of the public that video and/or audio recordings may be taken of them and used as evidence by the Police if necessary. Nominated Officers will also be wearing bright yellow arm bands visually displaying that "BODY-WORN VIDEO IN USE".
- 1.4. Body-worn video will not be used to gather evidence for any other enforcement offences nor will it be used as evidence in proceedings against any member of staff.

## 2. LEGISLATION

- 2.1. The integrity of any video data recorded will be considered in accordance with the following legislation and statutory guidance:
  - Data Protection Act 1998
  - Freedom of Information Act 2000
  - Human Rights Act 1998
  - Protection of Freedoms Act 2012
  - Home Office Surveillance Camera Code of Practice
  - Information Commissioners Code of Practice
- 2.2. Data Protection Act 1998

The Information Commissioner's Office is the regulator for this Act and has given guidance with regard to Nominated Officers' use of body-worn video equipment. This legislation regulates the processing of 'personal data' and

'sensitive personal data' whether processed on computer, CCTV, still camera or any other media.

Any recorded image that is aimed at or may identify a particular person is described as 'personal data' and covered by this Act and will include images and audio captured using body-worn video. The use of body-worn video in this guidance is 'overt use' meaning that equipment is not to be worn or used in a hidden or covert manner.

Where an individual asks to view footage this is called a 'subject access request'. The requester is only allowed to see footage of themselves and anyone who has provided consent for their images to be viewed by them.

### 2.3 Freedom of Information Act 2000

This Act grants a general right of access to information held by public bodies, which is not personal data. Information released under FOI can include statistical and other non-personal information.

### 2.4 Human Rights Act 1998

Article 6 provides for the right to a fair trial. All images captured through the use of a body-worn device have the potential for use in court proceedings and must be safeguarded by an audit trail in the same way as any other evidence.

Article 8 concerns the right for private and family life, home and correspondence. Recordings of persons in a public place are only public for those present at the time and can still be regarded as potentially private. Any recorded conversation between members of the public should always be considered private and users of body-worn video should not record beyond what is necessary when recording a confrontational situation.

The Council will ensure that the use of body-worn video by its Nominated Officers is widely advertised prior to commencement. The Council will issue a formal press release in addition to publishing information on its website.

Northampton Borough Council will further ensure that the use of body-worn video is emphasized by Nominated Officers wearing it in a prominent position (normally on their chest) and that its forward facing display is visible to anyone being recorded. Additionally, Nominated Officers will wear identification that it is a video device and make a verbal announcement, where practicable, prior to commencement of any recording.

### 2.5 Protection of Freedoms Act 2012

Part 2 of the Act creates new regulation for, and instructs the Secretary of State to prepare, a code of practice towards CCTV and automatic number plate recognition.

Chapter 1 gives the full regulatory legislation of CCTV and other surveillance camera technology which relates to a code of practice and interpretations.

## 2.6 Home Office Surveillance Camera Code of Practice

The integrity of any video data recorded will be considered in accordance with this Statutory Guidance.

The Home Office is the regulator for this guidance with regard to Nominated Officers use of body-worn video. This guidance is centred around “12 Guiding Principles” which Northampton Borough Council will adopt and adhere to at all times.

## 2.7 Information Commissioners Code of Practice

The Information Commissioners Code of Practice is the Statutory Guidance issued that runs in conjunction with the Surveillance Code of Practice issued with regard to Nominated Officers’ use of body-worn video.

# **3. ON STREET OPERATIONAL GUIDANCE AND BEST PRACTICE**

## 3.1 Training

All Nominated Officers will receive full training in the use of body-worn video. This training will include practical use of equipment, on street operational guidance and best practice, when to commence and cease recording and the legal implications of using such equipment.

## 3.2 Daily Use

Body-worn video will only be used in the event that a Nominated Officer finds themselves in a confrontational situation where they are subject to, or feel that they are likely to be subject to, verbal or physical abuse.

Whenever practicably possible, recordings will not commence until the Nominated Officer has issued a verbal warning of their intention to turn on the body-worn video.

Recordings will not be made whilst performing normal patrolling duties or for the gathering of any evidence related to other offences.

All recordings will be held within a specifically designed controlled and secure database. Access to recordings will be restricted to authorised personnel.

### 3.3 Start of Shift Procedure

All Nominated Officers will be issued with their own body-worn video. At the commencement of each shift the Nominated Officer will ensure that the unit is fully functioning and that it has been cleared of all previous recordings.

The check will also include verifying that the unit is fully charged and that the date and time displayed is correct.

### 3.4 Recording

Recording must be incident specific. Nominated Officers must not indiscriminately record entire duties, patrols or Fixed Penalty Notice issue processes and must only use recording to capture video and audio at specific incidents.

For the purposes of this guidance an 'incident' is defined as:

- a) an engagement with a member of the public which, in the opinion of the Nominated Officer is confrontational and where the Nominated Officer believes that they may be subject to physical or verbal abuse or
- b) the Nominated Officer is approached by a member of the public in a manner perceived as aggressive or threatening.

At the commencement of any recording the Nominated Officer should, where practicable, make a verbal announcement to indicate why recording has been activated and where possible this should include the date, time and location together with confirmation that the incident is being recorded using video and audio.

The purpose of issuing a verbal warning is to allow a member of the public to modify what would otherwise be regarded as unacceptable confrontational or aggressive and threatening behaviour. If at any time during an incident the Nominated Officer considers that the use of body-worn video or the issuing of a verbal warning is likely to inflame a confrontational situation the Nominated Officer may use discretion to disengage from further discussion and withdraw from the incident.

A standard specific form of words to be used in any warning to a member of the public has not been prescribed, but Nominated Officers should use straightforward speech that can be easily understood by those present such as:

“Sir/Madam, as part of our policy I would like to inform you that I will be recording this conversation”.

### 3.5 Playback

Nominated Officers will need to be fully aware of the legal implications once digital images and audio have been recorded. To this end playback should only be at the request of a Police Officer attending the incident.

Any request to view captured video by a member of the public will need to be made in writing to Northampton Borough Council in line with the ‘Subject Access Procedure’. Evidence of identity prior to viewing must also be provided.

### 3.6 End of Shift

Nominated Officers should ensure that any video footage required for evidential purposes has been correctly bookmarked and that any incident reports have been completed.

In the absence of a Nominated Manager/Supervisor it will be the Nominated Officer’s responsibility to ensure that their body-worn video is placed on charge at the end of their shift.

### 3.7 Storage of Data

All recorded footage will be uploaded to the body-worn video software by the Nominated Officer on duty.

The Nominated Officer on duty will ensure that any footage to be retained has been correctly bookmarked and that supporting incident reports have been completed.

For incidents where the Police have not been in attendance the Nominated Manager will review the recording and a decision made on whether referral to the Police is appropriate.

The Nominated Officer will then transfer the data to a secure hard drive within the software and complete the Information Asset Log.

All retained data will be kept until all investigations have been completed or prosecution has taken place before deletion. All data not required for evidential purposes will be deleted after upload as part of the software’s standard filing and deletion set up. Data will only be kept for a period of 31 days; thereafter it will be deleted, if it does not form part of an investigation.



### 3.8 Transfer of Data

Any data requested by the Police as part of their investigation will be burnt to disc, labelled as an official exhibit and handed to them. Once in their possession the disc will fall under the Police policy and guidelines for Data Protection.

Details of this process and any relevant information ie, PC name or collar number, date, time etc will be logged within the video software so there is a full audit trail.

### 3.9 Authorised Personnel

Nominated Officers.

## **4. REQUEST TO VIEW DATA AND COMPLAINTS**

### 4.1 Subject Access Request

All data not required for evidential purposes will be deleted upon download. However, the Data Protection Act gives individuals the right to be told what personal information the Council holds about them and to receive a copy of that information. Any application to view data is covered by Northampton Borough Council 'Subject Access Request' Procedure. Requests must be made in writing and sent to [requests@northampton.gov.uk](mailto:requests@northampton.gov.uk)

### 4.2 Complaints

Any complaints or queries received from members of the public arising from the use of body-worn video should be directed to Director of Customers and Communities.

Members of the public may also be directed to the Information Commissioner's Office website at <https://ico.org.uk>

Appendices



## CABINET REPORT

<b>Report Title</b>	<b>Northampton Related Development Area 5 Year Housing Land Supply Assessment</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	19 October 2016
<b>Key Decision:</b>	Yes
<b>Within Policy:</b>	Yes
<b>Policy Document:</b>	Yes
<b>Directorate:</b>	Regeneration, Enterprise & Planning
<b>Accountable Cabinet Member:</b>	Councillor Tim Hadland
<b>Ward(s)</b>	All wards

### 1. Purpose

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- 1.1 To note and approve the latest Five Year Housing Land Supply report for use in development management decisions and to agree a range of actions to bring forward the supply of housing.

### 2. Recommendation

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- 2.1 That the 2016 Five Year Housing Land Supply report and its implications for the determination of planning applications for housing be noted and approved.
- 2.2 That the Director of Regeneration, Enterprise and Planning be requested to produce a Housing Delivery Plan and present it to a future meeting of Cabinet for approval.

### **3. Issues and Choices**

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#### **3.1 Report Background**

##### Government Housing Policy

- 3.1.1 In 2015 the Government set out ambitious measures to increase the supply of housing and improve prospects of home ownership for many. The Government's aim is to deliver 1 million new homes by 2020 to boost housing supply significantly. Through the Housing and Planning Act 2016 a number of measures are being taken to enable this target to be met, including further reforms to the planning system, the introduction of starter homes for first time buyers and changes to the affordable housing sector.
- 3.1.2 In May 2016 the Housebuilders Federation (which represents many of the larger volume house builders) emphasised its support for the Government's ambition to build 1 million new homes by 2020 but acknowledged that house builders alone would not be able to achieve this target. The Local Government Association has emphasised that Councils have an important role to play with the support of Government.

