



CABINET AGENDA

Wednesday, 8 October 2014

The Jeffrey Room, St. Giles Square, Northampton,
NN1 1DE.

6:00 pm

Members of the Cabinet:

Councillor: David Mackintosh (Leader of the Council)

Councillor: Mary Markham (Deputy Leader)

Councillors: Alan Bottwood, Tim Hadland, Mike Hallam, Brandon Eldred.

Chief Executive David Kennedy

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837722

PORTFOLIOS OF CABINET MEMBERS

CABINET MEMBER	TITLE
Councillor D Mackintosh	Leader
Councillor M Markham	Deputy Leader Housing
Councillor A Bottwood	Finance
Councillor T Hadland	Regeneration, Enterprise and Planning
Councillor M Hallam	Environment
Councillor B Eldred	Community Engagement

SPEAKING AT CABINET MEETINGS

Persons (other than Members) wishing to address Cabinet must register their intention to do so by 12 noon on the day of the meeting and may speak on any item on that meeting's agenda.

Registration can be by:

Telephone: (01604) 837722
(Fax 01604 838729)


In writing: Democratic Services Manager
The Guildhall, St Giles Square, Northampton NN1 1DE
For the attention of the Democratic Services Officer

By e-mail to democraticservices@northampton.gov.uk

Only thirty minutes in total will be allowed for addresses, so that if speakers each take three minutes no more than ten speakers will be heard. Each speaker will be allowed to speak for a maximum of three minutes at each meeting. Speakers will normally be heard in the order in which they registered to speak. However, the Chair of Cabinet may decide to depart from that order in the interest of hearing a greater diversity of views on an item, or hearing views on a greater number of items. The Chair of Cabinet may also decide to allow a greater number of addresses and a greater time slot subject still to the maximum three minutes per address for such addresses for items of special public interest.

Members who wish to address Cabinet shall notify the Chair prior to the commencement of the meeting and may speak on any item on that meeting's agenda. A maximum of thirty minutes in total will be allowed for addresses by Members unless the Chair exercises discretion to allow longer. The time these addresses take will not count towards the thirty minute period referred to above so as to prejudice any other persons who have registered their wish to speak.

KEY DECISIONS

 denotes the issue is a 'Key' decision:

- Any decision in relation to the Executive function* which results in the Council incurring expenditure which is, or the making of saving which are significant having regard to the Council's budget for the service or function to which the decision relates. For these purpose the minimum financial threshold will be £250,000;
- Where decisions are not likely to involve significant expenditure or savings but nevertheless are likely to be significant in terms of their effects on communities in two or more wards or electoral divisions; and
- For the purpose of interpretation a decision, which is ancillary or incidental to a Key decision, which had been previously taken by or on behalf of the Council shall not of itself be further deemed to be significant for the purpose of the definition.

NORTHAMPTON BOROUGH COUNCIL

CABINET

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.
on Wednesday, 8 October 2014
at 6:00 pm.

D Kennedy
Chief Executive

AGENDA

1. APOLOGIES

2. MINUTES

(Copy herewith)

3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE

4. DEPUTATIONS/PUBLIC ADDRESSES

5. DECLARATIONS OF INTEREST

6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

7. POLICY ON THE REMOVAL OF FLY TIPPING FROM PRIVATE LAND

Report of Director of Customers and Communities (Copy herewith)

8. VULCAN WORKS

Report of Director of Customers and Communities (Copy herewith)

9. GROSVENOR/GREYFRIARS UPDATE

Report of Director of Regeneration, Enterprise and Planning (Copy herewith).

10. ENTERPRISE ZONE UPDATE

Report of Director of Regeneration, Enterprise and Planning (Copy herewith)

11. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS 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.”

SUPPLEMENTARY AGENDA

**Exempted Under Schedule
12A of L.Govt Act 1972
Para No:-**

NORTHAMPTON BOROUGH COUNCIL

CABINET

Wednesday, 10 September 2014

PRESENT: Councillor Mackintosh (Chair); Councillor Markham (Deputy Chair);
Councillors Bottwood, Eldred, Hadland and Hallam

1. APOLOGIES

There were none.

2. MINUTES

The minutes of the meeting held on the 9th July 2014 were agreed and signed by the Leader.

3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE

There were no items to be held on private.

4. DEPUTATIONS/PUBLIC ADDRESSES

There were none.

5. DECLARATIONS OF INTEREST

There were none.

6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

6.A MANAGEMENT AND REGULATION OF PRIVATE SECTOR HOUSING (INCLUDING HIMOS)

Councillor Mason addressed Cabinet and stated that she had been a member of the Scrutiny Panel, stating that she fully supported the report and the recommendations made and noted that it was important for all HIMO's to be located and welcomed the important work that had been undertaken.

Councillor Lane as the Chair of Overview and Scrutiny submitted his report and thanked the Chair of the Scrutiny Panel 2 for their work, including the 14 recommendations contained within the report which he asked Cabinet to consider.

RESOLVED:

That the report be noted and a response would be given at a future Cabinet meeting.

7. WELLINGBOROUGH ROAD BUSINESS IMPROVEMENT DISTRICT (BID)

The Leader submitted a report and elaborated thereon. He explained the importance of working alongside businesses and stated that NBC would be supporting and voting 'yes' for the BID.

RESOLVED:

1. That the proposal to establish a BID for Wellingborough Road and Abington Square be welcomed.

2. That authority be delegated to the Chief Executive, in consultation with the Leader of the Council, to:
 - 2.2.1 authorise proceeding to a BID ballot subject to the requirements of the Local Government Act 2003 and the Business Improvement Districts (England) Regulations 2004;
 - 2.2.2 in the event of a successful BID ballot:
 - a) determine if the Wellingborough Road and Abington Square BID business plan is fit for purpose and decide whether to exercise the Council's power of veto pursuant to section 51 of the Local Government Act 2003 and Regulation 12 of the Business Improvement Districts (England) Regulations 2004;
 - b) approve the Operating Agreement with the Wellingborough Road and Abington Square BID Company and the entering into of the Operating Agreement; and
 - c) take, when reasonable and appropriate, any incidental actions necessary to assist and support the Wellingborough Road and Abington Square BID during its five-year duration.
3. That the Council will vote 'Yes' in the BID ballot on any hereditaments for which the Council is the rateable occupier within the proposed Wellingborough Road and Abington Square BID area.
4. That in the event of a successful BID ballot, the Council will not exercise its authority to charge the Wellingborough Road and Abington Square BID Company for the collection of its levy.
5. That in the event of a successful BID ballot, the intention to provide £20,000 worth of support per annum to Wellingborough Road and Abington Square BID in the form of in kind assistance or contributions, for its five year duration, subject to its satisfactory performance in accordance with its business plan.

