

# NORTHAMPTON BOROUGH COUNCIL

## CABINET

Wednesday, 11 July 2012

**PRESENT:** Councillor Mackintosh (Chair); Councillor Caswell, (Deputy Chair);  
Councillors Bottwood, Eldred and Hadland

**APOLOGIES:** Councillor Markham

### 1. APOLOGIES

An apology was received from Councillor Markham

### 2. MINUTES

The minutes of the meeting held on the 9th May were agreed and signed by the Chair.

### 3. DEPUTATIONS/PUBLIC ADDRESSES

Mr Jwanczuk addressed Cabinet on Item 8- Land at Eagle Drive Delapre. He stated that he was the Vice Chair of the Far Cotton Residents Association, although he was speaking not in that capacity but as an individual. He considered that it was a very worthy aim of the Butcher family to provide football facilities within the community and had been involved in the associated fund raising. He commented that anything that could provide additional facilities must be a good thing but did not agree that two commercial sports clubs should be given leases at a peppercorn rent. No contracts should be entered into without further information being made available to the public.

Mr Tony Allwork addressed Cabinet on Item 8- Land at Eagle Drive Delapre. He represented Allwork Equestrian Centre, which is part of the site. He stated that four generations of his family had farmed the site as a dairy, arable farm and his parents had started the equestrian centre. He felt that if the proposed development went ahead then the centre would no longer be viable, as it would not have the space to run the livery side of the business. The site is rich in flora and fauna and is enjoyed by many people. There is also an historical aspect to the site as the battle of Northampton site. He considered that the proposal would have detrimental consequences to his family and for the town.

Ms Toni Jones addressed Cabinet on Item 8- Land at Eagle Drive Delapre. She stated that she worked as a riding instructor at the Equestrian Centre. The Centre caters for a wide range of people, provides riding for the disabled and participates in a promotional voucher scheme allowing people to experience riding for free. She expressed concern that the proposal would not leave adequate land to run the livery side of the business, which would threaten its commercial viability. She felt that in the year of the Olympics, 2012, more encouragement should be given to sports and that well funded sporting clubs should not be allowed to push out other sporting activities.

Ms Catherine Kirby addressed Cabinet on Item 8- Land at Eagle Drive Delapre. She is also employed at the Equestrian Centre. She stated her concern for the continuing viability of the centre should the development go ahead. There was a thriving pony club, riding for disabled and the stables also supports training programmes for staff. She did not consider that the training pitches would be well used. She felt that there would be more traffic on the A45 and that there would not be any benefit for Delapre Abbey.

Mrs Butcher addressed Cabinet on Item 8- Land at Eagle Drive Delapre. She

Stated that she represented all of the people who had worked to make a memorial for Richard Butcher after he had died. 2,000 people had supported them and they had raised £20,000. After public consultation it was decided that a football pitch and clubhouse would be fitting tribute and provide much needed local facilities. She stated that that she had contacted local Councillors for help in finding a suitable venue and that this was the only suitable site. She said that she just wanted to be able to achieve something positive for the local area.

David Sinclair addressed Cabinet on Item 8- Land at Eagle Drive Delapre. Mr Sinclair was the manager of the Delapre Football Club. He commented that they just wanted to provide additional local facilities and develop a local club and provide an additional asset for the community. He stated that there was no intention of upsetting any local people, or disturbing an historical site.

Mr Ian Dexter addressed Cabinet on Item 8- Land at Eagle Drive Delapre. He was speaking as a member of the Battlefields Trust. He stated that he believed that the area was a site of national historical importance that should be preserved. The proposed site includes the battle of Northampton site. He considered that the site should be considered for development as a National Wars of the Roses museum, visitor centre. He considered that this should be done through applying for a Heritage Lottery Fund grant to locate the exact site and then to prevent any further development until full surveys have been completed. He considered that heritage funding could be sought to develop a heritage centre.

Mr Mike Ingram. addressed Cabinet on Item 8- Land at Eagle Drive Delapre. He was speaking as a member of the Battlefields Trust. He considered that any development would have a detrimental effect on the character of the battlefield and emphasised the importance of getting full archaeological surveys to establish the exact battle site.