##### The National Planning Policy Framework and Housing Supply

- 3.1.3 Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the adopted development plan unless material considerations indicate otherwise.
- 3.1.4 For the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004 the adopted Development Plan for Northampton Borough currently comprises the following:
- Northampton Local Plan Saved Policies - Adopted 1997
  - Northampton Central Area Action Plan - Adopted 2013
  - West Northamptonshire Joint Core Strategy Local Plan Part 1 - Adopted 2014
  - Northamptonshire Minerals and Waste Local Plan – Adopted 2014
- 3.1.5 In March 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 3.1.6 The NPPF stresses the importance of having a planning system that is plan led. It states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. Where a proposal accords with an up-to-date development plan, it should be approved without delay, unless there are clear material reasons otherwise as required by the presumption in favour of sustainable development.

3.1.7 The NPPF places significant weight on the local planning authority identifying deliverable sites to provide 5 years' worth of housing to meet objectively assessed needs. Paragraph 47 of the NPPF and the accompanying National Planning Practice Guidance (NPPG, March 2014) set out what can be considered deliverable.

3.1.8 Paragraph 47 (bullet 2) of the NPPF states:

“To boost significantly the supply of housing, local planning authorities should:

Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period). Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;”

3.1.9 The NPPF continues:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.” (Paragraph 49)

3.1.10 Failure to demonstrate five years' worth of deliverable housing supply means that policies for the supply of housing cannot be considered up-to-date. Without this supply there is a presumption in favour of granting planning permission to applications for new housing unless the development can be shown to cause demonstrable harm to other factors that outweigh the need to provide new housing. This approach has been upheld in numerous planning appeals.

3.1.11 This emphasises the significant importance the Government places on pro-actively planning to meet the objectively assessed housing need in development plans and making timely positive decisions that allow local planning authorities to meet their housing needs. The significance of the weight that should be attached to the delivery of these aims in relation to planning outcomes cannot be over-emphasised. Its implications for the decision making process should not be underestimated.

## **3.2 Issues**

### **3.2.1 The 2016 Five Year Housing Land Supply Assessment**

3.2.1.1 The West Northamptonshire Joint Core Strategy (JCS) sets out the housing requirement for 28,470 new homes to be provided in the Northampton

Related Development Area<sup>1</sup> (NRDA) between 2011 and 2029. This is the objectively assessed housing need target.

- 3.2.1.2 The JCS identifies how the objectively assessed housing need will be met. The majority of the need is to be met by the Sustainable Urban Extensions which are allocated in the JCS – 16,850 dwellings.
- 3.2.1.3 The remaining need is to be met from a range of large and small sites. Sites are either already allocated (in the existing Saved Local Plan Policies) or have extant planning permission for 8,873 dwellings. A further 2,750 dwellings are to be met from other sites within the urban area, either through new allocations or windfalls (planning permissions on sites not previously identified).
- 3.2.1.4 Since 2011 housing completions in the NRDA have increased significantly year on year from the post-recession low of 423 in 2011/12 to 883 in 2015/16. However, completions have not been as high as planned as house builders have not built as quickly as they said they would. This is clear from the Hardingstone and Collingtree Appeal decisions.
- 3.2.1.5 On 29<sup>th</sup> February 2016 the Secretary of State allowed the Hardingstone Appeal and granted outline planning permission subject to conditions and a S106 planning agreement. One of the main reasons for the Secretary of State's decision was that Northampton could not demonstrate a 5 year housing land supply. The Secretary of State agreed with the Inspector that in calculating the housing requirement a 20% buffer should be applied (rather than a 5% buffer as argued by the Council). This was because he considered that the shortfall in housing completions during 2006-11 and the cumulative shortfall of 2,929 dwellings up to 2013/14 to amount to persistent under-delivery of housing.
- 3.2.1.6 On 9<sup>th</sup> August 2016 the Secretary of State allowed the Collingtree Appeal A and granted outline planning permission subject to conditions and a S106 planning agreement. The Secretary of State dismissed Collingtree Appeal B. One of the main reasons for the Secretary of State's decision to allow Appeal A was that Northampton could not demonstrate a 5 year housing land supply.
- 3.2.1.7 The 2016 Five Year Housing Land Supply Assessment for the NRDA (attached as Appendix A to this report) sets out details of the completions since 2011 and the deliverable housing supply by site for the next five years to 2021.
- 3.2.1.8 The deliverable housing supply for the next 5 years is comprised of three types of site:
- a) *Large sites (over 10 dwellings)* - expected to deliver the majority of the 5 year housing land supply with a total of 7,731 dwellings. More than half of these (4,284 dwellings) will be from the eight sustainable urban extensions allocated in the JCS. The majority of the other large sites already have full

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<sup>1</sup> The NRDA is the area in which Northampton's housing needs will be met – the entirety of Northampton Borough and neighbouring parts of Daventry District and South Northamptonshire Councils.

planning permission or are under construction. The exception is the former School sites which have taken longer to come forward than originally expected but are now progressing.

- b) *Small Sites (10 dwellings and under)* – all small sites with planning permission are expected to be delivered in the next 5 years in accordance with the NPPF. The Council is not aware of any issues that will prevent the delivery of sites with planning permission in a timely manner. Therefore, a total of 262 dwellings are included from small sites in the 5 year housing land supply.
- c) *Previously unallocated sites (known as windfalls)* - Based on evidence the assumption has been made that 300 dwellings will be delivered annually in the future on sites that have not previously been allocated (these sites are known as windfalls). In order to remove the potential for double counting, no provision of additional windfall in the first two years of the 5 years supply has been assumed and a discounted amount has been included in the remaining years. Therefore, a total of 360 dwellings are included from windfall sites in the 5 year housing land supply.

3.2.1.9 The table below sets out the 5 Year Supply of Housing Land calculation for the NRDA.

**Table 1: The Five Year Supply of Deliverable Housing Land Calculation**

		<b>Dwellings</b>
A	Housing Supply Requirement for 2016-2021 from Joint Core Strategy:	10586
B	NPPF 5 Year Housing Requirement (Joint Core Strategy + 20% buffer)	12703
C	Housing Requirement 2011-2016 from Joint Core Strategy	4245
D	Net additional dwellings completed 2011-2016	3533
E	Shortfall of provision compared to 2011-2016 target	712
F	NPPF 5 Year Supply Target Taking Account of Shortfall Provision (B+E)	13415
F	Supply of Deliverable Sites (Appendix 1 of 5 Year Housing Land Supply Assessment Report)	8328
		<b>%</b>
G	% of 5 year housing supply available: 8328/ 13415 * 100	62.08%
		<b>Years</b>
H	Years of deliverable housing land 2016 - 2021: 62.08/ 100 *5	3.10

3.2.1.10 The assessment identifies that a 5 year supply for the NRDA cannot be demonstrated. It identifies the capacity to deliver 3.1 years of housing need. This equates to a shortfall of 5,087 dwellings. The supply falls short of the NPPF, with its associated implications. There is clearly an urgent need to bring forward measures which will increase the housing supply.

### **3.2.2 Addressing the Shortfall in the 5 Year Housing Land Supply**

3.2.2.1 In the light of the critical importance of the 5 year housing land supply it is proposed that a Housing Delivery Plan is prepared to identify actions that can be taken together to address the shortfall in the housing land supply.

3.2.2.2 Actions will include the following:

- *Stalled Sites Delivery*  
Identifying sites that may not be progressing as expected and identifying the reasons and solutions for delays e.g. working with developers and landowners to understand any problems they are facing and how they can be overcome with the support of the Homes & Communities Agency.
- *Supporting Start Up & Small/ Medium Sized House Builders*  
Identifying barriers currently faced by start-up and SME house builders and working with them and other organisations to find solutions including: access to funding, identifying suitable sites, increasing the speed of the planning process and supporting construction skills training.
- *Infrastructure Funding and Delivery*  
Working with our partners, such as Northamptonshire County Council, NPH and SEMLEP, to gain external funding or prioritise works to overcome blockages to the delivery of housing e.g. road schemes or utilities connections.
- *Improved Co-ordination with Statutory Bodies*  
Working with key organisations to ensure all parties work as effectively as possible to overcome barriers to development, e.g. Highways England, the Environment Agency and the Homes and Communities Agency.
- *Ensuring an Effective Planning Process*  
Identifying where improvements can be made to the planning application process to minimise delays and ensure both the developers and local communities' confidence in the system including shorter planning consents, a fast track planning process and a cross-boundary development contributions protocol with Daventry District and South Northamptonshire Councils.

- *Cross-boundary Delivery*  
Working in partnership with Daventry and South Northamptonshire Councils to identify appropriate land and ensure that funding, developer contributions and infrastructure are delivered to meet identified needs.
- *New Delivery Models*  
Exploring if there are new ways of delivering housing. The Borough Council is already actively engaged in new delivery models such as building Council houses, starter homes, brownfield land, self-build and custom build housing. However, there may be other opportunities to deliver housing such as housing zones.
- *Identifying New Opportunities for Housing*  
Identifying any surplus NBC or other Public Sector land for housing development and working with other public sector landowners to realise the opportunities for housing. Identifying opportunities for greater use of disused land and buildings for housing, including upper floors in Northampton Central Area.

3.2.2.3 In addition to the potential actions listed above, Daventry District, South Northamptonshire and the Borough Council are all now progressing the Part 2 Local Plans which will provide the opportunity to identify appropriate sites for housing development over and above those already identified.

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

#### **3.3.1 Option 1: Agree**

3.3.1.1 It is important to note and approve the 2016 Five Year Housing Land Supply report to ensure clarity for the determination of planning applications for housing as well as to enable consideration of the potential actions required to address the identified shortfall.

#### **3.3.2 Option 2: Do not agree**

3.3.2.1 The Cabinet could defer or decide not to note and approve the 2016 Five Year Housing Land Supply report; however this would mean that the Council's position would be unclear creating uncertainty for the determination of planning applications and the consideration of potential actions to address the identified shortfall. This option is therefore not recommended.

