

NORTHAMPTON BOROUGH COUNCIL

CABINET

Wednesday, 12 April 2017

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

1. APOLOGIES

There were none.

2. MINUTES

The minutes of the meeting held on the 15th March 2017 were agreed as signed by the Leader.

3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE

There were no items to be considered in private.

4. DEPUTATIONS/PUBLIC ADDRESSES

Mr F Guilnard (Vice-Chair of the DAPT board) - addressed Cabinet in respect of Item 10 - Funding support to Delapre Abbey Preservation Trust (DAPT) and thanked the Councillors and Officers for their hard work. He reported that the café had been opened to the public and that the feedback from visitors had been very positive and noted the increasing number of volunteers helping with the project and explained the positive impact the completed Abbey would have on Northampton and surrounding areas.

5. DECLARATIONS OF INTEREST

Councillor Eldred declared a personal and pecuniary interest in Item 9 - St Crispin's Community Centre and Sports Fields as a Trustee of Northampton Town Football in the Community Charity.

Councillor Hadland declared a personal non pecuniary interest in Item 10 - Funding support to Delapre Abbey Preservation Trust (DAPT) – as a former Director of DAPT.

6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

There were none.

7. ENVIRONMENTAL SERVICES RE-PROVISION

Councillor Smith addressed Cabinet and expressed concerns that the Scrutiny Working Group would be looking at the process retrospectively as the report had been brought to Cabinet prior to the scrutiny process of the panel.

Councillor Stone commented that there was a lack of clarity with regards to the impact of a Unitary Authority being established and the impact of this on the contract. She further suggested that the administration should examine their current assets and questioned whether a 10 year contract was a necessity.

Councillor Hallam as the relevant Cabinet Member, submitted his report and explained that there would be wholesale changes to the services offered by the provider. In response to questions raised, he further explained that a 10 year contract was 'industry standard' and

that the wagons provided would be newer than those currently used by the service providers. It was noted that the selection questionnaire would not include any detail of the impact of a Unitary Authority especially as part of a procurement exercise as the report contained a summary of responses received and that the desired outcome of a new contract would be a move towards a fortnightly co-mingled service.

The Leader noted that the consultation process undertaken had been the largest ever done by the Borough Council.

The Deputy Leader, in response to the comments of Councillor Smith, commented that he welcomed the report and suggested the scrutiny panel should amend their timetable accordingly to ensure that they were synchronised with the work of the administration. He noted that any agreement would include numerous clauses to ensure that the best service would be delivered and failure to do so would not leave the Council vulnerable.

RESOLVED:

- 2.1 That in response to the OJEU notice and Selection Questionnaire issued on 13th February 2017, nine responses were received and evaluated, leading to the five highest scoring bidders being selected for the Invitation to Submit Initial Tenders.
- 2.2 That the outcome of the public consultation exercises undertaken to inform this procurement process be noted.
- 2.3 That it be agreed (having noted the indicative relative cost increase (set out in section 4.2.5 of the report) and subject to affordability that the following requirements for service design be included in the service specification
 - Fortnightly co-mingled dry recycling collection service
 - Free green waste collection service
 - Kitchen food waste collection service
- 2.4 That authorisation be given for the advertisement of the proposed disposal of land designated as public open space in accordance with the requirements of the Local Government Act 1972 (as amended) to facilitate the grant of leases referred to in paragraph 3.1.9 and 3.1.10 of the report.
- 2.5 That it be agreed to a request from Northampton Partnership Homes that it be excluded from the Council's environmental services re-procurement and, instead, be permitted to independently procure grounds maintenance services for the land within the curtilage of the properties for which it is responsible.

8. ABINGTON PARK CAFÉ: REVISED LEASE AND LICENCE

Councillor Stone commented that she had a number of concerns about what proposal would mean and questioned whether there was a favoured status of the current tenant whom she suggested had a monopoly on the provision of catering services in the park. She further suggested that this was being done by stealth with table and chairs gradually creeping onto public open space.

Councillor Hallam stated that Abington Park had 4 licensed locations and therefore the licensee did not have a monopoly.

Councillor Hadland, as the relevant Cabinet Member submitted a report and noted that

additional information had been circulated in the addendum (attached in an updated agenda available on the website). He noted that 286 individual representations had been received in response to the Notice of the proposed disposal of open space, with over 96% of respondents not raising objections. Councillor Hadland stated that the property had been leased to an operator for many years and the lease would expire in 2029. He noted that the revised lease and licence would allow the tables and chairs to be governed and that there was no monopoly in the park; it was a park that was used by many across the spectrum and was of benefit to all residents and park users.