Mr Paul Varnsberry addressed Cabinet on Item 8- Land at Eagle Drive Delapre. He stated that the previous administration had overseen a consultation process, which had led to the Delapre Abbey Parklands options appraisal. He considered that the Council should have consulted more widely on proposals.

The Chair referred to a leaflet that had been distributed in the area circulated by Mr Varnsberry, which implied that the proposals being considered were at a more advanced state and that planning permission was being sought. He emphasised that the item for consideration was only the beginning of a process, which had many more stages to cover, and that appropriate consultations would be made along the way.

#### **4. DECLARATIONS OF INTEREST**

Councillor Hadland declared a personal interest in Item 8 as member of Delapre Abbey Trust.

Councillors Hadland and Mackintosh declared Disclosable Pecuniary Interests in Item 9 as trustees of the Royal and Derngate Trust.

#### **8. LAND AT EAGLE DRIVE, DELAPRE**

Councillor Wire commented that he supported the provision of additional local sports facilities and read out a letter from Far Cotton residents Association supporting that view. He considered that sports clubs can help to improve an area. He also felt that it would enhance Delapre Abbey and the work that has already been achieved on that. He would expect a proper archaeological evaluation to be carried out, but felt that the current proposals would allow for a low impact development.

Councillor Beardsworth stated that she had been approached by a lot of residents who had expressed concern over the future of the equestrian centre. She said that people felt that there should have been more consultation and that this could have been avoided. She shared the concerns of the Battlefield Trust and wondered why the Council should be helping to provide private sports clubs with facilities that they have the money to pay for elsewhere. She added that she hoped that this did not end up making the sports clubs unpopular.

Councillor Davis said that the Far Cotton community have been working very hard to provide the memorial to Richard Butcher. Many people had been involved in the fund raising and a lot of hard work has gone into looking for a suitable site. She said that she had spoken to many people in the local community and that the whole issue was not just about providing a football pitch but encouraging others to participate in the sport. She wanted to congratulate the Butcher family for doing such a positive thing.

Councillor Mackintosh congratulated Councillor Davis and her party on the way that they had conducted themselves over a difficult issue. He stated that he wished to place on record that Councillor Michael Ford had raised concerns on behalf of members of the community and he had met with Councillor Ford on this matter. He also said that the Council would continue to support the Saints and the Cobblers sports clubs.

Councillor Eldred applauded Mrs Butcher and her family for supporting and promoting the development of sports facilities in the area.

Councillor Hadland, as the relevant Cabinet Member, submitted a report on the principle of the Council entering into contractual arrangements which could lead to the disposal of land designated as public open space, by way of one or more long leases, of land located at Eagle Drive, Delapre for use as sports facilities.

Councillor Hadland commented that the leaflet that had been circulated by Mr Varnsberry, implying that there was a planning application under consideration was misinformative and unhelpful. The proposal was intended to be of benefit to the whole town through the support of sporting facilities. He was certain that everyone would wish to support the memorial for Richard Butcher and felt that the concerns of the equestrian centre had been considered by the inclusion of recommendation 4.

**RESOLVED:**

1. That Cabinet approve the principle of this Council entering into agreements with one or more of the following organisations
  - i. Northampton Rugby Football Club Limited
  - ii. Northampton Town Football Club Limited
  - iii. a properly incorporated charitable foundation to support the promotion of football in the local community (in memory of Richard Butcher) –to grant leases, for terms in excess of 21 years, of land located off Eagle Drive, Delapre situated within the areas shown edged upon the attached plan at Appendix 1 of the report. Such agreements to limit the use of the land to that of sports pitches and ancillary facilities only and otherwise to be on terms to be approved by the Chief Executive in consultation with the Cabinet Member for Regeneration Enterprise and Planning.
  
2. Cabinet authorised, in pursuance of 2.1, the advertisement as necessary 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, in respect of the land edged red on the plan at Appendix 1 of the report.