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

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### **4.1 Policy**

4.1.1 The 5 Year Housing Land Supply Assessment is required by the NPPF. It is a key consideration in the determination of planning applications and the Council therefore needs to ensure that its policies are deliverable and up to date. There is a major risk that not having up to date policies in place may lead to development taking place which the Council would otherwise not wish to grant planning permission.



## **4.2 Resources and Risk**

- 4.2.1 If the Council refuse housing applications when there is not an up to date 5 year housing supply, this will leave the Council exposed to the risk of facing planning inquiries with its housing policies considered out of date and therefore without weight attached to any conflict with them. In order to reduce this risk the Council needs to ensure that it pro-actively identifies and provides sufficient housing land supply to meet the housing requirement set out in the WNJCS. Without a 5 year housing land supply, the presumption in favour of sustainable development for planning applications for housing development gains greater weight compared to the policies within the Development Plan.
- 4.2.2 The managed delivery of housing within the Borough increases income to the Council through the New Homes Bonus and Council Tax revenue. The introduction of a Housing Delivery Plan will ensure that these potential sources of income are achieved.
- 4.2.3 Planning Inquiries place pressure on the Council's financial resources which can be significant.
- 4.2.4 The development and implementation of the Housing Delivery Plan (HDP) can be funded from the redirection of existing resources, in particular Planning Policy, Major Projects & Enterprise and Asset Management. This will include the identification of specific staffing resources. The Homes and Communities Agency has already indicated support in principle for a Housing Delivery Plan, and that it is willing to provide specific resources to support the development and implementation of the Plan. Daventry District and South Northamptonshire Councils have also confirmed their support for a Housing Delivery Plan.
- 4.2.5 Depending on the content of the final HDP, it will be necessary to establish specific governance arrangements including a specific Programme Board and a business plan.

## **4.3 Legal**

- 4.3.1 The absence of a 5 year housing land supply may undermine the primacy of the Development Plan in the determination of planning applications and appeals. One of the central objectives of the NPPF is to boost significantly the supply of housing. Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Accordingly the lack of a 5 year housing land supply renders relevant development plan policies out of date and triggers the presumption in favour of sustainable development in Paragraph 14 of the NPPF, reducing the weight that can be attached to development plan policies that fall within the ambit of Paragraph 49.

#### **4.4 Equality and Health**

- 4.4.1 The Local Plan identifies the amount, location and type of development required and is subject to a Community Impact Assessment (formerly an Equalities Impact Assessment). The 5 Year Housing Land Supply Assessment assesses progress against the requirements set out in the Local Plan and so is not subject to a Community Impact Assessment itself.

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

- 4.5.1 Discussions have taken place with Daventry District Council, South Northamptonshire Council and the West Northamptonshire Joint Planning Unit in order to assess deliverable sites in the Northampton Related Development Area, and how achievable it is to develop a realistic five year deliverable supply in the context of current market and capacity conditions.
- 4.5.2 Information is collected from a variety of sources to inform the assessment of deliverability, including liaison with developers and landowners in relation to specific planning applications and Local Plan allocations.

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

- 4.6.1 The issues associated with meeting the 5 year housing needs are relevant in part at least to the majority of the Corporate Plan (2016-2020) priorities. However, the impact on the Priority: Housing for Everyone is particularly relevant. Evidence identifies a significant need both for market and affordable housing that, without corrective action, will not be met in terms of rates of delivery for the next 5 years.

#### **4.7 Other Implications**

- 4.7.1 None.

### **5. Background Papers**

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- 5.1 Appendix A – Northampton Related Development Area Five Year Housing Land Supply Assessment (April 2016)

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



## **Northampton Related Development Area Five Year Housing Land Supply Assessment April 2016**

Produced in partnership with:  
Daventry District Council  
South Northamptonshire Council  
West Northamptonshire Joint Planning Unit



## **1 Introduction**

- 1.1 The National Planning Policy Framework states that local planning authorities need to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.
- 1.2 This paper sets out an assessment of whether there is a five -year supply of deliverable housing land in the Northampton Related Development Area. This assessment will inform decisions on future planning applications for housing developments determined after 1<sup>st</sup> April 2016.

## **2 The Housing Requirement**

- 2.1 This assessment is based on the housing requirement for the NRDA as set out in the West Northamptonshire Joint Core Strategy Local Plan Part 1 (JCS) adopted in December 2014.
- 2.2 The NRDA is defined in the JCS as:
- a) the whole of Northampton Borough Council's administrative area;
  - b) those neighbouring parts of Daventry District and South Northamptonshire Councils' administrative areas where development 'related to the growth of Northampton' has already been completed or has planning permission or an approval in principle; and
  - c) those neighbouring parts of Daventry District and South Northamptonshire Council's administrative areas that are allocated as Sustainable Urban Extensions.
- 2.3 Table 1 below sets out the housing requirement for the NRDA for 2011-2021, i.e. since the start of the plan period to now and for the next five years from now.

Table 1: NRDA Housing Requirement 2011-2021

<b>Year</b>	<b>Total Dwellings</b>
2011/ 12	423
2012/ 13	516
2013/ 14	785
2014/ 15	1129
2015/ 16	1392
2016/ 17	1742
2017/ 18	1981
2018/ 19	2154
2019/ 20	2418
2020/ 21	2291

- 2.4 Table 2 below shows the dwelling completions in the Northampton Related Development Area between 1<sup>st</sup> April 2011 and 31<sup>st</sup> March 2016. This shows that the housing land supply is 712 dwellings below the housing requirement which will be taken into account when identifying the 5 year housing supply 2016-2021.

Table 2: NRDA Housing Completions and Delivery 2011-2015

	<b>JCS Requirement 2011 -2016</b>	<b>Actual Housing Completions (Net Additions) 2011-2016</b>	<b>Delivery of Dwellings compared to the Requirement</b>
<b>Total Dwellings</b>	4245	3533	712

### **3 Deliverable Housing Supply**

- 3.1 Footnote 11 to Paragraph 47 of the NPPF gives further detail in relation to the requirement to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing:

“To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.”

- 3.2 Paragraph 48 of the NPPF states that local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply.
- 3.3 The National Planning Practice Guidance (NPPG) provides further guidance on what are considered deliverable sites stating that they “could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented).”<sup>1</sup> It further identifies “However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.”
- 3.4 To establish whether there is a five-year supply of deliverable housing land in the Northampton Related Development Area, existing permissions, Local Plan allocations and also sites where there is known developer interest with the site being likely to be acceptable for residential use have been assessed. Against these sites a judgment has been made about whether they are available, suitable and achievable. In addition an assessment of potential windfalls has also been included.
- 3.5 Appendix 1 of this report sets out the assessment of large sites (10 or more dwellings) and small sites (9 or fewer dwellings) in the context of the site considerations outlined below.

*Available*

- 3.6 For sites to be considered deliverable they should be:
- a) under construction;
  - b) have outline, detailed or reserved matters permission;
  - c) be a saved allocated site in the Northampton or Daventry District or South Northamptonshire Local Plans, or allocated in the adopted West Northamptonshire Joint Core Strategy Local Plan (Part 1);
  - d) be owned by a developer or have known developer interest, or are advertised for sale.

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<sup>1</sup> Paragraph reference 3-031-20140306 Updated 6<sup>th</sup> March 2014

### *Suitable*

- 3.7 For sites to be considered suitable they should be located appropriately to contribute to the creation of sustainable mixed communities. For those sites with planning permission or allocated in the adopted Local Plan(s) this assessment of suitability will have formed part of the decision to grant planning permission or allocate the site. Therefore these sites are considered suitable sites and are included in the 5 year land supply assessment.

### *Achievable*

- 3.8 For sites to be considered achievable there should be a reasonable prospect that housing will be delivered on the site within 5 years. Sites are considered achievable if:
- a) construction has begun;
  - b) there are no known ownership constraints;
  - c) there are no known physical or environmental constraints; and
  - d) there are no conditions or section 106 agreements precluding or limiting development within the 5 year period.

### *Windfalls*

- 3.9 Notwithstanding the fact that the Northampton Local Plan 1997 is particularly aged and therefore many allocations on its Proposals Map having been overtaken by events, even a few years after its adoption it became evident that the Plan significantly underestimated the likely supply of 'windfall' developments. The contribution from sites not identified on the Proposals Map as housing allocations continues to make substantial contributions towards meeting housing needs. Evidence to support the Joint Core Strategy indicates that windfall sites of under 200 dwellings (excluding exceptional events such as the secondary school reorganisation process) has the capacity to generate up to 300 dwellings per annum – a sum that has consistently been delivered for over a decade. It is anticipated that this trend will continue, (if not increase) certainly in the short to medium term due to Government's change to permitted development rights, the contents of the NPPF (flexibility on employment allocations) and policies that will be included in Local Plan Part 2 policies. For the period 1<sup>st</sup> April 2015 - 31<sup>st</sup> March 2016 windfalls added another 467 dwellings capacity over and above that which had been identified the year before, including 215 dwellings at the Former Kingsthorpe Middle School and the Former Lings Upper School. Of this capacity 39 additional dwellings were built.

- 3.10 In terms of assessing future years' windfalls the assumption has been made that 300 dwellings will be delivered annually in the future. In order to remove the potential for double counting, no provision of additional windfall in years one and two has been assumed. For the subsequent years, 300 has been divided by 5 to determine the provision in the first year of windfall allowances, with the same incremental additional yearly allowance added in each subsequent year – contributing 150 dwellings per annum by the end of the 5 year period.

#### **4 The Five Year Housing Supply**

- 4.1 The Housing Supply Assessment considers the five-year period 2016/17 – 2020/21 and has been based on housing land supply information available as at 1 April 2016. It includes completions and site updates from the 2015/16 housing monitoring returns obtained through site visits. In addition, discussion between partners (Northampton Borough Council, Daventry District Council, South Northamptonshire Council and the West Northamptonshire Joint Planning Unit), have taken place in order to assess deliverable sites in the Northampton Related Development Area and how achievable it is to develop a realistic five year deliverable supply in the context of current market and capacity conditions.
- 4.2 The assessment demonstrates that the Council cannot show deliverable sites with the capacity to meet 5 year housing requirements consistent with paragraph 47 of the NPPF. The position is summarised in Table 3 below.