8. EXTENSION TO NORTHAMPTON MUSEUM AND ART GALLERY

Councillor Eldred, as the relevant Cabinet Member, submitted a report to seek the agreement to substantially extend Northampton Museum and Art Gallery.

The Leader expressed the importance between cultural development and regeneration.

RESOLVED:

1. That it be agreed in principle to the extension of Northampton Museum and Art Gallery, in general accordance with the plans at appendix 1 of the report.
2. That, in order to facilitate the extension of Northampton Museum and Art Gallery, it be delegated to the Chief Executive, in consultation with the Leader of the Council, authority to submit applications for funding to external funding bodies and, in doing so, to incur expenditure necessary to the development bids of the necessary standard and quality, funded by monies received from the sale of the statue of

Sekhemka.

3. That, in order to facilitate the extension of Northampton Museum and Art Gallery, it be delegated to the Director of Regeneration, Enterprise and Planning, in consultation with the Cabinet Member for Regeneration, Enterprise and Planning, authority to negotiate the acquisition from Northamptonshire County Council of the Gaol Block of County Hall, coloured purple on the plan attached at appendix 2 of the report, using funds received from the sale of the statue of Sekhemka, at a price that is no more than the independently assessed market value of the property.
4. That, in order to facilitate the extension of Northampton Museum and Art Gallery, once a robust business case has been developed that supports the proposed acquisition, it be delegated to the Director of Regeneration, Enterprise and Planning, in consultation with the Cabinet Member for Regeneration, Enterprise and Planning, authority to negotiate the acquisition from Northamptonshire County Council of the Guildhall Road Block of County Hall, coloured blue on the plan attached at appendix 2 of the report, using prudential borrowing or another appropriate source of funding, at a price that is no more than the independently assessed market value of the property and subject to obtaining appropriate further approvals as necessary.
5. That, in order to progress the extension of Northampton Museum and Art Gallery through to completion, it be delegated to the Director of Customers and Communities, in consultation with the Cabinet Member for Community Engagement, authority to take all reasonable steps, provided such steps are generally consistent with the proposals set out in this report and are in accordance with council policies and procedures.

9. REFURBISHMENT ABINGTON PARK MUSEUM

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

The Leader commented that he was very keen to see Abington Park Museum restored.

RESOLVED:

1. That it be agreed in principle to the development of a proposal for the restoration of Abington Park Museum.
2. That authority be delegated to the Director of Customers and Communities, in consultation with the Cabinet Member for Community Engagement, to develop and submit bids to external bodies to secure funding for the restoration of Abington Park Museum.

10. LOAN TO UNIVERSITY OF NORTHAMPTON (THROUGH PUBLIC WORKS LOAN BOARD)

Councillor Hadland, as the relevant Cabinet Member, submitted a report and noted that the development of the new waterside campus was one of the most exciting developments in the town centre and was delighted to offer support to the University.

RESOLVED:

1. That a third party loan to the University of Northampton to the value of £46m, under

the Government's initiative through the Public Works Loans Board which provides a concessionary rate of borrowing (the "project rate") for one key infrastructure project nominated by the Local Enterprise Partnership, SEMLEP be approved.

2. That the inclusion of the loan at 2.1 in the Council's capital programme be approved.
3. That authority be delegated to the Chief Executive, in consultation with the Leader the authority to take all actions reasonably necessary to progress this project.

11. TREASURY MANAGEMENT OUTTURN 2013-14

Councillor Bottwood, as the relevant Cabinet Member, submitted a report and elaborated thereon. It was report that noted compliance has been monitored during the year and no breaches of compliance had been recorded.

RESOLVED:

That it be recommended to Council that the Council's treasury management performance for 2013-14 be noted.

12. FINANCE AND PERFORMANCE REPORT TO 30TH JUNE 2014

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

RESOLVED:

1. That the contents of the report and appendices be noted.
2. That the changes to the 2014-15 General Fund Capital Programme as detailed in Appendix 3 of the report be approved.
3. That the revised General Fund Capital Programme totalling £33.011m, as detailed in Appendix 4 of the report be approved.
4. That the intention to vire over-recovered Development Control income budget of £250k into the existing Business Incentive Scheme budget (paragraph 3.2.3.4 of the report) be noted.
5. That the funded supplementary estimate of £50k approved by the Chief Finance Officer. (Para 3.2.3.5 of the report) be noted.

The meeting concluded at 6.07pm.

Appendices



CABINET REPORT

Report Title	Policy on the removal of fly tipping from private land
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	8 October 2014
Key Decision:	YES
Within Policy:	YES
Policy Document:	YES
Directorate:	Customers and Communities
Accountable Cabinet Member:	Cllr Mike Hallam
Ward(s)	All Wards

1. Purpose

- 1.1 The Council is responsible for investigating reports of all alleged fly tipping. Currently the Council investigates reports of fly tipping on private land but has no obligation to clear this waste, and in practice does not remove waste from private land.
- 1.2 Approval is sought to change this operational policy in order that where fly tips are reported in private alleyways, the Council will, where possible, remove the waste. Where appropriate the Council will then recover the cost of such clearance from those responsible for the fly tips or the land owner(s).

2. Recommendations

- 2.1 That Cabinet approve an amendment to the current operational policy so that, in the case of fly tipping on sites that are shared ownership alleys or other shared ownership entrances such as common courts, the Council may where permissible and considered appropriate in the circumstances clear and dispose of the fly tipped material.

3. Issues and Choices

3.1 Report Background

- 3.1.1 Fly tipping is the illegal deposit of waste on land. It invariably involves the removal of waste from premises where it was produced with the deliberate aim of disposing of it unlawfully or as a result of legitimate outlets not being available. The offence of fly tipping and additional offences of “knowingly causing” and “knowingly permitting” are set out in section 33 (1) of the Environmental Protection Act 1990.
- 3.1.2 The Council receives a significant number of service requests regarding fly tipping. Between February and August 2014, 4074 reports were received. Of these 234 were confirmed to relate to fly tipping in private alleyways or similar areas.

