

NORTHAMPTON BOROUGH COUNCIL

CABINET

Wednesday, 16 November 2016

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

1. APOLOGIES

Apologies were received from Councillor Hibbert.

2. MINUTES

The minutes of the meeting held on the 19th October 2016 were agreed and signed by the Leader.

3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE

There were no items to be heard in private.

4. DEPUTATIONS/PUBLIC ADDRESSES

Mr Toby Birch addressed Cabinet on Item 9 – 'New Community Centre and sports pitches at St Crispins - Lease approval' and noted that Community Spaces Northampton (CSN) had successfully taken on the management of 8 Community Centres and had delivered numerous workshops and invested many hours in planning and devising a sound business plan to manage the new community centre and sports pitches and welcomed the recommendations within the report and thanked the former Cabinet Member for Environment, Councillor Bottwood and the Cabinet Member for Community Engagement and Safety.

Mr David Huffadine-Smith addressed Cabinet on Item 13 - Parish Council asset transfer discussions' and commented that he considered the proposal to be fraught with errors and questioned who would be responsible for the various maintenance works. He also questioned whether the long lease tenure of 25 years was sufficient and championed the work of Parish Councils.

Mr Daniel McCullah addressed Cabinet on Item 10 – Public Spaces Protection Order (PSPO) and voiced his concerns that the Order could disproportionately affect the poor and vulnerable in society. He reported that to impose fines on such people would only exacerbate the problem; welfare reforms and economic imbalance already having placed people in financial hardship. He suggested that a way forward would be to fund projects to help those most vulnerable and to not impose the PSPO.

5. DECLARATIONS OF INTEREST

Councillor Eldred declared a personal non pecuniary interest in Item 9 as a Trustee of Football in the Community.

Councillor Nunn declared a personal non pecuniary interest in Item 13 as a Parish Councillor.

6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

There were none.

7. CABINET'S RESPONSE TO OVERVIEW AND SCRUTINY COMMITTEE PRE-DECISION SCRUTINY REPORT - MUSEUM TRUST

Councillor King, as the relevant Cabinet Member submitted a report and thanked the work of the Overview and Scrutiny Committee and noted that a further report, along with a business case, would be provided at Cabinet in February 2017 for consideration to determine if Cabinet wish to proceed with the development of a full business plan.

The Leader echoed the thanks given by the Cabinet Member.

RESOLVED:

- 2.1 That careful consideration to Overview and Scrutiny Committee's pre-decision scrutiny report of 7th September 2016 on the proposal to establish a museum trust be given
- 2.2 That it be noted that the Overview and Scrutiny Committee was satisfied that further investigation into the establishment of a museum trust, including a full options appraisal, would ensure the best outcome for the future of the Museum Service and Cultural Quarter.
- 2.3 That, in response to Overview and Scrutiny Committee's recommendation a museum trust business plan be commissioned, instruct that a business case is first developed and brought back to Cabinet in February 2017 for its further consideration and thereafter it is determined whether Cabinet wish to proceed with the development of a full business plan.
- 2.4 Cabinet thanked Overview and Scrutiny Committee be thanked for its detailed and robust report

8. PARTNERSHIP GRANT ALLOCATION PROCESS 2017-18

Councillor Birch commented that as a member of CEFAP, she endorsed the recommendations especially during periods of Government and County Council cuts and welcomed the prospect of organisations being able to coordinate long-term financial planning.

Councillor King, as the relevant Cabinet Member, submitted a report and thanked the Councillor Birch for the work that she had undertaken on CEFAP. She noted that a Service Level Agreement (SLA) between each of the funded organisations and NBC had been established, to which 6 and 12 monthly monitoring was expected.

RESOLVED:

1. That funding (subject to approval each year by Full Council of the relevant budget) for a period of three years may be granted to community and voluntary organisations, through the partnership grant allocation process.
2. That Full Council make the necessary changes to the Council's Constitution, as advised by the Borough Secretary, to give authority to the Chief Executive to award funding for a period of three years, in accordance with recommendation above.

9. NEW COMMUNITY CENTRE AND SPORTS PITCHES AT ST CRISPINS - LEASE APPROVAL

Councillor King, as the relevant Cabinet Member submitted a report and thanked Mr Toby Birch for his comments. She reported that Community Spaces Northampton (CSN) had a very good proven track record of managing other facilities.

RESOLVED:

- 2.1 That the grant of a 30 year lease for the new St Crispins Community Centre and sports pitches, the location of which was shown on the attached plan at Appendix 1 of the report, to Community Spaces Northampton (CSN), at a notional rent for the life of the lease be approved in principle.
- 2.2 That, subject to the Director of Regeneration and Enterprise first being satisfied that any issues of undervalue arising from s123 of the Local Government Act 1972 being satisfactorily addressed in accordance with paragraph 3.2.5 of the report, delegated authority to the Chief Finance Officer to approve the final terms of the lease and to the Director of Customers & Communities to approve the final terms of the management agreement in accordance with the Framework (Appendix 2 of the report) on the Council's behalf.

10. PUBLIC SPACES PROTECTION ORDER

Councillor Birch commented that she had a number of concerns about the Public Spaces Protection Order (PSPO) with regards to issue relating to resources and funding.

Councillor Smith voiced her concerns that she did not want the most vulnerable to be disproportionately affected but she recognised that street drinking had become a problem in several areas and stated that residents wanted a swift response and resolution and wanted assurance that the order would not be ignored.

