

Published on
8th August 2007

NORTHAMPTON BOROUGH COUNCIL

CABINET

Call-in Expires on
13th August 2007
at 5.00pm

Monday, 30 July 2007

PRESENT: Councillor Woods (Chair); Councillor Glynane (Deputy Chair); Councillors Beardsworth, Church, Crake, B. Hoare and Mildren

1. APOLOGIES

There were none.

2. MINUTES

The minutes of the proceedings of the meetings held on 2 July and 9 July were signed by the Chair subject to an amendment to the 9 July minutes under item 7. The resolution be amended to read "That the report be received and that delegation be given to Councillors Beardsworth and Church to agree the selection criteria which will be used by officers in the RSL selection process.

3. DEPUTATIONS/PUBLIC ADDRESSES

RESOLVED: (1) That Mr C Grethe be granted leave to address the Cabinet in respect of item 6 "Regeneration and Growth – The Grosvenor Centre and Greyfriars Bus Station Regeneration Project".
(2) That Councillor Hawkins and Mr D Batten be granted leave to address the Cabinet in respect of item 7 "Delapre Abbey Commission of Options Appraisal".
(3) That Mr Paul Withrington and Councillors Conroy, Davies and Simpson be granted leave to address the Cabinet in respect of item 14 "Dallington Grange".

4. DECLARATION OF INTEREST

Councillor Glynane declared a personal and prejudicial interest in item 14 due to the fact that he was Chair of the Nene Flood Prevention Alliance and the National Flood Forum.

5. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

There were none.

6. REGENERATION AND GROWTH - THE GROSVENOR CENTRE AND GREYFRIARS BUS STATION REGENERATION PROJECT

Mr Chris Grethe addressed the Cabinet commenting that he was pleased this item was finally getting consideration but that it had taken a long time for the issue to get this far. He referred to a recent press release with regard to this matter and asked whether there would be public consultation. He also questioned the need to demolish Grosvenor and the Bus Station rather than renovating it. He also commented that Shopmobility had some safety issues, which apparently had not been responded to. He stressed the importance of transport and regeneration in this town and again commented that it was a pity this project had taken so long to get this far but he hoped that it would now move forward and be finalised as soon as possible. He also hoped that there would be wide consultation including disabled people and the bus forum.

In response to the comment concerning Shopmobility Councillor Woods advised that a response had been made to Shopmobility and an alternative site for them was being looked into.

Councillor Church as the relevant Portfolio Holder then submitted a report giving an update on the current situation with regard to Grosvenor/Greyfriars, it being noted that significant progress had now been made and an interactive financial appraisal had been prepared by Legal and General which was being currently assessed by the Council's advisors. Confirming the revised scheme within a realistic envelope of financial viability was fundamental to achieving agreed Heads of Terms for a development agreement with Legal and General. Councillor Church commented that Mr Grethe's frustration at the length of time this project had taken was shared by all but that what was being worked at now was a very different scheme from that originally anticipated. He stated that once Heads of Terms were signed then there would be public consultation. The bus station had always been part of the proposals and it was the public's wish to see the bus station replaced with something better and more welcoming for people coming to the town for the first time. He referred to the article in the Chronicle and Echo mentioned by Mr Grethe in his address and stressed that what was being presented in the report was the way forward for demolition. He stated that it was a very complex demolition procedure and expert advice was needed on this. To this end EMDA had recognised the importance of the project and were giving support with the preparatory work. He stated that the Council were committed to the Grosvenor Greyfriars development and that important steps forward in the process were now being actioned.

The report and the progress were welcomed by Cabinet.

- RESOLVED:**
- (1) That the report be received and the progress and actions to date be noted.
 - (2) That the continuance of the strategy for the progression of this project agreed at the Cabinet meeting of 5 February 2007 (held in private session) be supported.
 - (3) That the potential need for a special Cabinet meeting to consider Heads of Terms prior to 1 October 2007 be noted.
 - (4) That the fact that the Council has strengthened and widened its team support by the employment of AtisReal specialist consultant commercial advisors be noted.
 - (5) That the expenditure to date as outlined in the report be noted.