3.2 Issues

- 3.2.1 Many of the reports related to fly tips in alleyways between residential properties. The majority of these alleyways are in private ownership and often the responsibility for the alleyways rests jointly with the owners of all the properties backing onto the alleyway.
- 3.2.2 The Council investigates such reports and officers check for evidence to identify those responsible. Where evidence is found, enforcement action is taken. To date, in these circumstances, the waste has been left in situ. However, if this operational policy change is approved as recommended, the waste may be removed by the warden service if this was possible, using the warden service’s existing facilities and budgets.

3.3 Choices (Options)

- 3.3.1 The current operational policy on the removal of fly tipped material is amended such that the service is extended to include the removal of fly tips from private alleyways and other shared ownership entrances such as common courts.

or

- 3.3.2 Continue with the operational policy as it is.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 This report amends current operational policy and has potential implications for the Contract for the provision of Environmental Services which can be managed using the contract variation process.

4.2 Resources and Risk

- 4.2.1 Waste disposal costs are approximately £100 per tonne. Specialist disposal costs for some types of waste are considerably higher. Other costs include staff time, vehicle and equipment costs.
- 4.2.2 The actual total cost is difficult to estimate at present and is likely to be higher in the first two years to clear existing accumulations.
- 4.2.3 It is expected that the proposed change in policy will be managed within existing budgets. However officers will monitor the demand on this service to determine if any financial implications arise outside existing budgets. If necessary and appropriate, consideration will be given to submitting a growth bid for consideration as part of the budget setting process for 2016/17 and beyond.
- 4.2.4 Recovery of cost requires a legal process and is subject to a perpetrator being identified which is difficult in most cases.
- 4.2.5 The other alternative, in the case of shared alley ways, would be to proportion the cost to each shared owner/occupier. The legal notice process would have to be followed in these cases. However the recipient of any notice can successfully appeal the notice and the notice can be quashed if the Magistrates are satisfied that for example, the recipient neither deposited nor knowingly caused nor knowingly permitted the deposit of the waste.
- 4.2.6 NBC contractors at present are contracted to collect fly tip materials from public land, not private land.
- 4.2.7 If a legal process notice has not been served and the Council removes something it could subsequently be considered not to be waste by the owner.
- 4.2.8 It is important that the proposed change in policy is managed effectively so as not to inadvertently encourage more fly tipping. A holistic approach needs to be taken that deals with both cause and effect and focuses on factors such as community engagement, deterrents and sanctions and education.

4.3 Legal

- 4.3.1 Under Section 33 of the Environmental Protection Act 1990, it is an offence to:

Deposit controlled waste or extractive waste or knowingly cause or knowingly permit controlled waste or extractive waste to be deposited in or on any land unless an environmental permit authorising the deposit is in force and the deposit is in accordance with the permit.

- 4.3.2 The legislation allows the Court to order the clean-up costs against any convicted offender.

4.3.3 Under section 59 of the Environmental Protection Act 1990, a local authority can, by serving a notice, require an occupier to remove waste that they have knowingly caused or permitted to be deposited illegally and/or can require them to take steps with a view to eliminating the consequences of the deposit of the waste. (A person on whom such a requirement is imposed can appeal to the Magistrates' Court and the notice will be quashed if the court is satisfied that they neither knowingly deposited nor knowingly permitted the deposit of the waste, or if there was a material defect in the notice).

4.3.4 If the occupier does not comply with the notice issued by the local authority and does not remove the waste or take the required steps, then the local authority can enter on to the land, clean up the waste and charge them the costs of so doing. The local authority can also enter land to clear it of waste in the circumstances described in paragraph 4.3.5 below.

4.3.5 Under Section 59(7) of the Environmental Protection Act 1990:

If it appears to a waste regulation authority or waste collection authority that waste has been deposited in or on any land in contravention of Section 33 (above) and that:

(a) in order to remove or prevent pollution of land, water or air or harm to human health it is necessary that the waste be forthwith removed or other steps taken to eliminate or reduce the consequences of the deposit or both: or

(b) there is no occupier of the land or the occupier cannot be found without the authority incurring unreasonable expense; or

(c) the occupier neither made nor knowingly permitted the deposit of the waste;

the authority may remove the waste from the land or take other steps to eliminate or reduce the consequences of the deposit, or as the case may require, to remove the waste and take those steps.

4.3.6 The power to enter land under section 59(7) is only available if one of the circumstances set out in that section exists. It will therefore be necessary for officers to assess this in detail on a case by case basis, prior to entering the land to clear it of waste.

4.3.7 *Where an authority exercises any of the powers conferred on it by section 59(7) it shall be entitled to recover the cost incurred by it in removing the waste or taking the steps or both and in disposing of the waste*

(a) in a case falling within Section 59(7)(a) above, from the occupier of the land unless he proves that he neither made or knowingly caused nor knowingly permitted the deposit of the waste;

(b) in any case from any person who deposited or knowingly caused or knowingly permitted the deposit of any of the waste;

except such of the cost as the occupier or that person shows was incurred unnecessarily.

- 4.3.8 Section 59 states that any waste removed by an authority under section 59(7) as outlined above shall belong to that authority and shall be dealt with accordingly.

4.4 Equality and Health

- 4.4.1 The service would be provided to all residents who occupy properties which are served by private alleyways. Fly tipping is a significant concern to residents and is an indicator of poor environmental quality.

4.5 Consultees (Internal and External)

- 4.5.1 LGSS Legal and Financial services
4.5.2 NBC Partnership Unit
4.5.3 Environmental services contractors

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 Cleaner safer Northampton

4.7 Other Implications

- 4.7.1 None.

