

# NORTHAMPTON BOROUGH COUNCIL

## CABINET

Wednesday, 6 December 2017

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

### 1. APOLOGIES

Apologies were received from Councillor Hadland.

### 2. MINUTES

The minutes of the meeting held on the 15<sup>th</sup> November 2017 were agreed and signed by the Leader.

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

The Leader explained that Item 10 – ‘The Vulcan Works, Northampton’ – had 2 private appendices which would be discussed in private and Item 11 – ‘Disposal of Northampton Borough Council’s land at the former Greyfriars’ also had a private appendix which would be discussed in the private part of the meeting.

### 4. DEPUTATIONS/PUBLIC ADDRESSES

Mr Miller addressed Cabinet in respect of Item 9 – Low Emission Strategy and noted the importance of reducing air pollution and improving the air quality. He thanked Cabinet for the opportunity to take part in the scrutiny panel and commented that he would continue to monitor the progress and air quality in the Town Centre. He referred to the outcome of a recent High Court hearing between a development company and the Secretary of State for Communities and Local Government which ruled on the adverse impact of poor air quality. He asked that Cabinet adopt the strategy with no further delay.

Councillor Hallam thanked Mr Miller for his participation and input into the Scrutiny Panel.

Mr Sawyer addressed Cabinet in respect of Item 9 also, and referred to section 4.5 of the report and noted that there had been no mention of consulting with community groups or campaigners. He questioned why there was still no Air Quality Management Report for 2016 and noted the poor air quality around the Bus Station. He questioned the Councils record on the transparency of collated data but congratulated the Council on the recent appointment of another Environmental Health Officer.

Mr Seamark addressed Cabinet in respect of Item 7- ‘Disposal of Land ad Lancaster Way, and stated that the report did not adequately address the concerns of the local residents. He noted that once the land was sold off it would no longer be under the control of the Council and questioned the length of time that the developers had been given in order to complete the legal documentation. He further suggested that corporate asset management fell under the remit of the Cabinet Member for Environment and questioned the validity of the decision making.

The Monitoring Officer explained that the decision making was being carried out collectively and transparently and in accordance with the regulations contained within the Constitution.

Ms Percival addressed Cabinet in respect of Item 7 and explained that residents had

become aware of land being cleared alongside trees and shrubs and potential disruption to badger sets. She commented that during this time, residents were advised by the Police that there was nothing that could be done to prevent this; she further argued that if the Council were to dispose of the land, they would no longer have any control over it and commented that the open space had been used by children, public meetings and dog walkers and urged Cabinet not to sell the land.

Ms Gravett also addressed Cabinet in respect of Item 7 and questioned why the Council were proposing to sell off the open space and why sell it to the developer. She questioned the reasons why she had recently witness a traffic counter in the area and explained that for anyone who had driven along that road, would be aware that it was both busy and somewhat congested at times. She further questioned whether the Council had considered the impact the disposal of land would have on the young children and dog walkers. She noted that the sale would inevitably lead to further housing developments which would increase traffic and pollution in the area and urged the Council to reconsider.

Mr Gadson also spoke in respect of Item 7 – and commented that as a resident of Far Cotton, he was disappointed that only 2 options for consideration were presented in the report and suggested that there were further option that could be considered. He commented that Leah Bank Road had been built with full services and reported that 3 acres of green space had been given to Delapre Primary School on the proviso that green area would be kept and noted that residents and the allotment owners had offered to enhance and improve the green space as it was a local amenity.

## **5. DECLARATIONS OF INTEREST**

Councillor Nunn declared a Disclosable Pecuniary Interest - Item 7 - Disposal of land at Lancaster Way as he had stood as a Councillor alongside Barry Howard and had also undertaken training with Mr Howard through his training company.

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

There were none.

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

Having declared a disclosable pecuniary interest in the item, Councillor Nunn left the room.

Councillor Davenport commented that did not consider that the Cabinet could agree to the sale of green spaces and questioned whether there were further options that could be considered. She noted that she as concerned about the disposal and stated that it seemed evident that the needs of the developers were given more weight than the needs or the residents and urged Cabinet to consider adopting the open space.

Councillor Hill addressed Cabinet and stated that whilst he understood the concerns of the residents, on balance he favoured the recommendation to dispose of the land and there was a massive housing shortage in Northampton and noted that the S106 agreement had already made provisions for open green spaces and that any delays to the development would not be welcomed.