7. DELAPRE ABBEY COMMISSION OF OPTIONS APPRAISAL

Mr Batten, Chairman of the Delapre Abbey Preservation Trust, addressed the Cabinet. He stated that Delapre Abbey was a building to be proud of and that the trustees, in conjunction with officers, had sought tenders for the options appraisal. From the tenders received Niall Phillips were the preferred company. He stated that there would be three main stages in the options appraisal and upon completion of each stage there would be a review meeting which all interested parties would be invited to attend. He stated that he hoped the report before Cabinet tonight would be approved and that the options appraisal go ahead so that the Abbey could be brought into use for the benefit of local people and society in general.

Councillor Hawkins then addressed Cabinet on behalf of the Delapre Abbey Preservation Trust stating that this was the continuation of a process started some three years ago and reminded those present of the importance of Delapre Abbey as a building of historic and architectural interest. She stated that its history should assist in commanding lottery funding. She also wished to make Cabinet aware of the splendid work carried out by officers of the Council adding that as a result the risk level of the building had decreased.

Councillor Mildren as the Portfolio Holder submitted a report outlining the current position with regard to the commissioning of an options appraisal for Delapre Abbey. It was noted that the preferred tender had been identified by the trustees and it was proposed to award the contract to Niall Phillips as this represented the best value for money. A budget of £35,250 was now required to complete the appraisal and fund valuation advice. It was noted that a report giving a fuller breakdown of the costs involved was on the private part of the agenda for information.

RESOLVED: That the report be received and the recommendations contained therein be adopted:-

- (a) that approval be given to the allocation of £35,250 from the LABGI Reserve Fund for the commissioning of an option appraisal through the Delapre Abbey Preservation Trust to establish a strategy to securing the long term future of the Abbey.
- (b) that a further allocation of £5,500 from the LABGI reserve be agreed to cover the two year unbudgeted commitment as a contribution towards the Trust's secretarial and admin expenses.
- (c) that any successful bid to the Architectural Heritage Fund for grant assistance towards the options appraisal be repaid to the LABGI reserve.

8. ESTABLISHING AN INTEGRATED PLANNING SERVICE

Councillor Church as the relevant Portfolio Holder submitted a report, which set out the need to establish an integrated planning service within Northampton Borough Council and a proposed/draft indicative structure led by a professional planner at Corporate Manager level. It was noted that this was necessary to sustain the improvements already achieved. Councillor Church advised that this Council was one of the lowest spending Councils in terms of its planning service but that it needed to ensure that the quality of the service was the highest possible. He referred to recommendation 1.1 advising that this was an indicative structure of what the Council would like to see included. He also drew attention to paragraph 3.24 of the report which advised that the Council had been awarded a one off grant allocation to be used to support the delivery of planning services and support the growth agenda. The proposed allocation was the highest within Northamptonshire and acknowledged meeting all of the Development Control Best Value Performance indicators sustainable development indicators and plan making requirements.

RESOLVED: That the report be received and the recommendations contained therein be adopted:-

- (1) That the proposed/draft indicative structure for an integrated planning service (contained at Appendix 3, 4 & 5) as a basis for full staff consultations be agreed.
- (2) That subject to the outcome of any staff consultations approval be given to the recruitment and appointment of the Head of the Planning Service.
- (3) That if the above proposals change as a result of the consultations a further report be brought to Cabinet with details of the suggested changes.
- (4) That the proposed/draft indicative staffing structure for the recruitment of vacant posts within existing budgets be agreed.
- (5) That a report be submitted a future Cabinet meeting to agree the final structure along with funding proposals.