3. Cabinet supported the principle of the grant of a lease at below full market value to a properly constituted charitable organisation arising from the Richard Butcher memorial campaign, on the basis that the primary use of any land concerned would be connected with the ongoing provision of non-profit making, sporting opportunities for young people in Northampton. The specific terms and conditions of such a lease to be approved by the Chief Executive in consultation with the Cabinet Member for Regeneration Enterprise and Planning.
4. That Cabinet recognises the well established nature of the equestrian related uses of some land and buildings at Eagle Drive and request that officers continue to work with the Licensees of the land edged red upon the attached plan at Appendix1, to identify potential options that could support continuing equestrian activity if one or more leases of the land were to be granted.

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

There were none.

### **5.A OVERVIEW AND SCRUTINY: SCRUTINY PANEL: CUSTOMER SERVICES**

Councillor Wire commented that he had served on the Scrutiny Panel and had enjoyed it and felt that everyone had worked very well together. He considered that some of the main points had been around the layout of the Planning section of the One Stop Shop, which it was felt should be given more prominence. He said that the Panel had found that there was also a lack of clarity in the way in which the Contact Centre worked with regard to finding out whether requests had been actioned.

Councillor Marriott, as the Chair of Overview and Scrutiny Committee, presented the report as approved by the Overview and Scrutiny Committee. He praised the members of the Panel for the work that they had done, which had included a lot of site visits and thanked everyone involved in the Review for their hard work.

Councillor Hallam, as Chairman of the Panel, endorsed Councillor Marriott's comments. He felt that the members had all worked together in a very positive manner. He said that the Council had been on a journey of improvement over the last few years, and many changes in the way that services were delivered. He felt that key points had been building on the good work on the contact centre, ensuring that all calls are directed through there and in ensuring that the same level of professional is maintained when calls are transferred out into other departments. He also explained the need to make sure that people were directed to the most appropriate contact forms in order to make the best use of resources.

**RESOLVED:** That the report be noted and a response from Cabinet be brought to a future meeting.

## **6. ENTERPRISE ZONE- RATE RELIEF**

Councillor Bottwood as the relevant Cabinet Member submitted a report on the proposed use of discounts for businesses located within the Waterside Enterprise Zone within Northampton. He commented that a lot of work had gone into making the Enterprise Zone happen and that it was vital that these steps were put in place to ensure success.

Councillor Hadland stated that these measures, alongside a simplified planning process

and positive promotion of the town would all contribute to delivering a very important project.

## **RESOLVED**

1. That Cabinet agreed the discount scheme for new and existing properties within the enterprise zone proceeds.
2. Cabinet noted the issues and risks associated with the award of discounts within the Waterside Enterprise Zone.
3. Cabinet delegated to the Director of Resources in consultation with the Cabinet Member for Finance, to make changes to the discount scheme should the Government make any changes to funding of the scheme.

## **7. LAND AT SIXFIELDS - DEVELOPMENT STRATEGY**

Councillor Wire commented that the Labour Group supported the proposals. It would be a positive step to see an improvement of that area and he hoped that the redevelopment would provide an opportunity for some much needed road improvements. He particularly welcomed the inclusion of a hotel site.

Councillor Beardsworth also welcomed the proposals. Her one reservation was the retail element as she felt that she would not like out of town retail developments to impact on the delivery of town centre improvements, or to have any negative impact on the negotiations with Legal and General.

The Chair also welcomed the proposals as being a positive step for the town.

Councillor Hadland, as the relevant Portfolio Holder, submitted a report. He emphasised that the recommendation of the Athletics Club was a priority, and that all of the proposals were designed with the aim of securing the future of the area.

Councillor Eldred expressed his thanks to the Chair and Councillor Hadland for achieving such a positive result in the negotiations.

The Chair stated that he wished to place on record his thanks to the Homes and Communities Agency who had been very impressed when they had visited the town on 24th May 2012.

## **RESOLVED**

- 1 That Cabinet approved this Council entering into a Collaboration Agreement (CA) with the Homes & Communities Agency (HCA), to promote the comprehensive development of land forming:
  - I. part of the Sixfields Stadium complex (shown edged red upon the attached plan at Appendix 1 of the report) and
  - II. larger adjacent landholdings in the freehold ownership of HCA (shown indicatively edged blue upon the attached plan at Appendix 1 of the report), on terms to be approved by the Chief Executive in consultation with the Cabinet Member for Regeneration Enterprise and Planning.
- 2 Cabinet approved, in pursuance of 2.1, the acceptance of a surrender of part of the

property presently let to Northampton Town Football Club Limited (NTFC) and the disposal of the Council's freehold interest in the land or the grant of a new long lease of the land edged red upon the plan at Appendix 1 for development. There would be consequent sharing of value between NBC and NTFC of receipts received under the proposed CA in respect of the land edged red, on a basis that appropriately reflects the respective legal interests of the parties.