Councillor King as the relevant Cabinet Member submitted a report and explained they had removed an item relating to amplified music and busking and that £12,000 would be spent on signage to reinforce the order. It was explained that many of the street drinkers were not homeless and that they congregated in specific areas to meet friends and it was this behaviour that the Order would prevent.

The Leader commented that the Order was an important framework and that the Council already had a homeless strategy in place and worked with multiple agencies to help the most vulnerable people.

The Deputy Leader clarified that by-laws would not be affected by the Order.

RESOLVED:

1. That the Public Spaces Protection Order as detailed in Annex 2 of the report be approved after considering the consultation responses at Annex 3 of the report
2. That the draft PSPO in Annex 1 of the report, which was the subject of consultation contained restrictions on street entertainment (aka busking) that have not been included in the final PSPO recommended for adoption in Annex 2 of the report following the results of public consultation be noted
3. That it be approved that the Public Spaces Protection Order comes into force once all

necessary signage has been put in place as per Annex 2 of the report.

4. That a one-off supplementary estimate of £12k for the provision of signage, to be funded by a drawdown from the Community Safety Partnership reserve be approved.
5. That once implemented, it be agreed that the PSPO is monitored for 6 months and a report on its impact be brought back with recommendations on any amendments or additions if required

11. RE-PROVISION OF ENVIRONMENTAL SERVICES

Councillor Beardsworth commented that Northampton had more parks in the Town than any other in the Country and questioned whether the waste management company would have any experience of ground maintenance work. She commented that there had been communication problems with the current contractors and urged Cabinet to consider allowing NBC to carry out ground maintenance work.

In response to Councillor Beardsworth comments, the Leader noted that local services were sometimes delivered better and this had been demonstrated by examining ways to get more involvement with Parish Councils through transfer Council assets and through Northampton Partnership Homes.

Councillor Haque commented that the Labour Group had grave concerns about the contracting out of services. He explained that the current contract had failed since it began and reported that Councillors had received a high number of complaints from residents about the contractors. He reported that there had been confusion and chaos with missed bins over an extended period and that the performance of the contractors had diminished. He urged Cabinet to reconsider the use of an external provider and requested that it be bought back in house and noted that should Cabinet agree to the recommendations, the Labour group would consider using Calling In the report.

Councillor Hallam, as the relevant Cabinet Member, submitted a report and stated that it was the most comprehensive report that he had presented to the Committee. He noted that there had been cross party involvement and noted that a Cabinet Advisory Group had been established by the Leader to oversee the environmental services re-provision. He further reported that the Council's internal Auditors (PwC) had also completed an options review process to ensure robustness and assurance.

The Deputy Leader stated that it was a sound and detailed report which demonstrated that the Council were proceeding in the right direction.

The Leader commented that there had been a need to take expert advice which had been fed into the report and appendices and noted that the information provided showed a clear continual commitment to providing a sound service that was best for the Council and for residents.

RESOLVED:

- 2.1 That with effect from the 6th June 2018 it be agreed, to Contract Out Environmental Services to an external provider selected through an OJEU procurement process.
- 2.2 That authority be delegated to the Director of Customers and Communities to carry out the OJEU procurement process in consultation with the Cabinet Member for Environment.

- 2.3 That a supplementary estimate to create a budget for the OJEU procurement process of up to £400,000, to be funded from the 'Delivering the Efficiency Plan' reserve, in accordance with paragraph 4.2.8 of the report be approved.
- 2.4 That a quarterly update reports on progress against the programme be received.

12. ARMED FORCES COMMUNITY COVENANT

Councillor King, as the relevant Cabinet Member, submitted a report and elaborated thereon advising Cabinet of the progress on the actions arising FROM the Northampton Armed Forces Community Covenant Action Plan and proposed future actions to be delivered.

RESOLVED:

That Cabinet affirmed its continuing support for the Northampton Armed Forces Community Covenant and noted progress to date and proposed future actions.

13. PARISH COUNCIL ASSET TRANSFER DISCUSSIONS

Councillor Hadland, as the relevant Cabinet Member, submitted a report and explained that a number of Parish Councils had expressed an interest in taking ownership of some of the areas of open space in order to manage and maintain them locally.

RESOLVED:

1. That approval be given to commence negotiations with Parish Councils for the disposal of assets by way of long leases in the outline form set out in Appendix 1 of the report.
2. That approval be given to the Chief Executive in conjunction with the Chief Finance Officer and the Borough Secretary to agree the terms of any asset transfer to Parish Councils as appropriate, in consultation with the Cabinet Member for Regeneration Enterprise and Planning.
3. That on any proposed transfer of land or property to a Parish Council, Officers be instructed to formally consult the Ward Councillor/s for the area in which any such land or property falls be agreed.
4. That should terms be agreed for the proposed transfer of any assets to Parish Councils, that Cabinet would be asked to make the final decision in all cases.

14. FINANCE REPORT TO 30TH SEPTEMBER 2016

Councillor Eldred, as the relevant Cabinet Member submitted a report and explained that there was forecasts underspend on Corporate Debt Financing due to lower interest on borrowing and lower Minimum Revenue Provision (MRP). It was also noted that there was a forecast underspend position on the Housing Revenue Account (HRA) of £306k, mainly due to staff vacancy savings within Northampton Partnership Homes (NPH) and lower expenditure on the maintenance of communal gas heating systems.

RESOLVED:

- 2.1 That the contents of the report and appendices be noted
- 2.2 That the supplementary estimates funded by reserves transfers for the 2016-17 General Fund Revenue Budget as detailed in Appendix 1 of the report be noted.

The meeting concluded at 6.51pm