9. HOMELESSNESS PREVENTION - LEASING OF NBC PROPERTIES TO SUPPORTING PEOPLE PARTNERS TO PROVIDE APPROPRIATE HOUSING AND SUPPORT TO VULNERABLE CLIENTS

Councillor Beardsworth as the relevant Portfolio Holder submitted a report with regard to the leasing of Northampton Borough Council properties, to supporting people partners, to

provide accommodation and support to vulnerable clients. In presenting the report Councillor Beardsworth amended recommendation 1 to read “at any one time” rather than “per financial year”. She stated that it was proposed that there would be twelve units of accommodation across the town sympathetic to vulnerable peoples needs.

RESOLVED: That the report be received and the recommendations contained therein be adopted:-

- (a) That approval be given to the provision of up to twelve units of Council accommodation at any one time for lease to partner support organisations and/or RSLs that offer tenancy support to vulnerable clients.
- (b) That the units will be bedsits or one bedroom accommodation only, not family units. Leases will be drawn up for a maximum of a five year period at NBC set rent level.

10. WEST NORTHAMPTONSHIRE JOINT CORE STRATEGY ISSUES AND OPTIONS

Councillor Church as the Portfolio Holder submitted the West Northamptonshire Joint Core Strategy Issues and Options Discussion Paper for consideration. He explained that the paper was about shaping the kind of place Northampton would be twenty years hence and replace the old Local Plan procedure. This issues and options paper had been considered by Daventry and South Northants District Councils the previous week and a consultation exercise on the paper would commence in September and he urged as many people as possible to take part in this consultation exercise. He explained that it was about how and where the growth happened and that the paper asked a whole series of questions and was not just about planning but included issues around housing, economic strategy etc. The consultation would be conducted jointly with the three Councils and would result in a joint preferred options paper for further consideration.

In discussing the paper comment was made that it was important that all 47 Northampton Borough Councillors recognised the importance of the paper and would play their part in the consultation process.

RESOLVED: That the report be received and the recommendations contained therein be adopted:-

- (a) That the West Northamptonshire Joint Core Strategy Issues and Options Discussion Paper set out in Appendix 1 of the report be approved for consultation.
- (b) That the outline of the consultation process for the West Northamptonshire Joint Core Strategy Issues and Options Discussions Paper as set out in Appendix 2 of the report be agreed.
- (c) That Cabinet agree that the detail of the consultation process be agreed with the Portfolio Holder (Regeneration).
- (d) That any modifications to the West Northamptonshire Joint Core Strategy Issues and Options Discussions Paper arising as the result of consideration by Daventry and South Northamptonshire Councils be delegated to the Corporate Manager (Regeneration and Growth) in consultation with the Portfolio Holder (Regeneration).

11. GENDER EQUALITY SCHEME

Councillor Glynane as the Portfolio Holder submitted a report advising that the gender equality duty had come into force in April this year and that the Council was required to publish a Gender Equality Scheme to comply with the Equality Act 2006. This gave a legal responsibility to demonstrate that men and women were treated fairly regardless of their gender.

RESOLVED: That the report be received and the recommendations contained therein be adopted:-

- (1) That the Gender Equality Scheme be adopted.
- (2) That it be agreed that the actions identified are incorporated in a single equality scheme when the document is published in the spring of 2008.

12. PERFORMANCE MONITORING

Councillor Hoare as the relevant Portfolio Holder submitted a report on Performance Monitoring for the month of June. He stated that this was the first of the Performance Reports that were based on a harder test that had been introduced. He stated that the figures were based on a 5% variation and in some cases had reduced down to 1% whereas previously they were based on 10%. He stated that the effect of introducing this harder test was that there were 21 indicators showing as red whereas under the old format there would have been 14. He drew particular attention to the priority indicators showing as red this month which were BV66A – New Management Arrangements, BV12 – Sickness Absence and BV212 – In terms of the time to relet homes. With regard to BV212 it was noted that this had improved significantly from this time last year but remained outside the target of 28 days for this year. Councillor Beardsworth advised that she would be chasing this up with the Interim Managers and hopefully there would be an improvement showing next time. Again in terms of BV12 there had been an improvement since this time last year but it was noted that the pattern across the year was not uniform so the profile needed to be looked at.

RESOLVED: That the report be received and noted.