**Table 3: Summary of Northampton Related Development Area Five Year Supply of Deliverable Housing against the adopted West Northamptonshire Joint Core Strategy**

		<b>Dwellings</b>
A	Housing Supply Requirement for 2016-2021 JCS:	10586
B	NPPF 5 Year Housing Requirement (JCS + 20%)	12703
C	Housing Requirement 2011-2016 JCS	4245
D	Net additional dwellings completed 2011-2016	3533
E	Shortfall of provision compared to 2011-2016 target	712
F	NPPF 5 Year Supply Target Taking Account of Shortfall Provision (B+E)	13415
F	Supply of deliverable sites (Appendix 1)	8328
		<b>%</b>
G	% of 5 year housing supply available: 8328/ 13415 * 100	62.08%
		<b>Years</b>
H	Years of deliverable housing land 2016 - 2021: 62.08/ 100 *5	3.10

**Appendix 1 – 5 Year Housing Land Supply (April 2016 – March 2021)**

Note: Windfalls since 31<sup>st</sup> March 2015 have been identified through shading

Address/ Location	Available: site under Construction	Available: outline/ Detail/ Reserved matters or local plan allocation	Available: owned by developer/ known interest/ advertised for sale	Suitable? Local plan allocation	Suitable? Brownfield site within PUA	Achievable? No ownership constraints	Achievable? No physical/ enviro constraints	Deliverable?	Application Number(s)	Status	Completions 15/16	Total Site Capacity	5 year supply Apr 2016- Mar 2021	Completions 16/17	Completions 17/18	Completions 18/19	Completions 19/20	Completions 20/21
Northampton North SUE (JCS Policy N3)	No	Yes	Yes	Yes	No	Yes	Yes	Yes	DA/2013/0850, DA/2016/0517	JCS Allocation/ Application Submitted for Part	0	3500	900	25	125	250	275	225
Northampton Norwood Farm/ Upton Lodge SUE (JCS Policy N9A)	No	Yes	Yes	Yes	No	Yes	Yes	Yes	N/2007/0307, N/2007/0308	JCS Allocation/ Application Submitted for Part & Pre-application discussions on remainder	0	3500	821	0	65	180	276	300
Kings Heath SUE (JCS Policy N7)	Yes (Part)	Yes	Yes	Yes	No	Yes	Yes	Yes	N/2014/1429 DA/2012/0937	Decision Pending/ Under construction on Part in DDC	84	3000	566	100	66	100	100	200
Northampton West SUE (JCS Policy N4)	No	Yes	Yes	Yes	No	Yes	Yes	Yes		Pre-Application Discussions	0	2550	375	0	0	25	150	200
Northampton South of Brackmills SUE (JCS Policy N6)	No	Yes	Yes	Yes	No	Yes	Yes	Yes	N/2013/0338	Appeal allowed February 2016.	0	1300	400	0	50	100	100	150
Northampton South SUE (JCS Policy N5)	No	Yes	Yes	Yes	No	Yes	Yes	Yes	N/2013/1063 N/2013/1035	Applications Refused. Appeals heard December 2015.	0	1000	375	0	50	100	100	125
Northampton North of Whitehills SUE (JCS Policy N8)	No	Yes	Yes	Yes	No	Yes	Yes	Yes	DA/2008/0500 DA/2013/0994	Phase 1 Under Construction. Minded to approve on the rest.	9	1000	472	80	100	100	112	80
Upton Park SUE (JCS Policy N9)	No	Yes	Yes	Yes	No	Yes	Yes	Yes	N/2011/0997	Outline Permission	0	1000	375	0	50	100	100	125
University of Northampton Park Campus, Boughton Green Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0475	Full Permission	0	800	350	0	50	100	100	100
Pineham Village (Policy D13,14)	No	Yes	Yes	Yes	No	Yes	Yes	Yes	N/2013/0172	Under Construction	84	559	375	100	100	100	75	0
Princess Marina Hospital	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	07/0004/OUTWNN N/2012/0698 N/2012/0660 N/2012/1198 N/2013/0759 N/2014/0558 N/2014/1396 N/2015/0680	Under Construction	113	561	60	60	0	0	0	0
Upton Phase 1 (Policies H1,H4)	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	10/0190/FULWNN N/2014/0137	Under Construction	83	438	260	150	110	0	0	0

Ransome Road (D17)	No	yes	yes	Yes	yes	Yes	Yes	Yes	2006/0016/OUTWNN 2004/0510	Application Submitted	0	400	210	0	50	50	50	60
Land Adjacent to Wootton Fields (Policy WFH1) (St George's Fields)	Yes	yes	yes	Yes	no	yes	Yes	Yes	S/2014/0440/MAF S/2015/0219/MAF	Under Construction	51	269	218	45	45	45	45	38
St Crispins (Policy H4)	Yes	yes	yes	Yes	Yes	yes	Yes	Yes	N/2004/1542 N/2015/1454	Under Construction Decision pending	0	268	220	40	40	50	50	40
Former Kingsthorpe Middle School, Northfield Way	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0647 N/2016/0572	Outline Reserved matters - decision pending	0	195	195	0	45	50	50	50
Former Green Oaks Lower School, Bective Road	No	yes	yes	No	yes	yes	Yes	yes	N/2014/0315	Outline Permission	0	170	90	0	0	30	30	30
Freeschool Street (Policy D26)	No	yes	yes	Yes	yes	yes	Yes	No			0	150	0	0	0	0	0	0
W Pearce & Co Ltd Wellingborough Road	Yes	yes	yes	No	yes	yes	Yes	Yes	10/0027/FULWNN	Under Construction	27	137	29	12	17	0	0	0
Former Blackthorn Middle School, Blackthorn Road	No	yes	yes	No	yes	yes	Yes	Yes	N/2011/1264	Outline Permission	0	128	128	0	0	50	50	28
Emmanuel School, Bird Hill Walk	No	yes	yes	No	yes	yes	Yes	Yes	N/2011/1263	Outline Permission	0	115	115	0	0	40	40	35
The Hawkins Building, Overstone Road	No	No	Yes	No	Yes	Yes	Yes	Yes	N/2015/0673	Pending Decision	0	103	103	0	20	30	30	23
Compton House 83 - 85 Abington Street	No	Yes	Yes	No	Yes	Yes	Yes	Yes	PN/2013/0021	Permitted Development	0	94	94	47	47	0	0	0
Wellingborough Road - Rear of Wildacres (Apple Blossom Crsecent)	Yes	Yes	yes	Yes	yes	yes	Yes	Yes	N/2002/0758	Completed	4	94	0	0	0	0	0	0
Former St Marys RC Middle School, Grange Road	No	yes	yes	No	yes	yes	Yes	yes	N/2011/1266 N/2015/1074	Outline Permission Decision pending	0	86	86	0	30	30	26	0
Former Abington Vale Middle School, Bridgewater Drive (Abington Chase)	No	yes	yes	No	yes	yes	Yes	yes	N/2014/0275	Under Construction	64	82	18	18	0	0	0	0
Land at Harcourt Way	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2013/1325	Under Construction	6	69	64	35	29	0	0	0
Newspaper House, Dergate	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0738	Under Construction	0	64	64	32	32	0	0	0
Former Ecton Brook Middle School, Ecton Brook Road	No	yes	yes	No	yes	yes	Yes	Yes	N/2011/1265 N/2015/1249	Outline Permission Decision Pending	0	64	64	0	32	32	0	0
Land at Former Lings Upper School, Billing Brook Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0019	Outline	0	60	60	0	0	30	30	0
Wardington Court Welford Road	Yes	yes	yes	Yes	yes	yes	yes	yes	N/2014/0866 N/2013/0351	Under Construction	0	57	57	57	0	0	0	0

Former Grose Garage, Kingsthorpe Hollow	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0629	Under Construction	25	56	31	31	0	0	0	0
Former Millway Primary School, Millway	yes	yes	yes	No	yes	yes	Yes	Yes	N/2011/0241	Completed	15	52	0	0	0	0	0	0
									N/2013/0889									
Former Toolcentre, Studland Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1160	Full Permission	0	51	51	0	26	25	0	0
Former Goldings Middle School, Crestwood Road (Maple Gardens)	no	yes	yes	No	yes	yes	yes	Yes	N/2014/0284	Completed	36	50	0	0	0	0	0	0
Beaumont House, Billing Road & Cliftonville	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	PN/2014/0043	Under Construction	0	47	47	47	0	0	0	0
Victoria Business Park, St James Park Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1163	Full Permission	0	44	44	0	22	22	0	0
Southbridge East (East) (Policy D17)	yes	yes	yes	Yes	yes	yes	yes	Yes	N/1999/1166	Under Construction	0	44	44	44	0	0	0	0
Land at Welford Road, Boughton	No	Yes	Yes	No	No	Yes	Yes	Yes	DA/2014/0521	Outline Permission	0	41	41	0	0	0	20	21
Former Honda Garage, Grafton Street	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1122	Completed	38	0	0	0	0	0	0	0
									N/2014/0600									
Former School, Raeburn Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0619	Completed	38	38	0	0	0	0	0	0
Land between Talavera Way & Booth Rise	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2014/1291	Full Permission	0	35	35	35	0	0	0	0
Old Towcester Road, Southbridge	yes	yes	yes	Yes	yes	yes	yes	Yes	N/2011/1278	Completed	35	35	0	0	0	0	0	0
									N/2014/0155									
46 Spencer Street, St James	no	yes	yes	No	yes	yes	yes	Yes	N/2013/1300	Full Permission	0	25	25	0	25	0	0	0
44-50 St Andrews Road	yes	yes	yes	No	yes	yes	yes	Yes	N/2005/0797	Under construction	0	24	24	0	0	0	0	24
14 -20 ST MICHAELS ROAD	yes	yes	yes	No	yes	yes	yes	Yes	N/2011/0115	Under Construction	0	20	20	0	0	0	0	20
									N/2004/0683									
2A BROOKFIELD ROAD	no	Yes	Yes	No	yes	Yes	Yes	Yes	N/2013/1215	Completed	19	19	0	0	0	0	0	0
Former Northampton Chronicle & Echo Building, Upper Mounts	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/2015/0333	Outline	0	19	19	0	0	0	19	0
133 Queens Park Terrace	no	yes	yes	No	yes	yes	yes	Yes	N/2013/0781	Full Permission	0	18	18	18	0	0	0	0
									N/2012/0373									
52-56 Hazelwood Road	no	yes	yes	No	yes	yes	yes	Yes	09/0054/FULWNN	Under Construction	0	15	15	15	0	0	0	0
4a Balmoral Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0079	Full Permission	0	14	14	0	0	0	0	14
Former Harland Midland Supply, 12 Duke Street	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0431	Full Permission	0	14	14	0	0	14	0	0
37 - 45 Regent Street	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/2015/0023	Under Construction	0	14	14	14	0	0	0	0
19 St Edmunds Road	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0122	Completed	14	0	0	0	0	0	0	0