- 3 Cabinet recognised the importance of high quality athletics facilities in Northampton and supported the principle that as a pre-condition of any development of the land edged red upon the attached plan at Appendix 1 of the report, alternative athletics facilities to meet United Kingdom Athletics Class A certification ("suitable for all competition") standard must first be provided within Northampton at no direct cost to this Council, on a basis that generally protects the existing contractual rights enjoyed by Rugby & Northampton Athletics Club in respect of the existing facilities.
- 4 Cabinet approved the principle that under the terms of a Collaboration Agreement as set out at 2.1, provision is made for 25% of the total net value arising from the combined land sale (prior to any distribution of any apportioned receipts between HCA and this Council) to be specifically allocated to support the provision of additional community facilities. Such allocation to be distributed by this Council according to criteria that shall take into account
  - (i) the promotion of health, leisure and well being amongst the wider community of Northampton through the provision of new or additional facilities predominantly situated within the vicinity of Sixfields
  - (ii) that such new or additional facilities shall be widely available to the public at reasonable cost and
  - (iii) that statutory obligations avoiding 'state aid' shall be fully observed.

## **9. ROYAL AND DERNGATE**

Councillors Hadland and Mackintosh left the room in accordance with the Declarations of Interest as set out in item 4 above.

Deputy Chair, Councillor Caswell in the Chair

Councillor Wire stated that his group gave qualified support to this report. He felt that anything that provided facilities to bring people into the town was a positive thing. His only concern was regarding the risk of covering the cost of funding.

Councillor Bottwood, as the relevant Cabinet Member, submitted the report and reassured Councillor Wire that the costs would be recovered from the rent that was received over a period of time. Risks would be limited to additional capital expenditure. He commented that he believed that not only would the Theatre Trusts revenue improve but there would also be increased revenue for bars and restaurants in town.

Councillor Eldred stated that he felt that this could only be a positive enhancement to the town centre facilities.

## **RESOLVED**

1. That Cabinet supported the use of Council capital funding for the creation of a Cinema "Pod" on the site of the Royal and Derngate Theatre Complex, on the basis that the additional facility created by Northampton Theatres Trust Limited (NTTL) will become part of the Council's overall property asset at this location.
2. Cabinet support a continued reduction in the contractual rent payable by NTTL in respect of the Royal and Derngate Theatre Complex for a period of 11 years from 1<sup>st</sup> April 2012, to a level that reflects the full costs to this Council (as determined by the Director of Resources) of providing capital finance to support the creation of the Cinema "Pod" facility.

Councillors Hadland and Mackintosh returned to the meeting and Councillor Mackintosh resumed the Chair.

## **10. FINANCE AND MONITORING OUTTURN REPORT**

Councillor Bottwood, as the relevant Cabinet Member, submitted the Finance and Monitoring Outturn report

### **RESOLVED**

1. That Cabinet noted the outturn position for the General Fund and Housing Revenue Account for the financial year 2011/12.
2. Cabinet noted the net movement in General Fund Revenue Reserves of £200k, and the detailed movement in Earmarked Reserves shown in Appendix 4 of the report.
3. Cabinet noted the net movement in Housing Revenue Account Reserves and working balances.
4. Cabinet noted the outturn position for the Council's capital programme for 2011-12 and how the expenditure was financed.
5. Cabinet approved the carry forward of unfinished capital schemes from 2011-12 into the 2012-13 capital programme.
6. Cabinet approved the HRA Capital project variation for Community Energy Savings Programme (CESP) of £1.5m. for 2012/2013.

## **11. CORPORATE PERFORMANCE OUTTURN REPORT 2011/12**

Councillor Bottwood, as the relevant Cabinet Member, submitted the Corporate Performance Outturn report 2011/12.

**RESOLVED** :Cabinet noted the contents of the report.

The meeting concluded at 7:05 pm