5. Background Papers

- 5.1 None

Ruth Austen
Environmental Health Manager (Environmental Protection), 7794

Appendices

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NORTHAMPTON
BOROUGH COUNCIL

CABINET REPORT

Report Title	Vulcan Works
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	8 th October 2014
Key Decision:	No
Within Policy:	Yes
Policy Document:	No
Directorate:	Customers and Communities
Accountable Cabinet Member:	Cllr Brandon Eldred
Ward(s)	Castle

1. Purpose

- 1.1 To seek authority to take the next key steps to progress the redevelopment of the former Vulcan Works for the creation of a creative industries hub in the town's Cultural Quarter.

2. Recommendations

That Cabinet:

- 2.1 Agree in principle to the acquisition of 4 - 6 Angel Street from Northamptonshire County Council and delegate to the Director of Regeneration, Enterprise and Planning, in consultation with the Cabinet Member for Regeneration, Enterprise and Planning, authority to negotiate the terms of the acquisition, at price that is no more than the independently determined market value and subject to necessary funding being identified.
- 2.2 Appropriate the whole of the site for planning purposes under Section 122 of the Local Government Act 1972 and extend this appropriation to include 4 - 6 Angel Street when acquired.

- 2.3 Agree that a consultation exercise is undertaken with business proprietors operating within the vicinity of the Vulcan Works site and the occupiers of adjoining residential property, ahead of the planning application for Vulcan Works, which will be submitted in November 2014.

3. Issues and Choices

3.1 Report Background

Cultural Quarter

- 3.1.1 In January 2013 the council announced the designation of the area of the town centre comprising Guildhall Road and Derngate as the Northampton Cultural Quarter. Furthermore the council agreed that the future development of the Cultural Quarter would be an important new addition to the Northampton Alive stable of projects.
- 3.1.2 The purpose of the Cultural Quarter is to significantly enhance the town's reputation as a first class cultural venue, a place with a diverse and extensive offer, a great atmosphere and a tangible energy.
- 3.1.3 The vision for the Cultural Quarter is to create an attractive, cosmopolitan cultural environment focused around the town's four key arts venues, offering a range of entertainment and events, good food and drink, residential opportunities and workspaces for artists, designers and creative businesses.
- 3.1.4 In order to transform the purpose and vision into reality, a Cultural Quarter options appraisal was commissioned. The redevelopment of the Vulcan works was one of the major projects identified via that process.

Vulcan Works

- 3.1.5 Located at 34 - 38 Guildhall Road, the Vulcan Works occupies a prominent position in the Cultural Quarter, adjacent to the Northampton Museum and Art Gallery and opposite the Royal and Derngate Theatres.
- 3.1.6 It is also a key site within the Northampton Waterside Enterprise Zone.
- 3.1.7 Redevelopment of the Vulcan Works will entail refurbishing the buildings on the former factory site and replacing several semi derelict buildings in the immediate vicinity with a new building to create managed workspaces to support local creative businesses. The new build will be physically linked to the former factory which is a Grade II listed property, bringing it back to productive use.
- 3.1.8 Redevelopment of the Vulcan Works will directly assist 60 businesses and create and sustain 240 jobs. It will provide workshop, office and studio units, offered on affordable and flexible terms to creative SMEs, meeting demand and needs identified in the options appraisal.
- 3.1.9 In June this year, Cabinet agreed to:

- Authorise the council's application to the ERDF to obtain funding for the redevelopment of the Vulcan Works, including approval of the business case upon which the ERDF funding application will be contingent.
- Award tenders, in accordance with the Council's procurement policy, for consultancy, construction and other goods and services, required for the successful redevelopment of the Vulcan Works, as set out in this report.
- Put in place governance arrangements for the effective operation and management of the redeveloped Vulcan Works.
- Do all that is reasonably necessary to progress the redevelopment of the Vulcan Works through to completion, provided such actions are generally consistent with the proposal to redevelop the Vulcan Works set out in this report and are in accordance with council policies and procedures.

3.1.10 Since June Cabinet, the timeline for the delivery of the Vulcan Works project has been revised as follows, although this timetable may change, depending on stipulations and criteria set down by external funding bodies we choose to apply to:

- Outline business case – October 2014
- Design completed – October 2014
- Funding package developed and bids submitted – December 2014
- Out to tender – July 2015
- Tender award – October 2015
- Construction commencement – December 2015
- Completion – December 2016
- Full opening – April 2017

3.2 Choices (Options)

3.2.1 Redevelopment of the Vulcan Works will make a significant contribution to the council's ambitions for the cultural regeneration of Northampton.

3.2.2 It will also have an important impact on business growth and job creation in the town.

3.2.3 If Cabinet chooses not to agree the recommendations of this report these benefits to Northampton may not be realised. The disused Vulcan Works site could remain undeveloped and be a blot on the Cultural Quarter streetscape for years to come.

3.2.4 However, in continuing to progress the redevelopment of the Vulcan Works, Cabinet must be aware of the many challenges that will need to be overcome to achieve success.

3.2.5 Major challenges to be overcome will include the need to:

- Achieve significant external funding and to develop a comprehensive funding package to cover the costs of redevelopment.
- Overcome a range of complex construction issues associated with the redevelopment of a disused factory site, demolition of derelict buildings and listed building status.
- Meet the requirement for the redeveloped site to be self-financing/sustaining into the future.

4. Implications (including financial implications)

4.1 Policy

4.1.1 There are no policy implications directly arising from this report.

4.2 Resources and Risk

4.2.1 The total cost of redeveloping the Vulcan Works, including land, buildings and other assets contributed by the council, is estimated to be £10.2m. A comprehensive funding package is currently being built. It is anticipated that much of the funding for this project will come from external funding sources, potentially including Local Growth Fund, accessed via the local enterprise partnerships, and/or monies from European Funding pots such as ERDF and ESF.

4.2.2 £205,000 has already been secured from the Enterprise Zone budget to fund detailed design work and the development of a robust business case. This money is being allocated from the Enterprise Zone reserve, in accordance with the council's reserves drawdown process.

4.2.3 The property and land that constitutes 4 - 6 Angel Street has been valued at less than £100,000.

4.2.4 Both the Director and Cabinet Member for Regeneration, Enterprise and Planning will need to assure themselves that the acquisition of 4 - 6 Angel Street is necessary to the delivery of the Vulcan Works project, as per the agreed design option, and is supported by the business case that is being developed, before finalising its acquisition, at a price no more than the independently assessed market value.

