

# NORTHAMPTON BOROUGH COUNCIL

## CABINET

Wednesday, 21 June 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 10<sup>th</sup> May 2017 were agreed and signed by the Leader.

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

The Leader explained that there was one item to be heard in private – Item 15 – redevelopment of Toms Close and an appendix to Item 13 – Disposal of Land at Lancaster Way that would be heard in private for the reasons set out in the agenda.

### 4. DEPUTATIONS/PUBLIC ADDRESSES

Mr Jamie Seamark addressed Cabinet in respect of Item 13- Disposal of Land at Lancaster Way as a representative of Buckingham Fields Community Action Group and commented that a previous Cabinet report had 4 conditions attached to the disposal of land, not all of which had been adhered to. He expressed concern that there had been a significant delay in the signing of the Section 106 Agreement from the approved 'in principle' planning consent.

Ms Antonella Mitchell also addressed Cabinet in respect of Item 13- Disposal of Land at Lancaster Way and questioned what the flood attenuation plans were for the area and when and where surveys would be undertaken with regards to the flood plans as she had concerns that there had been a lack of communication with affected residents. She further commented that to sell the proposed land would be a significant loss to local residents and that to approve development on the green space would have a detrimental effect on the area.

Ms Sara Gravett also addressed Cabinet in respect of Item 13- Disposal of Land at Lancaster Way and commented the area of land was the only green space for residents to use and that any development on the land would create a significant loss of wildlife and would leave children very little space to play. She commented that the area was covenanted for leisure use and urged the Council to reconsider their proposals.

Mr Alec Burt addressed Cabinet in respect of Item 13- Disposal of Land at Lancaster Way as Chairman of the Buckingham Fields Residents Committee and commented that it was not Council owned green space that was being disposed of but tax payers; the Council raised money through Council Tax and as Council tax payers the land could be perceived as being owned by residents and tax payers.

The Leader thanked the public speaker for their comments and it was clarified that the report would be brought to a future Cabinet meeting as per recommendation 2.1 (3) of the report.

Mr Colin Bricher addressed Cabinet in respect of Item 6A - Recommendations of the

Overview and Scrutiny Committee - Emission Strategy (action plan) and commented that the carbon emissions in Northampton were too high and that there were very concerning levels of air pollution. He voiced his support for Park and Ride, but stated that this had previously only happened for specific events. He further suggested that incorporating it into a Light Rail Network would be a more suitable option to consider and suggested the introduction of community it could be done piecemeal, starting with Buckton Fields to Castle station

Councillor Hallam, as the responsible Cabinet Member commented that there was a misnomer in the belief that new roads did not improve Carbon Emissions and that often it reduced pollution as it decreased areas of congestion.

Mr Steve Miller (Green Party, Northamptonshire) addressed Cabinet in respect of Item 6A - Recommendations of the Overview and Scrutiny Committee - Emission Strategy (action plan) and noted that he had attended and participated in the Scrutiny Panel and thanked the panel members for their work and inclusion. He commented that the proposed increase in electric vehicle charge points was very welcome but that there needed to be a lot more consideration given to providing realistic alternatives to car use and urged the Council to set a good example and to take a lead.

## **5. DECLARATIONS OF INTEREST**

Councillor Nunn declared a disclosable pecuniary interest in respect of Item 13 - Disposal of land at Lancaster Way as he had stood as a Councillor alongside Barry Howard and had also undertaken training with Mr Howard through his training company.

Councillor Hibbert declared a personal non pecuniary interest in Item 6A - Recommendations of the Overview and Scrutiny Committee - Emission Strategy (action plan) as a member of the Northampton Rail Users Group.

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

### **6.A RECOMMENDATIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE - EMISSION STRATEGY (ACTION PLAN)**

Councillor Stone commented that she was disappointed with the scrutiny report and stated that she considered the recommendations to be insufficient and the scoping was not adequate. She did not consider the Administration to be recognising the urgency of dealing with the high levels of emissions in Northampton especially in comparison to other areas and argued that the recommendations did not go far enough to deal with air pollution and emissions and suggested the use of a free hop-on, hope-off bus service and there should be an enforcement of the law on idling vehicles and testing air quality around schools..

Councillor Hallam as the Cabinet Member for Environment stated that the scope of the panel was removed from any influence of the administration and that it was a cross party panel who were independently examining the Emission Strategy (action plan). It was also noted that the provision of a free bus service would be extremely expensive and questions were raised as to why she had not made direct recommendations to the scrutiny panel.

Councillor Lane as the Chair of Overview and Scrutiny Committee and Councillor Kilby-Shaw (Chair of the Scrutiny Panel) submitted the report and noted that there had been an extensive amount of work undertaken by cross party members. He noted that that Northampton were lacking behind other authorities but that the report provided a sound starting point and improvements would soon be made. Councillors Lane and Kilby-Shaw thanked the members of the Scrutiny Panel and the Scrutiny Officer for their hard work

Councillor Hallam reported that there were a number of recommendations that could be started imminently and Councillor Larratt noted that a Cabinet report would be brought back in the near future.

The Leader reiterated thanks to the Panel Members and Scrutiny Officer and those who had participated in the review.