Councillor Stone commented that the Council needed to listen to the views of the residents as they were often considered to be the experts and commented that they were no against new developments per se, but that they were opposed to the sale of green space. She suggested that a T Junction be installed instead to allow the green space to be kept so that children could continue to play on it and questioned what the impact of the development on the already congested Towcester Road.

Councillor Larratt commented that he considered the planning application and development to be poor and noted that he felt it was unfortunate that the planning application had been agreed.

Councillor Hallam submitted the report on behalf of Councillor Hadland and commented that the report was not about seeking planning permission but that it was a decision about the disposal of land. He commented that the S106 agreement secured two areas of public open space with a combined area of 2,194 square metres; the existing green space provision being 1,270 square metres.

Councillor Larratt stated that he did not support the recommendations, specifically with regards to the disposal of public open space. He further reported that he was not keen on management companies and did not consider them adequate in providing residents with the standards required.

Councillor King echoed the views of Councillor Larratt and commented that she could not support the recommendations.

Councillor Hibbert noted whilst he recognised the concerns raised by residents, planning permission on the site would allow for new homes to be built and the provision of 35% of those being affordable housing went some way in providing much needed houses.

Councillor Eldred reported that Cabinet were only being asked to make a decision on the disposal of land and not on the granted planning permission.

Upon a vote, Councillors Larratt and King abstained.

Councillors Eldred, Hallam and Hibbert voted in favour.

#### **RESOLVED:**

- (i) That the objections received in response to the statutory advertisement of the proposed disposal of public open space at Lancaster Way as shown coloured red on the Plan attached at Appendix 1 of the report be considered.
- (ii) That the disposal of the public open space at Lancaster Way as detailed within the previous report considered by Cabinet on 21 June 2017 be approved.
- (iii) That authority be delegated to the Director of Regeneration, Enterprise and Planning, in consultation with the Chief Finance Officer and the Cabinet Member for Regeneration Enterprise and Planning, to conclude terms of the disposal of the public open space.

At this juncture of the meeting, Councillor Nunn re-entered the room.

#### **8. COUNCIL TAX REDUCTION SCHEME**

Councillor Ashraf addressed Cabinet and commented that she was pleased to see that CTRS was being frozen which was very much welcomed. She suggested that consideration be given to Corby Borough Council charge of 8% but believed that the 35% went some way in the right direction in helping less well-off residents tolerate the austerity measures.

Councillor Eldred, as the relevant Cabinet Member submitted his report and explained that CTRS would assist those needing the most support. He commented that this was a demonstration of sharing amongst the many and not the few and welcomed the

recommendations.

**RESOLVED:**

That the recommendation contained in the Cabinet report be endorsed by Council no later than the 31<sup>st</sup> January 2018.

**9. LOW EMISSION STRATEGY**

Councillor Stone commented that people, especially children were suffering as a direct effect of air pollution and noted that people of Black and Minority Ethnicity were disproportionately affected. She noted that there was a need for much bigger ideas to be put into the strategy and suggested that inclusion of road closures and enforcement of idling cars. She spoke of her concerns about the level of pollution around schools and the maternity units and noted that she would have liked to have seen the report as being bolder and more dynamic in its approach to tackling air pollution.

Councillor Hallam, as the relevant Cabinet Member, elaborated on the report and stated that the Low Emissions Strategy was a starting point and that it would be an ongoing piece of work. In response to questions asked, Councillor Hallam commented that it would not be plausible to close roads. He suggested that further collaborative work could be undertaken with large businesses to encourage the use of electric cars and explore the provisions of electric charging points.

The Leader commented that the work that had been carried out was excellent and noted that there was partnership working with the County Council on reducing emission in Northamptonshire such as the provision of electric vehicle charging points. Councillor Larratt commented that consideration should be given to the feasibility of installing an electric charging point in the Guildhall car-park.

**RESOLVED:**

That the adoption of the Northampton Low Emission Strategy as outlined in Appendix 1 of the report be approved.

**10. THE VULCAN WORKS NORTHAMPTON**

Councillor Birch commented that the project to provide managed workspaces was first envisaged in 2014 and noted that the involvement of the University of Northampton had been very positive. She commented that the proposal to include a Creative Leather Technology and Leather Conservation Centre within the scheme had raised some concerns. She asked that more information relating to the business plan be produced and questioned where future funding would be coming from.