4.2.5 The funding source for the acquisition is still to be determined. It is anticipated that it will be funded from an external funding source or from business rates uplift. Funding will need to be clarified before the acquisition is completed.

- 4.2.6 Once the funding source for the acquisition has been secured it is anticipated the purchase will be incorporate into the Capital Programme using the funded supplementary estimates delegations in the Council's Financial Regulations.

4.3 Legal

- 4.3.1 There are significant legal implications associated with the redevelopment of the Vulcan Works. Expert legal advice will be sought and acted upon at every stage of the process. Appropriate legal advice will be obtained in relation to the acquisition of 4 - 6 Angel Street
- 4.3.2 Section 122 of the Local Government Act 1972 empowers a local authority to appropriate land for any purpose for which the Council is authorised by that Act, including planning purposes, which will facilitate the carrying out of development, re-development or improvement which is likely to contribute to the economic social or environmental well being of the area. It is considered on legal advice that this requirement is fulfilled in view of initial the findings of the Business Case which is currently in development.

4.4 Equality

- 4.4.1 Redevelopment of the Vulcan Works will be undertaken in full accordance with relevant equalities legislation and the council's equalities policies.

4.5 Consultees (Internal and External)

- 4.5.1 Consultation is vital to evidencing need and establishing demand. It is also essential to the funding application process and will be used to inform outline and detailed design development.
- 4.5.2 It is proposed that a consultation exercise is undertaken with business proprietors operating within the vicinity of the Vulcan Works site and the occupiers of adjoining residential property, ahead of the planning application for Vulcan Works, which will be submitted in November 2014.

4.6 How the work relates to current Priority Outcomes

- 4.6.1 Northampton Alive sets out the council's aspirations for the regeneration of Northampton. The development of the Cultural Quarter is one of Northampton Alive's priority regeneration programmes. The redevelopment of the Vulcan Works is a key project in the Cultural Quarter. 4.6.2 Redevelopment of the Vulcan Works will also assist the key priority of economic regeneration of the town through business growth and job creation.

Background Papers

None

Julie Seddon
Director of Customers and Communities
0300 330 7000

Appendices
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CABINET REPORT

Report Title	Greyfriars Site Development-Consultation Results
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	8 October 2014
Key Decision:	No
Within Policy:	Yes
Policy Document:	No
Directorate:	Regeneration, Enterprise and Planning
Accountable Cabinet Member:	Cllr Tim Hadland
Ward(s)	Castle

1. Purpose

- 1.1 This report provides the outcome of the consultation carried out from 1 August to 5 September 2014 which will be used to help inform the future development of the Greyfriars site.

2. Recommendations

- 2.1 Cabinet is asked to note the consultation findings and agree that these should be included for consideration in the preparation of viable options and plans for the development of the Greyfriars site, in respect of retail and leisure use.
- 2.2 That a further progress report is presented to Cabinet in due course.

3. Background

- 3.1 The opening of North Gate Bus Station and planned demolition of Greyfriars, has made a 4 acre site available for development within a prime town centre location.
- 3.2 Following termination of the agreement with Legal & General to develop the Greyfriars complex, the Council has committed to lead the regeneration of the site.
- 3.3 In order to ensure as wide range of development options as possible, a public consultation was held during August and September 2014, to obtain views from the public and other interested parties on how the site should be developed in terms of its end use.

4 The Way Forward

- 4.1 Full details of the results of the consultation are contained in Appendix 1.
- 4.2 The Appendix shows that there is substantial support for a wide range of retail and leisure options for the site. Comments include not only the aspiration for a new large store, but also for a variety of independent boutique style shops and cafes. The consultation also raised the need for adequate public transport links and this will be dealt with as part of the future planning for the site.

5 Choices (Options)

- 5.1 Cabinet should review the list of options and agree that these should receive further consideration in the preparation of viable plans for future development of the site.

6. Implications (including financial implications)

6.1 Policy

- 6.1.1 Recommendations within this report are within current policies (Constitution).
- 6.1.2 The development of Greyfriars is part of the 2012-15 Corporate Plan, and forms part of the “Northampton Alive” strategy.

6.2 Resources and Risk

- 6.2.1 Suitable financial arrangements will need to be in place in order that development of the site can proceed. This will form part of a future Cabinet report.

6.3 Legal

- 6.3.1 There will need to be appropriate legal agreements in place to allow any future development to proceed. This will inform part of any future Cabinet report.

6.4 Equality and Health

- 6.4.1 This report forms part of the formal consultation process, and will be used to inform a future Impact Analysis once an option has been chosen and developed.
- 6.4.2 Any option chosen will support the Councils objective to promote equality and health.

6.5 Consultation

- 6.5.1 People were invited to submit ideas by visiting the public information event hosted in the Guildhall from 1 August to 5 September, or by completing an online form. The consultation was publicised through a press release and on the NBC website. 189 responses were received producing in excess of 300 separate comments and ideas. See Appendix 1.

6.6 How the Proposals deliver Priority Outcomes

- 6.6.1 Northampton Alive: A Vibrant Town.

7. Background Papers

- 7.1 Appendix 1 – Consultation results.

Cabinet Meeting: 13/11/2013 - Cabinet (Item 11).

Steve Boyes,
Director of Regeneration, Enterprise and Planning
0300 330 7000

Draft Greyfriars Site Consultation Analysis

This consultation was open from 1 August to 5 September 2014.

People were invited to submit ideas by visiting the public information event hosted in the Guildhall or by completing an online form. People were informed that a list of the ideas put forward during this exercise would be submitted to Cabinet to help inform their decision making.