**RESOLVED:**

That the report be noted.

**6.B RECOMMENDATIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE - CHILD SEXUAL EXPLOITATION**

Councillor Smith as a member of the Scrutiny Panel commented that this was an excellent piece of work and that the scoping exercise had been very informative. She thanked officers involved and commented that education was needed to ensure that children and young people were educated on the dangers of technology and sexting and she further noted that the work that had been undertaken had been completed very sensitively.

Councillor Lane as the Chair of Overview and Scrutiny concurred with Councillor Smith and commented that it had been a very hard piece of work and it had been harrowing. He thanked the Scrutiny Panel Chair for his hard work and noted the extensive recommendations contained within the report.

Councillor King, as the relevant Cabinet Member thanked the members and officers who had been involved.

Councillor Larratt stated that he would ensure that the topic would be put high on the agenda for future Councillor training.

**RESOLVED:**

That the report be noted.

**6.C RECOMMENDATIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE - HOMELESSNESS (PRE-DECISION SCRUTINY)**

Councillor Lane as the Chair of Overview and Scrutiny Committee and Councillor Smith (Chair of the Scrutiny Panel) submitted the report and reported that they welcomed the report and the recommendations that were numerous. It was noted that the Panel were aware of the challenges of providing housing and the associated difficulties but welcomed the work that was being carried out to prevent homelessness from occurring. It was noted that there was of multi-agencies working successfully together and that they looked forward to a detailed response in due course.

**RESOLVED:**

That the report be noted.

**7. IMMEDIATE ARTICLE 4 DIRECTION - HOUSES IN MULTIPLE OCCUPATION (HMO) IN FAR COTTON AND DELAPRE**

Councillor Davenport addressed Cabinet and noted that she welcomed the recommendations contained within the report as this was an issue that had significant

impacts on her ward.

Councillor Hadland, as the relevant Cabinet Member submitted his report and elaborated thereon. He explained that there had been a consultation to the Notice of Making of an Immediate Article 4 Direction in parts of Far Cotton and Delapre. He thanked officers for their hard work and noted that the Direction had to be confirmed by the 22<sup>nd</sup> September 2017 or it would expire.

**RESOLVED:**

That the making of an Immediate Article 4 Direction, which permanently removed permitted development rights for change of use from C3 Dwellinghouses to C4 Houses in Multiple Occupation (HMO) for 3 to 6 unrelated people in parts of Far Cotton and Delapre, as shown on Map 1 of the report be confirmed.

**8. DELAPRE ABBEY**

Councillor Davenport addressed Cabinet and commented that people in her ward had struggled to have bins provided but that that millions of pounds were being spent by the administration and could have been better spent on the housing crisis. She stated that there had been a lack of consultation with both Ward Councillors and Groups and noted that whilst she supported the restoration of Delapre Abbey she questioned the cost.

Councillor Eldred, as the Cabinet Member for Finance, commented that Members had been consulted by way of the Budget and that at no point did opposition members raise concerns or objections.

The Leader commented that the approval of an additional budget would enhance the Abbey further and would include CCTV, security and car parking.

Councillor Hadland as the relevant Cabinet Members submitted the report and elaborated further noting that the end product would be significantly better than first predicted and that the additional budgets would ensure a better capacity for parking needs to be met.

Councillor Larratt commented that the Abbey was a great asset to Northampton noting that a few years ago there had been public concern that the Abbey was falling derelict.

Councillor Eldred commented that consideration needed to be given to the wider reaching positive effect on the Town including increased employment opportunities and increased tourism.

**RESOLVED:**

That the additional capital expenditure of up to £490,000 in order to meet the costs of additional works that need to be undertaken to enable the full public opening of Delapre Abbey be approved.

That it be agreed to amend the capital programme for 2017/2018 in order to provide for additional capital expenditure of up to £490,000 for Delapre Abbey funded by £120,000 of 2016/17 underspends and a reduction of £370,000 to the block capital programmes 2017/18 as detailed in 4.2.3 of the report.

That authority to approve, control and monitor expenditure be delegated to the Director of Regeneration, Enterprise and Planning, as appropriate, acting in consultation with the Chief Finance Officer.

## **9. ENVIRONMENTAL ENFORCEMENT**

Councillor Hallam as the relevant Cabinet Member submitted a report and noted that this had been delayed in being brought to Cabinet due to the recent election and that it was now time to press ahead with the procurement of an environmental enforcement contract.

The Leader concurred with the Cabinet Members commitment to starting the process as soon as possible,

### **RESOLVED:**

1. That the process of the procurement, at no direct cost to the Council, of an environmental enforcement contract, that entailed the issue of fixed penalty notices for littering and other environmental misdemeanours, and included an option for the provision of other enforcement services, as set out in the draft service schedule document attached at Appendix 1 of the report be approved.
2. That authority be delegated to the Director of Customers and Communities, in consultation with the Borough Secretary and the Cabinet Member for Environment, to select a contractor and award the aforementioned contract for a maximum period of three years, with an option to extend for a further period of up to two years, following the procurement process.
3. That authority be delegated to the Director of Customers and Communities to authorise any contractor appointed pursuant to paragraph 2.2 of the report and employees of the contractor, to issue fixed penalty notices on behalf of the Council in accordance with the contract, where relevant legislation permits such authorisation.