In the absence of the relevant Cabinet Member, the Interim Director of Regeneration, Enterprise and Planning elaborated on the report and explained that the report was seeking a 'in principle' agreement for a modified approach to the redevelopment of the former Vulcan Works.

**RESOLVED:**

2.1 That the action taken by the Director of Regeneration Enterprise & Planning to determine the existing procurement arrangements that had been made through the SCAPE framework be noted and endorsed.

- 2.2 That the revised approach to advancing the project as set out in the report be approved.
- 2.3 That the appointment of Ridge Property and Construction to provide project management, procurement and cost consultancy support to the project be endorsed, as may be appropriate;
- 2.4 That the appointment of Amion Consulting to review the business case and financial model for the project and to support the Council's bid for capital funding from the European Structural Investment Fund be endorsed;
- 2.5 That the Director of Regeneration Enterprise & Planning, be authorised to obtain the services of a design team, to help advance the proposed revised project;
- 2.6 That the financial position set out at exempt Appendix A of the report, including the resources spent to date and those needed to complete the next phase of the project, approximately £372,000, be noted and agreed to reflect this in the Council's Capital Programme;
- 2.7 That the submission of an application to European Structural and Investment Fund for capital funding be endorsed but noted that it would take some time for the application to be determined;
- 2.8 That it be authorised, when appropriate, that the Director of Regeneration Enterprise & Planning, acting in consultation with the Chief Finance Officer, to re-tender a scheme in an OJEU compliant way with a view to testing the market and obtaining the most competitive tender price possible
- 2.9 That the potential involvement of the University of Northampton in the project as a potential tenant and that being so, invited them to enter into an appropriate Agreement for Lease and Lease by February 2018 be welcomed;
- 2.10 That the Director of Regeneration Enterprise & Planning be authorised to further explore the procurement of a suitable operator to manage the completed scheme, via soft market testing and other appropriate means;
- 2.11 That the Director of Regeneration Enterprise & Planning be instructed to submit a further report to Cabinet once the result of the ESIF application, OJEU compliant tender exercise and final financial model/business case, are known.

## **11. DISPOSAL OF NORTHAMPTON BOROUGH COUNCIL'S LAND AT THE FORMER GREYFRIARS**

Councillor B Markham addressed Cabinet and thanked the Leader for the time that he had spent in discussions with a local resident, explaining the difficulties surrounding the provision of covered seats and shelters near to the Greyfriars site. He urged Cabinet to look again at the facilities in Victoria Street and noted that there was an opportunity to examine what the Town and residents wanted rather than what the developers wanted to offer. He further requested that consideration be given to the provision of social housing on the site.

The Leader noted that there were new benches that were to be installed within the next week and that the delay had been caused by a number of issues relating to disabled access within shelters.

Councillor Hill commented that he was somewhat frustrated by the delays but noted that it

was a key development site and was pleased that it could be re-examined and the provision of housing further explored. He commented that it was a prime location and suggested that the original plan could have potentially had a detrimental impact on other local business should the development have gone ahead.

Councillor Stone noted that lessons had to be learned from the development and noted that it had been 2 years since the site had been cleared for development. She reported that residents of the town had not fully been behind the proposed development and emphasised the importance of the needs of the town.

The Leader explained that there had been a long consultation process carried out and that many residents of the town had fed into the process.

In the absence of the relevant Cabinet Member, the Interim Director of Regeneration, Enterprise and Planning elaborated on the report and explained that they were unable to continue to proceed in negotiation with the developer as they could not fulfil the original bid.

Councillor Larratt commented that he considered it a shame that there had been a delay but reported that it now presented a great opportunity for the Council, in consultation with residents, to explore different concepts which would include the infrastructure of the site and also at the potential leisure opportunities and openings to enhance the night-time economy.

**RESOLVED:**

1. That the progress of negotiations with the preferred developer and the received partial proposal be noted.
2. That the cessation of negotiations with the preferred developer be approved.
3. That the Director of Regeneration, Enterprise and Planning be invited to update Cabinet at the appropriate time and approve the work required to reassess the disposal options and restart the disposal process.

**12. 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.

**13. THE VULCAN WORKS NORTHAMPTON - APPENDICES 1 & 2**

**14. DISPOSAL OF NORTHAMPTON BOROUGH COUNCIL'S LAND AT THE FORMER GREYFRIARS - APPENDIX 1**

The meeting concluded at 7.28pm