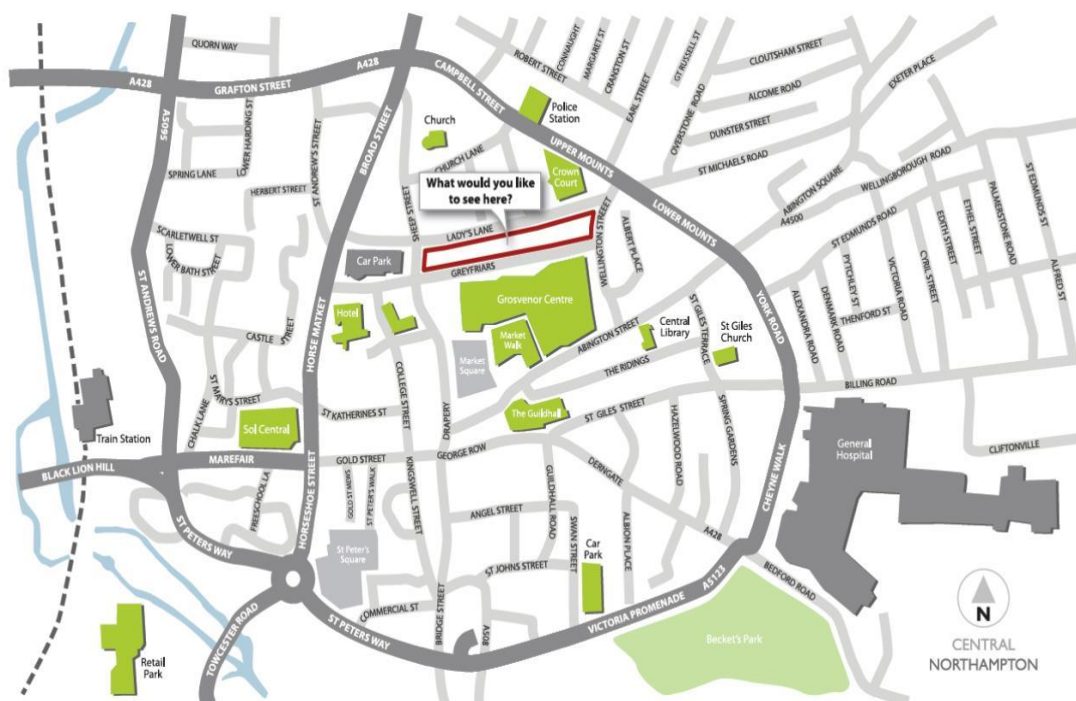
People were asked:

“Northampton Borough Council is asking for ideas for how the former Greyfriars site can be transformed. The demolition of the old bus station will create a four acre site in a prime town centre location.

This will be an opportunity for Northampton Borough Council to attract investment into the town centre. By the end of the year demolition will be complete and the town will have a blank slate ready for development so we want your ideas.

Your ideas will help shape the future of the land, what is built and what exciting ideas are taken forward.

Join the discussion and tell us what you think!



We want to hear your ideas for developing the site. We will soon start talking to developers about how the land will be transformed.

This is a huge site with enormous potential, tell us what you think?”

Summary findings

Respondents:	189 (112 manual entries and 77 distinct online entries)
Methodology:	<ul style="list-style-type: none"> Open access information days throughout August with staff present-feedback forms available Online questionnaire available throughout until 5 September 2014 <p>Both asked a single, identical question and were publicised through press release and on NBC website.</p>

Responses were categorised to identify different types of idea. Many responses offered a combination of ideas, or a choice of alternatives. All suggestions have been broken down into single ideas so each can be considered separately.

Ideas fell into 12 categories and total suggestions for each category are shown in the table to the right. The categories each include ideas for different equality strands of the population.

Responses that did not fall into these categories, or did not include an idea for the site, remained uncategorised.

A list for each category is shown in the next section, and a full list of all responses is included as an appendix.

Category	No. of comments
Arts/culture	14
Retail	74
Cafes/restaurants	25
Car parking	8
Community	5
Employment/offices	3
Green/public space	19
Hotel	5
Leisure/sport	32
Public services	7
Public transport facilities (including buses, coaches, taxis)	106
Residential	10
Total ideas	307

Ideas and Suggestions

Where an idea was suggested by more than one respondent, that idea is listed only once. The number in column two refers to the total ideas in that category

Category	Ideas/suggestions
Arts/culture	<ul style="list-style-type: none"> Arts Centre/ Gallery Small urban farm Ball pit Arts Centre offering workshops, training courses, demonstrations etc. Circus skills/activities Music venue Museum/cultural venue Korean town/village Exhibition space Outdoor music venue Bandstand Adult entertainment
Retail	<ul style="list-style-type: none"> Major department store/flagship store Designer/luxury stores for shoes/clothing/accessories/home/technology Shops to rival Rushden Lakes Showcase local shoe manufacturers

	<ul style="list-style-type: none"> • Fish/meat market • Cycle shops • 'pocket' shops mixed with other uses • Covered market • Shopping arcade
Cafes/restaurants	<ul style="list-style-type: none"> • 'Quality' chain restaurants • Street food market • Eating places that face onto the street • Open plaza style food court
Car parking	<ul style="list-style-type: none"> • Multi-storey car park • Ground level car park • Underground parking
Community	<ul style="list-style-type: none"> • Meditation/faith room • Youth provision • Community provision for charities and voluntary groups • Community location
Employment/offices	<ul style="list-style-type: none"> • Office space for charity and private sector • Low cost/start up office /employment space
Green/public space	<ul style="list-style-type: none"> • Large enclosed atrium • Open park • Open green space • Park with "living art" area • Peace garden with water feature
Hotel and hospitality	<ul style="list-style-type: none"> • Luxury hotels Vegas style • Conference/Exhibition area
Leisure/sport (inc. visitor attraction)	<ul style="list-style-type: none"> • Cinema • Ten pin bowling/ Bowling • Ski slope and winter sports • Ice rink • Roller skating rink • Climbing wall • Olympic size swimming pool • Leisure Centre/sports complex • 'Fun' park • Velodrome • Dance hall/ballroom • Gerry Anderson Experience
Public services	<ul style="list-style-type: none"> • Police contact centre • Toilet facilities • NHS walk-in centre • Library
Public transport	<ul style="list-style-type: none"> • Interchange for national bus and coach services • Shuttle buses to railway • Coach and bus station • Park and ride • Bus stops • Taxi ranks • Coach rest/shelter stop • Additional bike station
Residential	<ul style="list-style-type: none"> • Social housing • Flats/apartments above other use • Two-storey residential opening out to green space • Hostel • Urban village • Quality housing • Mixed housing scheme

Appendices



CABINET REPORT

Report Title	Northampton Waterside Enterprise Zone (NWEZ)
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	8 October
Key Decision:	No
Within Policy:	Yes
Policy Document:	No
Directorate:	Regeneration, Enterprise and Planning
Accountable Cabinet Member:	Cllr Tim Hadland
Ward(s)	Various

1. Purpose

- 1.1. To update Cabinet on progress made to date in the Northampton Waterside Enterprise Zone.
- 1.2. To recommend approval to increase capital funding to deliver Enterprise Zone electricity supply upgrades to facilitate inward investment and business growth in the St James area.