13. ADDITIONAL OVERVIEW AND SCRUTINY OFFICER POST

Councillor B Hoare as the relevant Portfolio Holder submitted a report seeking approval to the appointment of an additional Scrutiny Officer post by the addition of one full time equivalent post to the establishment. He explained that this was the consequence of a decision by the administration to increase the number of Overview and Scrutiny Committees from one to three (also supported by a Scrutiny Management Committee).

RESOLVED: (1) That approval be given to the addition of one full time equivalent Scrutiny Officer post to the establishment.
(2) That funding of £27,600 be allocated from the LABGI Reserves in 2007/08 and mainstreamed into the base budget for 2008/09 and future years.

14. DALLINGTON GRANGE

NB Councillor Glynane declared a personal and prejudicial interest in this item as Chair of the Nene Flood Prevention Alliance and the National Flood Forum and left the meeting whilst the matter was under discussion.

It was noted that the report was dealt with on the public agenda and that there would be no discussion in private.

Mr Paul Withrington in his capacity as Chairman of the SOS Campaign Group addressed the Cabinet and read out a statement which was circulated to members of the Cabinet. It clarified the position regarding a statement he was purported to have made in the Chronicle and Echo. He stated that the Chronicle and Echo had cited him as saying that “if he were in the same position as the Council he would not know if he would be able to do anything other than to sell the land”. This was not the case and he explained that if he were in that position he would never vote to sell the land to the developers. Instead he would oppose development on the site to the end however small the chance of success may be. Mr Withrington’s statement also went on to say what other action he would take to oppose the development, the value in local terms Dallington Heath had as open space, the fact that the majority of the local population did not wish to see it developed and the fact that there had

been no consideration given to sufficient infrastructure such as schools, hospitals, drains, roads etc. The 3,500 dwellings now planned far exceeded the 2,200 previously set as the limit and would generate a traffic flow of 24,000 vehicles per day. Mr Withrington stated that the consultants for the developer had the gall to pretend that this development may help to regenerate Kings Heath when in practice the development might well turn out to be another Kings Heath. He asked that Councillors rather than selling the land retain it or force compulsory purchase. He concluded that selling the land would greatly weaken the Council's negotiating position with regard to the developers and he asked that the land be not sold.

Councillor R Conroy as Ward Councillor for Spencer then addressed the Cabinet. He stated that he and many colleagues had problems with the proposed development of Dallington Grange. He referred to the recent floods in parts of the country and stated that this was one of his major concerns for the area. He stated that he had recently carried out a survey of the area and that there was a reservoir at the back of Brookside in Kings Heath which was fitted with a sluice gate. However, but should this fail a second reservoir close by had no such fail safe device and should this overflow then there was nothing to stop Dallington village and beyond flooding. Furthermore he had concerns that there was only a one in fifty year flood risk placed on the area and he did not believe that anything should be built on land that did not have at least a one in two hundred year risk on it. He stated that his concerns were based on the risk of flooding and based his argument on this issue.

Councillor Davies then addressed the Cabinet stating that this issue had been a problem for the Council for a number of years and in fact was one that had been dealt with by the former Labour administration. It was an accepted fact that people did not want the land to be built on. He stated that Sally Keeble had carried out a recent survey which showed that 70% of the people did not want the development. He too expressed concerns over the lack of details of any infrastructure. He expressed the view that the results of the recent Borough Council elections had been based on open space issues and that Dallington Fields was one of those areas. He asked that the Council fight to save Dallington Fields as the electorate had been promised that this piece of land should be kept as open space.

Councillor Simpson then addressed the Cabinet stating that the impact of the development of Dallington Grange went beyond just one ward and referred to a public meeting with the consultants that had been held on this issue where the proposals had been rejected on issues such as concerns over flooding, lack of infrastructure etc. He stated that since then nothing had been done to reduce flood risk, there had been no reduction in dependency on the use of vehicles and now the proposal had increased from 2,200 homes to over 3,000. He urged the administration to say no to any development as at present there were too many unanswered questions.