2-10 Thenford Street	yes	yes	yes	No	yes	yes	yes	Yes	N/2013/0004	Completed	4	13	0	0	0	0	0	0
17 - 21 College Street	No	yes	yes	No	Yes	Yes	Yes	Yes	N/2015/0646	Full Permission	0	13	13	0	13	0	0	0
118-122 Wellingborough Road	No	Yes	Yes	No	yes	Yes	Yes	Yes	N/2012/0472	Full Permission	0	12	12	0	0	0	12	0
73 - 91 Great Russell Street (Top of the Town)	No	yes	yes	No	yes	yes	yes	Yes	N/2014/1279	Full Permission	0	12	12	0	12	0	0	0
37-45 Regent Street	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1088	Completed	12	0	0	0	0	0	0	0
Former Silver Horse PH Prentice Court	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1037	Full Permission	0	12	12	12	0	0	0	0
Silver Coronet PH 21 WELLAND WAY	no	Yes	Yes	No	yes	Yes	Yes	Yes	N/2012/0028	Full Permission	0	12	12	12	0	0	0	0
Northampton Post Office 20 -22 St Giles Street	no	Yes	Yes	No	yes	Yes	Yes	Yes	N/2013/0077	Full Permission	0	12	12	0	12	0	0	0
3 Oak Street	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0992	Under Construction	0	12	12	12	0	0	0	0
Arnold House 56 LORNE ROAD	no	Yes	Yes	No	yes	Yes	Yes	Yes	N/2013/0174	Full Permission	0	11	11	0	11	0	0	0
31 Newport Pagnell Road	no	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/0368	Outline Permission	0	10	10	0	0	10	0	0
81-103 Trinity Avenue	no	Yes	Yes	No	yes	Yes	Yes	yes	N/2012/0642	Full Permission	0	9	9	9	0	0	0	0
REGENT HOUSE 38 FITZROY TERRACE	no	Yes	Yes	No	yes	Yes	Yes	yes	N/2014/0209	Completed	8	0	0	0	0	0	0	0
Lock up Garages rear of 12-30 St James Park Road	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0425	Completed	8	0	0	0	0	0	0	0
Wootton Trading Estate (Policy H3)	no	yes	yes	No	yes	yes	yes	Yes	N/2010/0470	Part Completed	0	8	8	0	8	0	0	0
6 Spencer Parade	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0740	Completed	8	0	0	0	0	0	0	0
Beaumont Villa, Cliftonville	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1046	Completed	7	0	0	0	0	0	0	0
41-43 Dergate	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0694	Full Permission	0	7	7	0	7	0	0	0
Witham House, 130-132 St George's Avenue	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0670	Full Permission	0	6	6	0	6	0	0	0
5 Primrose Hill	No	yes	yes	No	Yes	Yes	Yes	Yes	N/2014/1387	Full Permission	0	6	6	0	6	0	0	0
81-83 Sheep Street	Yes	yes	Yes	No	Yes	yes	Yes	Yes	N/2015/0131	Full Permission	0	6	6	6	0	0	0	0
Upper floors of 49 - 53 Abington Street	no	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/1142	Completed	6	0	0	0	0	0	0	0
CONNAUGHT HOUSE 32 Connaught Street	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2012/0948	Full Permission	0	6	6	0	6	0	0	0
68 -70 Dunster Street	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2013/0908	Under Construction	0	6	6	6	0	0	0	0
Former Repair Garage, 29a Newport Pagnell Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1347	Completed	6	0	0	0	0	0	0	0
14-15 YORK ROAD	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2012/0798	Under Construction	0	6	6	6	0	0	0	0
Plots 1 - 5 Sunningdale Close	Yes	yes	yes	No	No	Yes	Yes	Yes	N/2014/1445	Under Construction	0	5	5	5	0	0	0	0
Abington Christian Centre, Lea Road	No	yes	yes	No	Yes	Yes	Yes	Yes	N/2015/0705	Full Permission	0	5	5	0	5	0	0	0
Gospell Hall, Adnitt Road	No	Yes	yes	no	Yes	yes	yes	Yes	N/2015/0706	Full Permission	0	5	5	0	5	0	0	0
104 - 104A Abington Street	Yes	yes	yes	No	yes	Yes	Yes	yes	N/2015/0941	Under Construction	0	5	5	5	0	0	0	0
32 St Michaels Avenue	No	Yes	Yes	No	yes	yes	Yes	Yes	N/2015/1491	Full Permission	0	5	5	0	5	0	0	0
Former Garages 20 RUSKIN ROAD	No	yes	yes	no	yes	yes	yes	yes	N/2013/1189	Full Permission	0	5	5	0	0	0	5	0

81 -83 SHEEP STREET	No	yes	yes	no	yes	yes	yes	yes	N/2013/1317	Under Construction	0	5	5	5	0	0	0	0
Building Plot Rear of 166 BALFOUR ROAD	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2014/0423	Under Construction	0	4	4	4	0	0	0	0
51 Derngate	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0830	Completed	4	0	0	0	0	0	0	0
1-3 Fish Street	No	yes	yes	no	yes	yes	yes	yes	N/2013/0407	Full Permission	0	4	4	0	4	0	0	0
45 Hazelwood Road	No	yes	yes	no	yes	yes	yes	yes	PN/2013/0042	Under Construction	0	4	4	4	0	0	0	0
4 Ivy Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0401	Full Permission	0	4	4	0	0	0	0	4
Land Rear of 149 Main Road Duston	No	yes	yes	no	yes	yes	yes	yes	N/2013/1031	Completed	4	0	0	0	0	0	0	0
174 -176 Reynard Way	Yes	yes	yes	no	yes	yes	yes	yes	N/2013/0340	Completed	4	0	0	0	0	0	0	0
96 -98 St James Road	Yes	yes	yes	no	yes	yes	yes	yes	N/2013/1229	Completed	4	0	0	0	0	0	0	0
6 to 8 St Michaels Avenue	No	yes	yes	no	yes	yes	yes	yes	N/2012/0855	Completed	4	0	0	0	0	0	0	0
Old Homestead, Kingsley Road	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2013/0550	Completed	4	0	0	0	0	0	0	0
46 Bostock Avenue	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0123	Under Construction	0	4	4	4	0	0	0	0
Home Farm House, Hillcrest Avenue	no	yes	Yes	No	Yes	Yes	yes	Yes	N/2015/1009	Full Permission	0	4	4	0	0	4	0	0
6 - 8 Harborough Road	no	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/1469	Full Permission	0	4	4	0	0	4	0	0
61 Abington Avenue	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2014/0110	Full Permission	0	3	3	0	0	0	3	0
29 -31 ASH LANE	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/1043	Under Construction	0	3	3	3	0	0	0	0
Former Sub Station, Adjacent 4 Balmoral Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0671	Full Permission	0	3	3	0	0	0	0	3
8 Bridge Street	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	PN/2014/0038	Completed	3	0	0	0	0	0	0	0
7 Castilian Street	Yes	yes	yes	no	yes	yes	yes	yes	N/2015/0350	Completed	3	0	0	0	0	0	0	0
5 Gold Street	No	Yes	Yes	No	Yes	Yes	Yes	Yes	PN/2014/0039	Completed	3	0	0	0	0	0	0	0
Land Rear of 102 Harborough Road	no	Yes	Yes	No	yes	Yes	Yes	yes	N/2012/0179	Completed	3	0	0	0	0	0	0	0
Adjacent to 9 Holyrood Road	no	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/1204	Full Permission	0	3	3	0	0	0	3	0
Saxon Court 31 Marefair	no	Yes	Yes	No	yes	Yes	Yes	yes	N/2012/0858	Completed	3	0	0	0	0	0	0	0
68 South Holme Court	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/0126	Full Permission	0	3	3	0	3	0	0	0
33 a Stanley Road	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2014/0108	Completed	3	0	0	0	0	0	0	0
162-166 Wellingborough Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1132	Completed	3	0	0	0	0	0	0	0
1 Gordon Street	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0137	Under Construction	0	3	3	3	0	0	0	0
15 Beaconsfield Terrace	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0282	Full Permission	0	3	3	0	3	0	0	0
16 Hester Street	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0129	Full Permission	0	3	3	0	3	0	0	0
37 Camelot Way	No	Yes	Yes	No	Yes	Yes	Yes	yes	N/2015/0290	Full Permission	0	3	3	0	3	0	0	0
Adjacent 29 Watering Lane, Collingtree	Yes	Yes	Yes	No	No	Yes	Yes	Yes	N/2014/0301	Completed	3	0	0	0	0	0	0	0
41-43 Abington Avenue	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0309	Completed	2	0	0	0	0	0	0	0
Rear of 11 & 12 Ambridge Close	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2014/0946	Full Permission	0	2	2	0	0	0	0	2
2 CURRIE ROAD	Yes	Yes	Yes	No	yes	Yes	Yes	yes	N/2012/0176	Under Construction	0	2	2	2	0	0	0	0