2. Recommendations

- 2.1 Cabinet notes the progress made to date.
- 2.2 Cabinet approves an additional request to the Homes & Communities Agency (HCA) of £341,795 into the Capital Programme through its Local Infrastructure Fund programme scheme to bring forward further power supply work within the EZ and for this to be repaid through uplift in business rates.

3. Issues and Choices

3.1 Report Background

3.1.1 The Council was awarded Enterprise Zone status by the Government in October 2011, with provisions starting in April 2012. We are one of only 24 in the country. The EZ runs along the River Nene from Sixfields in the West over to Avon Nunn Mills in the East. It comprises 120 hectares of land which has the potential to create over 420,000 square metres of high quality commercial and industrial floor space.

3.1.2 The benefits of the Enterprise Zone, include:

- Business rates discount of up to £275,000 per business over five years;
- A set of Local Development Orders (LDOs) to encourage development and simplify planning;
- Superfast broadband.

3.1.3 The Enterprise Zone presents a huge variety of opportunities:

- Large brownfield sites for both industrial and commercial development;
- Existing industrial estates with potential for growth;
- 2 professional sports clubs with aspirations for expansion;
- A University which is consolidating 2 out of town locations on to the EZ;
- A marina which is a focal point of our visitor economy;
- 3 successful breweries;
- Town centre and including our cultural quarter.

3.1.4 The EZ has a 25 year masterplan agreed with Government, with set targets on the creation of new jobs and business investment. The initial target agreed with Central Government is for Northampton Enterprise Zone to create over 900 new jobs by March 2015.

3.1.5 The EZ has an established governance structure, key to managing the implementation of the sites, co-ordination of approvals process. The South East Midlands Local Enterprise Partnership (SEMLEP) is responsible for the strategic delivery of the Enterprise Zone.

3.1.6 The EZ Board has overall responsibility for the delivery of the EZ and includes representatives from the Borough Council, County Council, DCLG, SEMLEP, Northamptonshire Enterprise Partnership (NEP), HCA, University of Northampton and the private sector. The EZ Board reports to the SEMLEP board.

3.1.7 The EZ Executive Group leads on projects for each EZ programme, reviews resources and reports to the EZ Board on key issues and opportunities.

3.2 Progress to Date

3.2.1 The EZ is making significant progress and a recent Department of Communities and Local Government (DCLG) report put NWEZ in the top quartile (4th out of 24) for overall performance:

- Since its establishment, the companies in the EZ have created 536 new jobs.
- Over £70m of private sector investment has been spent across the EZ, with much more to come;
- To date, nearly 24,000 square metres of new floor space has been developed;
- A total of 8 new enterprises have located in to the EZ;
- Northampton is top for business rates discounts - £1.5m authorised within the EZ to date, allowing business located within the EZ to reinvest the discount to provide more growth;
- The Council works proactively with the private sector to fund development projects and infrastructure, using loan investments where necessary. For example, Growing Places Fund, Public Works Loan Board, and the Council's own prudential borrowing. This has been necessary to bring forward developments, like the University and Cosworth.

3.3 EZ Commitments to March 2015

3.3.1 An EZ 2015 Action Plan has been agreed with the Department of Communities and Local Government, which sets out 6 “committed” projects to be delivered by March 2015. These are listed below:

- a) Cosworth (site 11) – a funding package has been put together using the Council's own borrowing powers to support development of a new 40,000 sq ft advanced manufacturing facility. This is built on Council owned land and will be complete by December 2014. This new facility will be leased to Cosworth. The investment will create a minimum of 70 new jobs and introduce a dedicated apprentice academy through the established Advanced Manufacturing Centre of Excellence. The academy will initially create 15 apprentice opportunities, with more as the centre becomes more established;
- b) Castle Station (site 12) – a £20m redevelopment of the railway station and enhancement of a major gateway for the town. The new station is scheduled to open shortly;

- c) Innovation Centre (site 13) - the University is building a high quality incubator for 55 new starter businesses in support of the social enterprise sector. The development started on site November 2013 and a topping out ceremony was held on 3rd September 2014. The facility is due for completion in February 2015;
- d) St James Mill Power Enhancement - the Council is working closely with the HCA to enhance power supply for St James Mill to support business growth and inward investment to accommodate the additional power requirements;
- e) Carlsberg (site 20a) - completed development of a new bottling plant creating 60 new jobs and £25m of private investment;
- f) St Johns Student Accommodation (site 19) - completed development of 400 high quality apartments, in the heart of the town centre. This facility was completed in January 2014 and students are moving in for the current academic year at the present time.

3.4 EZ Pipeline Projects 2015 - 2020

3.4.1 The EZ 2015 – 2020 Action Plan sets out agreed projects which form the basis of the next 5 years of delivery:

- a) St James Mill Link Road (St James Mill). The Council has been awarded £600,000 of Local Growth Funding through SEMLEP. This is to bring forward development of the link road to join up St James Mill Rd to St James Mill Rd East and onto Towcester Rd. The link road crosses the disused track and discussions are ongoing with Network Rail and Department for Transport. The process for disposal of the track will take up to 6 months and has been accelerated at the Council's request in order to get it completed within the 2015/16 financial year. Network Rail has commenced the clearance process, and the Office of the Rail Regulator will then undertake the formal decommissioning of the track. The Council will continue to seek ways of bringing this project forward.
- b) Upton Way (sites 2a & b). Discussions are ongoing between the Council and the HCA in bringing the site forward for delivery. There is interest in the site for development. .
- c) Church's Shoes Expansion (sites 5). Following the Council facilitating the acquisition of the First Bus Depot by Church's Shoes, 150 new skilled manufacturing jobs will be created. A further 50 new jobs will be created on the adjacent HCA site (Sharman Road Lake) which will be used for warehousing and storage.
- d) Edgar Mobbs Way (site 7c). The HCA has agreed to an open market disposal of the site. Commercial agents have been appointed to manage the disposal and sale process is now underway. A final decision on the

preferred 'offer' is expected to be announced by November 2014. Both the Council and HCA are keen to see the site developed for appropriate employment use.