Councillor Woods advised that a letter had been received that day from Sally Keeble MP raising a number of points which had been referred to by Councillor Davies in his address. Copies of the letter had been circulated to members of the Cabinet for information. Councillor Woods commented that it would be the WNDP and not Northampton Borough Council who determined any planning applications for this development.

Councillor Mildren then presented the report referring in particular to Section 4 which outlined the background to the issue and to Section 5 which outlined the options and evaluation of the options for consideration. He referred to concerns should the piece of land owned by the Borough Council be compulsory purchased. The other concern was that as a result value and potential of the Borough Council owned land could be impaired and it was necessary to maintain the freedom of this authority to negotiate the best outcome for the land in the interest of the people of Northampton. These concerns were highlighted under

Section 3 of the report. This could also be exacerbated by further intervention in terms of a Directive from the Secretary of State.

The Cabinet then considered the report in detail it being noted that there was the need to separate the issues associated with the sale of the land and the issues associated with the potential development of the land. It was reiterated that Northampton Borough Council did not have planning powers over this land and under the Local Plan it was given over to the development of housing. The Cabinet voiced concerns over the issues of infrastructure, flooding, increased vehicles, loss of green space etc. On a positive note the development would provide 1,000 affordable homes but answers to the concerns raised needed to be forthcoming before any proposals could be comfortably proceeded with. The people of Northampton needed to be satisfied that the concerns raised had been adequately answered.

- RESOLVED:**
- (1) That officers keep open negotiations with the Althorp Estate which could lead to developing "a Collaboration Agreement" with the trustees of the Althorp Estate in order to achieve the highest prices possible for the respective land holdings, whilst seeking to minimise the Council's risks and maximising the Council's opportunities, particularly in light of the environment study at 2.2 below.
 - (2) That subject to the necessary indemnities being given to the Council and at solely the cost and risk of the developers concerned, environmental investigations of the Council's land should be carried out.
 - (3) That a further report be brought to Cabinet to consider the risks and opportunities associated with each of the four options as detailed under Section 5 of the report together with financial implications.
 - (4) That Cabinet defers the implementation of the decision of 5 February in the light of (3) above.
 - (5) That Cabinet authorise the continued appointment of the existing external property and legal advisers to deal with the negotiations if necessary.
 - (6) That Cabinet note that:-
A planning application has been submitted to West Northamptonshire Development Corporation by two developers in respect of a comprehensive scheme to develop the Council's land in conjunction with a larger adjacent area owned by the Althorp estate.

Should the Council not co-operate with the proposed joint scheme, planning permission is unlikely to be granted for any "stand alone" scheme solely relating to the Council's land.

Should the Council not co-operate with the proposed joint scheme, West Northamptonshire Development Corporation may choose to seek compulsory purchase powers to facilitate assembly of all land required for the comprehensive scheme.

15. 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.

16. DALLINGTON GRANGE (3)

It was noted that the report was dealt with on the public agenda and that there was no private report.

17. REGENERATION AND GROWTH - THE GROSVENOR CENTRE AND GREYFRIARS BUS STATION REGENERATION PROJECT (3)

Councillor Church the Portfolio Holder for Regeneration and Growth submitted the private report with regard to the Grosvenor and Greyfriars Regeneration Project regarding the termination of the Contract.

RESOLVED: That the report be received and the recommendation contained therein be adopted.

18. TENDER FOR ARCHIVING OF DATA FROM OLD MAINFRAME (3)

Councillor Mildren as the relevant Portfolio Holder submitted a report seeking additional funding to archive the historic data which must be undertaken to allow the mainframe computer to be decommissioned.

RESOLVED: That the report be received and the recommendations contained therein be adopted.

19. DELAPRE ABBEY COMMISSION OF OPTIONS APPRAISAL (3)

Councillor Mildren presented the private report which contained the detailed costings with regard to Delapre Abbey Options Appraisal which had been considered and agreed on the public part of the agenda.

RESOLVED: That the report be received and the costings noted.

The meeting concluded at 8.00pm