110 -112 Gladstone Road	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2014/0690	Completed	2	0	0	0	0	0	0	0
Accessed from adjacent to 2 Firsview Drive - Rear 103 Grafton Way	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/0342	Full Permission	0	2	2	0	2	0	0	0
40 HIGH STREET WOOTTON	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2009/1049	Completed	2	0	0	0	0	0	0	0
35-37 Harlestone Road	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0753	Completed	2	0	0	0	0	0	0	0
110 Harlestone Road	Yes	Yes	Yes	No	yes	Yes	Yes	yes	N/2012/0153	Completed	2	0	0	0	0	0	0	0
Billing Arbours House, Heather Lane	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0170	Under Construction	0	2	2	2	0	0	0	0
112 Kingsley Park Terrace	No	yes	Yes	No	Yes	yes	Yes	Yes	N/2014/0552	Full Permission	0	2	2	0	2	0	0	0
Rear of 124-126 Lower Thrift Street	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0496	Full Permission	0	2	2	0	0	0	0	2
Garages rear of 4 Oakley Street	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0565	Full Permission	0	2	2	0	0	0	0	2
Rear of 10 Regent Square	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0567	Full Permission	0	2	2	0	0	0	0	2
Adj St Edmunds Terrace, 53-55 St Edmunds Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1390	Full permission	0	2	2	0	0	0	0	2
154 St James Park Road	No	yes	yes	no	yes	yes	yes	yes	N/2012/0622	Full Permission	0	2	2	0	0	0	2	0
35-37 St Pauls Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1345	Under Construction	0	2	2	2	0	0	0	0
39-39A St Pauls Road	No	yes	Yes	no	Yes	Yes	yes	yes	N/2014/1426	Full Permission	0	2	2	0	0	0	0	2
Rear of 114 St Georges Avenue	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1058	Under Construction	1	2	1	1	0	0	0	0
Brikama, 8 Quinton Road	No	Yes	Yes	No	No	yes	Yes	Yes	N/2014/0772	Full Permission	0	2	2	0	2	0	0	0
40 Harlestone Road	No	yes	yes	no	Yes	yes	yes	yes	N/2015/0125	Full Permission	0	2	2	0	2	0	0	0
1A Junction Road	No	yes	yes	no	yes	yes	yes	yes	N/2015/0276	Full Permission	0	2	2	0	2	0	0	0
117 Hinton Road	No	yes	Yes	No	yes	Yes	Yes	yes	N/2015/0281	Full Permission	0	2	2	0	2	0	0	0
28 St Edmunds Road	No	yes	yes	no	yes	yes	yes	yes	N/2015/0311	Full Permission	0	2	2	0	2	0	0	0
4-5 Spring Gardens	No	yes	yes	no	Yes	yes	yes	Yes	N/2015/0508	Full Permission	0	2	2	0	2	0	0	0
Grosvenor House, Grosvenor Gardens	No	yes	yes	no	No	yes	yes	Yes	N/2015/0609	Full Permission	0	2	2	0	2	0	0	0
110 Harlestone Road	Yes	yes	yes	no	No	yes	yes	yes	N/2015/0638	Completed	2	0	0	0	0	0	0	0
16 Junction Road	Yes	yes	yes	no	yes	yes	yes	yes	N/2014/0767	Under Construction	0	2	2	2	0	0	0	0
488 - 490 Kettering Road	Yes	yes	yes	no	Yes	yes	yes	yes	N/2015/0747	Under Construction	0	2	2	2	0	0	0	0
Rear of 33 - 47 Chaucer Street	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2015/0766	Full Permission	0	2	2	0	2	0	0	0
58 Gray Street	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0933	Completed	2	0	0	0	0	0	0	0
Former Public Conveniences 30 Abington Square	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/1018	Full Permission	0	1	1	1	0	0	0	0
Rear of 25 -26 ABINGTON PARK CRESCENT	Yes	Yes	Yes	No	yes	Yes	Yes	yes	N/2010/0813	Under Construction	0	1	1	1	0	0	0	0
Land Rear of 108-110 Adams Avenue	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0419	Full Permission	0	1	1	0	0	0	0	1
Rear part of ground floor 77 Adnitt Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0673	Completed	1	0	0	0	0	0	0	0
17 Albion Place	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0509	Completed	1	0	0	0	0	0	0	0

Land Adjacent to 2 Alexandra Road	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2012/0467	Full Permission	0	1	1	0	0	0	0	1
Adj 93 Beaumont Drive	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2014/0632	Full Permission	0	1	1	0	0	0	0	1
Adjacent to Southfields Cottage Billing Lane	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/0733	Under Construction	0	1	1	1	0	0	0	0
11 Billing Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	PN/2014/0099	Prior Notification	0	1	1	0	1	0	0	0
Land rear of 170-172 Birchfield Road East	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1248	Full Permission	0	1	1	0	0	0	0	1
Sub-Station Adj to 222 Birchfield Road East	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/0348	Completed	1	0	0	0	0	0	0	0
Garden of Boughton Lodge BOUGHTON GREEN ROAD	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/0100	Outline	0	1	1	0	0	0	0	1
Adj 50 Broadmead Avenue	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0569	Full Permission	0	1	1	0	0	0	0	1
Adjacent to 59 Cecil Road	No	yes	yes	no	yes	yes	yes	no	N/2014/0081	Full Permission	0	1	1	1	0	0	0	0
Land between 40 and 46 Clarence Avenue	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1149	Under Construction	0	1	1	1	0	0	0	0
63 -69 CLARENCE AVENUE	Yes	Yes	Yes	No	yes	Yes	Yes	yes	N/2011/1037	Under Construction	0	1	1	1	0	0	0	0
Rear of 19 Coldstream Lane Hardingstone	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2012/0694	Under Construction	0	1	1	1	0	0	0	0
Adjacent to 53 Colwyn Road	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/1332	Under Construction	0	1	1	1	0	0	0	0
11 Dulce Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0123	Under Construction	0	1	1	1	0	0	0	0
43 Fir Tree Walk	No	yes	yes	no	yes	yes	yes	yes	N/2014/0054	Under Construction	0	1	1	1	0	0	0	0
PLOT 2B 2 THE GREEN HARDINGSTONE	No	yes	yes	no	yes	yes	yes	yes	N/2013/1208	Completed	1	0	0	0	0	0	0	0
40 -42 Guildhall Road	No	yes	yes	no	yes	yes	yes	yes	N/2011/0722	Completed	1	0	0	0	0	0	0	0
Land Adj to 185 Harborough Road	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/1291	Full Permission	0	1	1	0	0	0	1	0
Land Rear of 151 - 153 The Headlands	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/0910	Completed	1	0	0	0	0	0	0	0
Land Rear of 117 HINTON ROAD	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/0389	Under Construction	0	1	1	1	0	0	0	0
40 Junction Road	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2012/0912	Full Permission	0	1	1	0	0	0	1	0
100 Kingsthorpe Grove	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2013/0713	Under Construction	0	1	1	1	0	0	0	0
Rear of 131-133 Lindsay Avenue	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2014/0717	Full Permission	0	1	1	0	0	0	0	1
Land Rear of 168 London Road	No	yes	yes	no	yes	yes	yes	yes	N/2013/0902	Under Construction	0	1	1	1	0	0	0	0
Land adj 25 Millway	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0834	Under Construction	0	1	1	1	0	0	0	0
LAND REAR OF 56 MURRAY AVENUE	No	yes	yes	no	yes	yes	yes	yes	N/2009/1057	Under Construction	0	1	1	1	0	0	0	0
Land Fronting onto Bective Road rear of 20 Newington Road KINGSTHORPE	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/1103	Full Permission	0	1	1	1	0	0	0	0
Land Adjacent to 17 North Western Avenue	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2014/0153	Under Construction	0	1	1	1	0	0	0	0
Rear of Algala, 13 Park Avenue North	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0432	Full Permission	0	1	1	0	0	0	0	1
Rear of 10 Peverels Way	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0722	Full Permission	0	1	1	0	0	0	0	1