RESOLVED:

- 2.1 That the representations arising from the advertisement of the proposed disposal of public open space in accordance with the requirements of Section 123 (2A) of the Local Government Act 1972 be received and considered.
- 2.2 That the leasing to the existing tenant of an additional area of the Park upon which an extension to the Café has been built and agree that this be effected by the surrender of the existing lease of the Abington Park Café and the grant of a new lease of an extended area shown edged red on the Plan at Appendix 1 of the report, to the existing tenant be approved.
- 2.3 That the grant of an annually determinable licence, with conditions, for the placement of tables & chairs within the area shown edged blue on the Plan attached at Appendix 1 of the report be approved.
- 2.4 That the Director of Regeneration Enterprise and Planning, acting in consultation with the Borough Secretary be authorised to agree terms based on a commercial arrangement for a new lease and for a licence for the Abington Park Café.

9. ST CRISPIN'S COMMUNITY CENTRE AND SPORTS FIELDS

At this juncture of the meeting, Councillor Eldred, having declared a personal and pecuniary interest in Item 9 - St Crispin's Community Centre and Sports Fields as a Trustee of Northampton Town Football in the Community Charity left the room.

Councillor King, as the relevant Cabinet Member, submitted a report and elaborated thereon. It was noted that Cabinet were being asked to re-consider its decision of 16th November 2016 to grant a lease to and enter a management agreement with Community Spaces Northampton (CSN). She thanked the ongoing work of CSN.

RESOLVED:

- 2.1 That it be noted that the land at St Crispin's Community Centre and Sports Pitches, shown edged red on the plan at appendix 1 of the report, was public open space.
- 2.2 That in light of recommendation 2.1, Cabinet re-considered its decision of 16th November 2016 in respect of the lease and management agreement for the new St Crispin's Community Centre and Sports Pitches, and:
 - 2.2.1 Approved in principle the disposal of land designated as public open space and agrees 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.

- 2.2.2 Approved in principle the grant of a 30 year lease to Community Spaces Northampton, at a notional rent, without review.
- 2.2.3 Agreed to enter into a management agreement with Community Spaces Northampton, in accordance with the policy framework approved by Cabinet in December 2010.
- 2.3 That authority be delegated to the Director of Regeneration, Enterprise and Planning, in consultation with the cabinet member for Regeneration, Enterprise and Planning (further to recommendation to 2.2.2) to approve the final terms of the lease.
- 2.4 That authority be delegated to the Director of Customers and Communities, in consultation with the cabinet member for Community Engagement, (further to recommendation 2.2.3) to approve the final terms of the management agreement.

Councillor Eldred, as this point, re-entered the room.

10. FUNDING SUPPORT TO DELAPRE ABBEY PRESERVATION TRUST (DAPT)

Councillor Birch commented that she had concerns about the funding and noted that whilst there was support for the recommendations, there was concern about the project management and suggested that the Trust had repeatedly requested financial assistance. She asked that in future there be better transparency to ensure that projects did not overrun and were carefully financially managed.

The Leader stated that Cabinet Member for Regeneration, Enterprise and Planning had been, until recently, a Trustee of Delapre Abbey Preservation Trust (DAPT) who had acted as a representative of the Council and thanked him for his crucial role. Councillor Nunn noted that funding from the Heritage Lottery and the capital investment from the Council would assist in making the Trust a sustainable, successful and viable business. He explained that the renovation work had been an enormous heritage experience and that the conclusion of such projects often led to extra funding being required. He noted that the financial monitoring process had been sound.

RESOLVED:

1. That up to £400k of revenue support for DAPT over the next four years to support HLF grant funding requirements, the delivery of DAPT Business Plan and assist in securing the future financial sustainability of DAPT be approved.
2. That it be agreed that any funding to assist with estimated deficits over the next four years whilst DAPT reaches financial maturity should be subject to regular oversight and reporting arrangements to ensure that DAPT's business plan and financial monitoring is focussed on delivering financial sustainability by 2021/22.
3. That the revenue support would be provided subject to formal sign up of the Council's requirements for the oversight and reporting arrangements by the DAPT Board of Trustees be agreed.
4. That funding to DAPT would be met from corporate earmarked reserves be agreed.

11. CORPORATE PERFORMANCE - ALL MEASURES REPORT DECEMBER 2016

The Leader, as the relevant Cabinet Member, submitted a report and elaborated thereon and noted that in the future it was hoped that the information contained within the report be more up to date and to include fuller explanations to accompany the information provided. He thanked officers of the Council for their level of performance.

The Deputy Leader commented that extra narrative was needed to explain why some information had not been detailed and why, and suggested that before the report be presented to the Audit Committee further work be done to ensure that simple and accurate information be used to ensure transparency and succinctness for members and the general public.

RESOLVED:

- 2.1 That the contents of the performance report be reviewed.
- 2.2. That it be approved for the performance report to be presented to Audit Committee.

The meeting concluded at 6.52pm