- e) Four St Peters Waterside (site 13). The Council is working with Kier Construction on the St Peter's Waterside gateway location site, in order to turn it into the commercial heart of the town. Around 20,000 square metres of high quality commercial floorspace will be built to provide a real sense of arrival in a modern Northampton. It has the potential to create up to 2,500 new jobs in the business & professional services sector. This is a long term programme which will see us working closely with Kier and with new inward investors with the aim of bringing around 2,500 new jobs.
- f) Albion Place Hotel (site 18). Work will start October 2014 on a new £8m Town Centre Hotel. It is anticipated that a minimum of 50 new jobs will be created.
- g) Sixfields (site 3e). A £12m loan agreed by Northampton Borough Council into Northampton Town FC to expand stands and create a range of commercial and leisure facilities, conference centre, and hotel. Planning permission has already been granted for the stadium redevelopment. A subsequent planning application has been submitted to build 255 homes on a site near the stadium, as well as some retail development and a conference centre and hotel.
- h) Franklin Gardens (site 4b). A £5m loan agreed by the Council for the RFU Club to build a new North Stand to increase capacity to 15,500 and facilitate greater commercial opportunities; also to be able to host cup games and internationals. Completion is expected summer 2015.
- i) Castle Station Phases 2 and 3 (site 12). Phase 2 will develop a multi storey car park, which will then open up large parcels of adjacent land for mixed commercial and light industrial use for Phase 3.
- j) Vulcan Ironworks Creative Hub (site 17 - part). Plans to redevelop the vacant Vulcan Ironworks building are being brought forward to expand the existing Cultural Quarter offer. Investment is required to create a new and unique managed workspace facility to support a dedicated creative industries hub. Investment will bring the Vulcan back in to use. The project will deliver up to 60 new start-up businesses and support the creation of a potential 240 new jobs for the sector. A separate Cabinet report is presented on the Vulcan Ironworks project on this agenda.
- k) Project Angel (site 18). A new County Council HQ bringing 2,000 people into a modern town centre building by 2016, further improving the Town Centre economy in terms of retail and leisure footfall.
- l) University Campus (sites 21). Within the EZ at Avon Nunn Mills. To be completed by the start of the Academic Year 2018. As well as a new £330M University campus, this development also creates commercial,

leisure and hospitality development opportunities on the adjacent site, and provides a strong link into the Town Centre. The new University campus will consolidate 2 existing out of town sites and bring 14,000 students & 3,000 members of staff in the town centre.

4.2 Upgrade of Power supply in the EZ to facilitate company location or expansion

4.2.1 There is currently a need to upgrade the power supply in parts of the EZ with a number of existing companies working to available capacity. It is important the Council addresses this issue in order to allow the growth of local businesses and further inward investment into the EZ.

4.2.2 The power upgrades focus on sites which already have businesses who do/may wish to expand and vacant sites to support development. The sites which will potentially benefit from the increase in power include:

- Site 2A/B, 7C – currently vacant land with private sector interest to bring forward development for employment;
- Sites 8, 9A/B/10 and 11- existing industrial estates needing additional power and to support expansions for companies.

4.2.3 The Council is in negotiations with Western Power Distribution to agree on a programme of electricity connection works to meet specified demand. Western Power Distribution are the preferred large supplier in the area and already own much of the cabling works, substations and Primary supplies.

4.2.4 The proposed cost of the works is quoted at **£1,241,795 (inc VAT)**.

4.2.5 The Council has agreed a Local Infrastructure Fund loan with the HCA for **£900,000** towards the project. Additional capital of **£341,795** is required to fund the gap and enable delivery of the connection works by March 2015.

4.2.6 It is recommended that Cabinet approve additional capital funding. The Council will seek to increase the amount of HCA loan by an additional **£341,795** to meet the project costs and this would be repaid using the uplift which would accrue from additional business rates.

5. Choices (Options)

5.1 Option 1. Do not approve additional funding for increased power supply to the EZ. This would have the immediate impact of no capacity for new investors to the existing industrial estates, eg St James Mill Road. Because of the Freefoam and Cosworth expansions, this estate is now practically at its full capacity and no further inward investment or significant expansion can be accommodated. Not recommended.

- 5.2 Option 2. Approve the increase in Local Infrastructure Fund loan. This would allow some future proofing of the estate and also increase the overall capacity within the EZ. Recommended.

6. Implications (including financial implications)

6.1 Policy

- 6.1.1 This report is within policy, as the EZ is a Corporate and SEMLEP priority.

6.2 Resources and Risk

- 6.2.1 Financial implications: The financial implications for the EZ are managed and reviewed on a regular basis by the Council and periodically reported to SEMLEP through the EZ Financial Model. For the additional works with regards to upgrading the power supply this would require an increase borrowing to take account of the increase in Local Infrastructure Fund uptake to be funded by uplift in future business rates. The EZ Financial Model will need to be taken into account.

6.3 Legal

- 6.3.1 There is already a loan agreement in place with HCA and this would require an amendment to the existing funding requirement and repayment schedule. The agreement makes cost overruns the responsibility of the Council and the HCA is not obliged to provide any extra funding. There is a possibility the gap may need to be funded from the Capital Programme should HCA not agree to the additional loan amount.
- 6.3.2 The contract value is over £1m and has not been subjected to competition so an exception report will be required explaining why Western Power Distribution have been or will be awarded the contract without competition.

6.4 Equality and Health

- 6.4.1 Successful delivery of the NWEZ will improve the economic health of Northampton and provide long term sustained job prospects for the people of the Borough.

6.5 Consultees (Internal and External)

- 6.5.1 Cllr Tim Hadland (Cabinet Member for Regeneration, Enterprise & Planning) and Glenn Hammons (Chief Finance Officer) have been consulted.

6.6 How the Proposals deliver Priority Outcomes

- 6.6.1 Delivers against Corporate Plan priority Northampton Alive – A Vibrant Town.

6.7 Other Implications

6.7.1 None

7. Background Papers

7.1 None

Steven Boyes
Director of Regeneration, Enterprise & Planning
0300 330 7000