LAND TO REAR OF 12 ROSS ROAD PEVERELS WAY	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/1093	Completed	1	0	0	0	0	0	0	0
16 PEVERELS WAY	Yes	Yes	Yes	No	yes	Yes	Yes	yes	N/2011/0350	Completed	1	0	0	0	0	0	0	0
Land on Ross Road rear of 22 Peverels Way	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/1144	Full Permission	0	1	1	1	0	0	0	0
63 St George's Avenue	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1081	Under Construction	0	1	1	1	0	0	0	0
108-110 St Leonards Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/1197	Under Construction	0	1	1	1	0	0	0	0
31 Queens Road	No	Yes	Yes	No	Yes	yes	Yes	Yes	N/2014/0087	Full Permission	0	1	1	0	0	0	0	1
Rear of 14 Semilong Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0686	Full Permission	0	1	1	0	0	0	0	1
20 Spencer Bridge Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0134	Under Construction	0	1	1	1	0	0	0	0
73 Spencer Bridge Road	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0554	Under Construction	0	1	1	1	0	0	0	0
2 SPENCER PARADE	no	Yes	Yes	No	yes	Yes	Yes	yes	N/2013/1271	Full Permission	0	1	1	0	0	0	0	1
(Land Rear of 4 Station Road) 4 The Leys ROAD GREAT BILLING	no	Yes	Yes	No	yes	Yes	Yes	yes	N/2014/1133	Under Construction	0	1	1	1	0	0	0	0
Adj 93 Station Road, Billing	Yes	Yes	Yes	No	No	Yes	Yes	Yes	N/2014/0676	Completed	1	0	0	0	0	0	0	0
85 St Giles Street	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0282	Full Permission	0	1	1	0	0	0	0	1
7 Sunset Court	no	yes	yes	no	yes	yes	yes	yes	N/2014/0520	Full Permission	0	1	1	1	0	0	0	0
2 Park Stables adjacent to Park House Upton Lane Upton	no	Yes	Yes	No	yes	Yes	Yes	yes	N/2012/0120	Full Permission	0	1	1	0	0	0	1	0
Land Rear of 23 Weedon Road adj to 35 Sandhill Road	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2014/0124	Full Permission	0	1	1	0	1	0	0	0
322 Wellingborough Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0078	Completed	1	0	0	0	0	0	0	0
Land Adj to 35 Weston Way &R/O 16 Meadway	No	Yes	Yes	No	yes	Yes	Yes	yes	N/2014/0286	Completed	1	0	0	0	0	0	0	0
Land adj 15 Whitehills Crescent	Yes	Yes	Yes	No	Yes	yes	Yes	Yes	N/2014/0949	Completed	1	0	0	0	0	0	0	0
Rear of 6 Woodside Crescent	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2014/0374	Full Permission	0	1	1	0	0	0	0	1
9B, Wootton Hill Farm	no	yes	yes	no	no	yes	yes	yes	N/2013/0373	Full Permission	0	1	1	0	1	0	0	0
9C, Wootton Hill Farm	no	yes	yes	no	no	yes	yes	yes	N/2013/0372	Full Permission	0	1	1	0	0	0	1	0
19 Park Avenue	No	yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0035	Full Permission	0	1	1	0	1	0	0	0
Garages rear of 74 Lower Thrift Street	No	yes	Yes	No	Yes	Yes	Yes	Yes	N/2014/0823	Full Permission	0	1	1	0	1	0	0	0
2 Collingcroft Close	Yes	yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0150	Completed	1	0	0	0	0	0	0	0
50 Cedar Road	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0291	Completed	1	0	0	0	0	0	0	0
232 Boughton Green Road	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0302	Under Construction	0	1	1	1	0	0	0	0
Adjacent 31 Green Lane	Yes	Yes	Yes	No	No	Yes	Yes	Yes	N/2015/0359	Under Construction	0	1	1	1	0	0	0	0
23 Malcolm Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0587	Full Permission	0	1	1	0	1	0	0	0

37 Mill Lane	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2015/0603	Full Permission	0	1	1	0	1	0	0	0
Great Houghton Post Office, 53 High Street	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0651	Full Permission	0	1	1	0	1	0	0	0
39 Greenhills Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0679	Full Permission	0	1	1	0	1	0	0	0
40 Kingsley Road	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0754	Full Permission	0	1	1	0	1	0	0	0
Rear of 2 St Matthews Parade	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0775	Full Permission	0	1	1	0	1	0	0	0
9A Wootton Hill Farm	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2015/0776, N/2016/0098	Full Permission	0	1	1	0	1	0	0	0
2 Thirlmere Avenue	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2015/0777	Full Permission	0	1	1	0	1	0	0	0
497 Harlestone Road	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2015/0799	Full Permission	0	1	1	0	1	0	0	0
Rear of 48 Greenfield Avenue	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2014/1247	Full Permission	0	1	1	0	1	0	0	0
Five Gables, 341 Billing Road East	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2015/0965	Full Permission	0	1	1	0	1	0	0	0
3 Thursby Road	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/1032	Completed	1	0	0	0	0	0	0	0
20 Weston Way	No	Yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/1419	Full Permission	0	1	1	1	0	0	0	0
343 Billing Road East	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2015/1478	Full Permission	0	1	1	0	1	0	0	0
87 Station Road	No	yes	Yes	No	No	Yes	Yes	Yes	N/2016/0004	Full Permission	0	1	1	0	0	1	0	0
Land at Ambridge Close	No	yes	Yes	No	No	Yes	Yes	Yes	N/2016/0126	Full Permission	0	1	1	0	1	0	0	0
15 Berry Lane	No	Yes	Yes	No	No	Yes	Yes	Yes	N/2015/0947	Full Permission	0	1	1	0	1	0	0	0
32 Victoria Road	No	yes	Yes	No	yes	Yes	Yes	Yes	N/2015/0363	Full Permission	0	1	1	0	1	0	0	0
14 Thornton Road	No	yes	Yes	No	Yes	Yes	Yes	Yes	N/2015/0455	Full Permission	0	1	1	0	1	0	0	0
Rear of 28-30 Main Road	Yes	yes	Yes	No	No	Yes	Yes	Yes	N/2014/1363	Completed	1	0	0	0	0	0	0	0
Unidentified Small Windfall Sites <200									N/A	N/A	0	0	360	0	0	60	120	180
											<b>883</b>	<b>22870</b>	<b>8328</b>	<b>1139</b>	<b>1379</b>	<b>1732</b>	<b>1977</b>	<b>2101</b>

Appendices  
Appendix 1 – Plan  
Appendix 2 - Plan



**NORTHAMPTON**  
BOROUGH COUNCIL

## CABINET REPORT

<b>Report Title</b>	<b>Abington Park Café: Proposed Lease and Licence Park Inn Hotel: Proposed Ground Lease Extension</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	19 <sup>th</sup> October 2016
<b>Key Decision:</b>	YES
<b>Within Policy:</b>	YES
<b>Policy Document:</b>	NO
<b>Directorate:</b>	Regeneration, Enterprise & Planning
<b>Accountable Cabinet Member:</b>	Cllr Tim Hadland, Member for Regeneration, Enterprise and Planning
<b>Ward(s)</b>	Castle and Park

### 1. Purpose

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- 1.1 This report seeks authority for two property transactions: (i) the surrender of the existing and grant of a new lease and licence for Abington Park Café and (ii) the extension of the ground lease of the Park Inn Hotel.

### 2. Recommendations

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#### Abington Park Café

- 2.1 That (subject to the advertisement process set out in paragraphs 2.2 and 2.3 of this report) approval be given to the disposal of land by way of lease (shown edged red on Plan at Appendix 1) and licence (shown edged blue on Plan at Appendix 1) of land designated as public open space at Abington Park.
- 2.2 That approval be given to the advertisement of the proposed disposal of public open space in accordance with the requirements of the Local Government Act 1972, as amended by the Local Government Planning and Land Act 1980.

- 2.3 (a) That approval be given for the Cabinet Member for Regeneration Enterprise and Planning to consider representations received following the advertising of the disposal of public open space and to confirm the disposal if no objections are received, **or**
- (b) If objections are received for the disposal of public open space the matter be referred back to Cabinet for determination.
- 2.4 That subject to paragraph 2.3 (a) approval be given to accept the surrender of the existing lease of the Abington Park Café and to grant a new lease of an extended area shown edged red on the plan attached as Appendix 1 to the existing tenant.
- 2.5 That subject to paragraph 2.3 (a) approval be given to grant an annually determinable licence for the placement of tables and chairs within the area shown edged blue on the plan attached as Appendix 1.
- 2.6 That subject to paragraph 2.3 (a) approval be given for the Director of Regeneration Enterprise and Planning, in consultation with the Cabinet Member for Regeneration Enterprise and Planning to agree terms for a new lease and licence of The Abington Park Café.

### **Park Inn Hotel**

- 2.7 That approval be given to grant an extension of the existing ground lease of the Park Inn Hotel site for a premium of £750,000.
- 2.8 That approval be given for the Director of Regeneration, Enterprise and Planning, in consultation with the Cabinet Member for Regeneration Enterprise and Planning to agree terms for the grant an extension of the ground lease of the Park Inn Hotel site.

## **3. Issues and Choices**

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### **3.1 Report Background**

#### **Abington Park Café**

- 3.1.1 This Council owns the freehold interest in land on which the Abington Park Café (previously known as the Old Oak Café) is situated. The property has been leased to an operator for many years and was extended at the current tenant's cost some years ago. The current lease expires in 2029.
- 3.1.2 A further extension to the café, which involves an enlarged trading area and store has been constructed which included the development of additional open land outside of the tenants current lease. Although this extension enjoys the benefit of planning permission the tenant wishes to regularise the position.

- 3.1.3 The tenant has made significant investment in the property including the extension and has requested a further full 25 years lease term to support this expenditure.
- 3.1.4 The tenant currently provides tables and chairs for the consumption of food and drink in an area that extends beyond his current demise and it is desirable to regularise this situation.
- 3.1.5 Parks Service have defined a suitable area for the placement of tables as shown edged blue on the plan at Appendix 1.
- 3.1.6 A licence, determinable annually, for the placement of tables within the area shown edged blue on the plan at Appendix 1 can be granted which would give the tenant the ability to provide this facility and the Council the ability to regulate this use.
- 3.1.7 In the interests of transparency Cabinet should be aware that the tenant is a Member of the Council

### **Park Inn Hotel**

- 3.1.8 This Council owns the freehold interest in land on which the Park Inn is situated. This is shown edged red on the plan at Appendix 2. The property is currently leased to an operator on a ground lease that expires in June 2070.
- 3.1.9 The current rental payable under the lease is £172,810 per annum with a review in 2016 which is on hold pending consideration of the extension.
- 3.1.10 The tenant wishes to extend their lease for a further 70 years on the same terms as the existing lease. A Premium of £750,000 has been negotiated which would be received in addition to the ground rent.
- 3.1.11 NBC have obtained valuations from two independent chartered surveyors which support the lease extension at the price offered.

## **3.2 Issues**

### **Abington Park Café**

- 3.2.1 The additional land proposed to be granted to the tenant is designated as public open space. It is therefore necessary that any proposed disposal by way of lease must be advertised in accordance with statutory requirements. If there were to be any objections, these would have to be considered by the Cabinet or delegated to a member of Cabinet.

## **3.3 Choices (Options)**

### **Abington Park Cafe**

- 3.3.1 The Council could choose not to grant a new lease including the additional land sought. As the extension has been completed the Council could seek to take action to require the Tenant to demolish and remove the extension.