## **10. INSURANCE TENDERING EXERCISE**

The Leader submitted a report which sought approval to award and enter into a contract with other partners of LGSS.

### **RESOLVED:**

That authority be delegated to the Chief Executive in consultation with the Borough Secretary to award and enter into a contract with the successful provider as part of the joint tendering process with LGSS partners

## **11. QUARTER 4 - PERFORMANCE REPORT**

The Deputy Leader submitted a report and noted that there had been some very positive work carried out specifically relating to 'Households prevented from being homeless' and the high performing area relating to 'Major Planning Applications'. It was further noted that there had been a slight underperformance in Freedom of Information (FoI) requests being responded to within 20 working days due a number of data quality issues and case complexity. Councillor Larratt explained that he had undertaken a considerable amount of work with officers to ensure that the presentation of the figures were more understandable and meaningful.

### **RESOLVED:**

1. That the contents of the performance report be noted
2. That performance report be approved for presentation to Audit Committee.

## **12. FINANCE AND MONITORING OUTTURN 2016/17**

Councillor Eldred, as the relevant Cabinet Members submitted a report and elaborated thereon and highlighted the proposed use of the 2016/17 underspend. It was further noted that the HRA outturn position shows an underspend on controllable spending of £249K. It was further noted that the Council faced on going challenges and risks which included reduced government funding and increased service costs but that they had successfully managed a balanced budget.

### **RESOLVED:**

- 2.1. That the provisional outturn for the General Fund and Housing Revenue Account for the financial year 2016/17 as set out at Appendix 1 and Appendix 5 of the report be noted
- 2.2 That the use of and contributions to General Fund Revenue Earmarked Reserves as shown in paragraph 3.2.4 and Appendix 3 of the report be approved.
- 2.3 That the proposed revenue budget carry forwards detailed in paragraph 3.2.8 of the report be approved
- 2.4 That the net movement in Housing Revenue Account Reserves and working balances as set out at Appendix 6 of the report be approved.
- 2.5 That the outturn for the Council's General Fund and Housing Revenue Account Capital Programmes for 2016/17 and how the expenditure was financed as set out at Appendix 4 and Appendix 7 of the report be noted.
- 2.6 That the proposed capital carry forwards into 2017/18 set out in Appendix 4 and Appendix 7 of the report be approved.
- 2.7 That the outturn for Northampton Partnership Homes for 2016/17 as set out at Appendix 8 of the report be noted.

## **13. DISPOSAL OF LAND AT LANCASTER WAY**

Having declared a disclosable pecuniary interest in Item 13 at this juncture of the meeting the Leader left the meeting.

In the Leaders absence, the Deputy Leader took the Chair

Councillor Davenport addressed Cabinet and questioned the amount of time that this had taken to resolve and commented that it was unfair that the residents had come up with solutions but that the administration had ignored them. She noted that many people, including children, used the green space and that the loss of it would have a negative effect on local residents. She urged the Council to reconsider the sale of the land and urged them, if necessary, to offer it to the open market.

Councillor Hadland as the relevant Cabinet Members submitted a report and noted that he recognised that it have been a long and drawn out process and noted residents' concerns over the loss of green space. However, through the disposal of the land, the Council could

ensure green space for more residents and noted that the recommendation was for the approval 'in principle' of the disposal and noted condition 3 of recommendation 2.1 which was to note objections arising from the process being considered by Cabinet prior to any disposal taking place.

**RESOLVED:**

- 2.1 That "in principle" the disposal of the freehold interest in the land at Lancaster Way, shown coloured red on the Plan at Appendix 1 of the report, to Xcite Projects Limited conditional upon (1) the grant of planning permission, (2) subject to the intended disposal being advertised in accordance with statutory requirements; and (3) to any objections arising from this process being considered by Cabinet prior to any disposal taking place be approved.
- 2.2 That the sale price set out in Confidential Appendix 2 of the report be agreed.
- 2.3 That the advertisement of the proposed disposal of the public open space in accordance with the requirements of Section 123(2A) of the Local Government Act 1972, as amended be authorised.
- 2.4 That it be authorised that in the event of there being no objections received to the proposed disposal of public open space, the Director of Regeneration, Enterprise and Planning, acting in consultation with the Chief Finance Officer and the Cabinet Member for Regeneration, Enterprise and Planning, to negotiate terms and conclude the sale, subject to the provisions of recommendation 2.1 of the report

The Leader re-entered the meeting and resumed his position of Chair.

**14. EXCLUSION OF PUBLIC AND PRESS**

The Chair moved that the public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

**14.A DISPOSAL OF LAND AT LANCASTER WAY - PRIVATE APPENDICES**

**15. REDEVELOPMENT OF TOMS CLOSE, COLLINGTREE**

Councillor Hibbert as the relevant Cabinet Member submitted a report and elaborated thereon.

Cabinet discussed the report.

**RESOLVED:**

That the recommendations set out in the private report be agreed.

The meeting concluded at 7.39pm