- 3.3.2 The Council could choose to agree to extend the area of land leased to the Tenant to include the extension. For practical reasons, it is suggested that this be done by way of a surrender of the existing lease and the grant of a new lease to include the land identified on the plan within a single lease. If this is done, the Tenant has requested that the new lease be for a period of 25 years. A license to regularise the siting of tables and chairs could also be granted. This is the recommended option.
- 3.3.3 The Council could choose not to grant an annually determinable licence for the placement of tables and chairs.

#### **Park Inn Hotel**

- 3.3.4 The Council could chose to extend the ground lease for a premium payment of £750,000 on the same terms as existing. This is the recommended option.
- 3.3.5 The Council could choose not to grant a lease extension.

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

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#### **4.1 Policy**

- 4.1.1 This report does not set Policy.

#### **4.2 Resources and Risk**

- 4.2.1 Implementation of the recommendations of this report will increase both revenue and capital income of the Council.

#### **4.3 Legal**

- 4.3.1 LGSS will be conducting the lease licence and lease extension should these be approved.
- 4.3.2 Legal comments are contained within the body of this report.

#### **4.4 Equality and Health**

##### **Abington Park Café**

- 4.4.1 There are no direct equality and health implications arising directly from the proposed property arrangements. The Café is in an area where it is available to all sections of the community.

##### **Park Inn Hotel**

- 4.4.2 There are no direct equality and health implications arising directly from the proposed property arrangements. The hotel is available to all sections of the community.

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

4.5.1 Parks Services have been consulted on the proposed lease and licence of Abington Park Café and Legal and Finance and Governance inputs on both matters are to be sought.

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

4.6.1 The proposals contained in this report will increase revenue and capital income to the Council assisting in the delivery of priority outcomes.

#### **4.7 Other Implications**

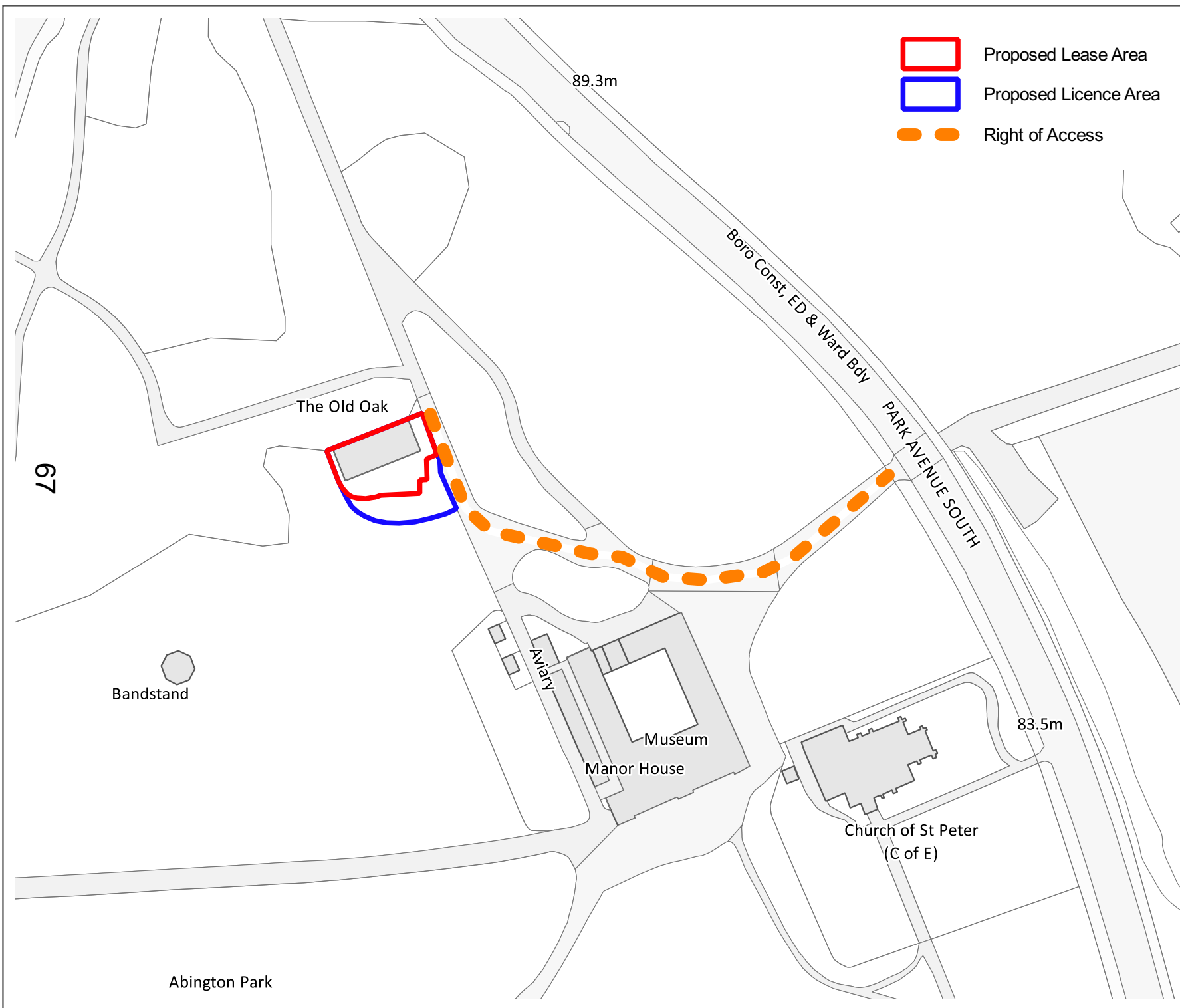
4.7.1 We are not aware of any other implications arising from the recommendations contained within this report.

### **5. Background Papers**

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5.1 A file, reference AB&PGMM / 02 has been prepared which contains information of commercial sensitivity and so is not attached to this report.

**Glenn Miller**  
**Interim Corporate Asset Manager**  
**01604 838761**



# Appendix 1

## Abington Park Café

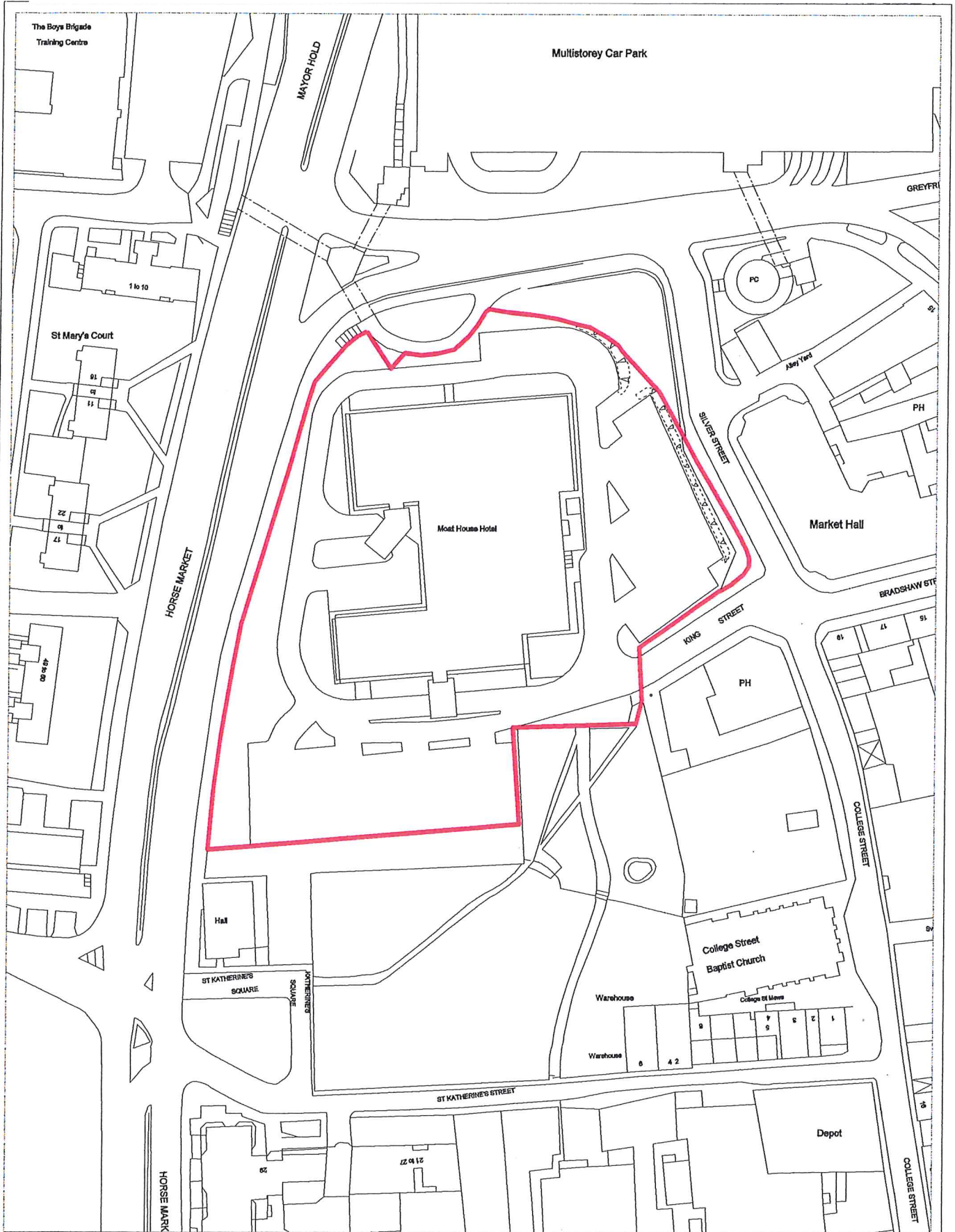
23 September 2016  
 1:1250 @ A4  
 drawn by M Burgess



**NORTHAMPTON**  
 BOROUGH COUNCIL

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Title: **MOAT HOUSE HOTEL SILVER STREET**

DWG No. X0109P914

**ESTATES & VALUATION  
SERVICES**



**Directorate of Strategic Resources**

Northampton Borough Council

DRAWN BY: JCM

SCALE: 1:1250

DATE 18th February 2003

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