

NORTHAMPTON BOROUGH COUNCIL

CABINET

Wednesday, 17 January 2018

PRESENT: Councillor Nunn (Chair); Councillors Hadland, Hallam, Hibbert and King

1. APOLOGIES

Apologies were received from Councillors Larratt and Eldred.

2. MINUTES

The minutes of the meeting held on the 20th December 2017 were agreed and signed by the Leader.

3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE IF NECESSARY

There were no items to be heard in private.

4. DEPUTATIONS/PUBLIC ADDRESSES

Mr Martin Sawyer address Cabinet in respect of Item 9 – Environmental Services Re-provision and noted the recent bankruptcy of Carillion and the potential risks of outsourcing. He commented that there appeared to be no contingency plan in place for the new contract and no fall-back position and would therefore have preferred to have seen a 5 year contract. He reported that some evidence indicated the rate of recycling would be lessened with co-mingling of waste due to contamination and requested that the amount of rubbish sent to landfill be reported and monitored by the Council.

Councillor Hallam, as the relevant Cabinet Member, responded by stating that Carillion had not been considered as a bidder and noted that they would not have been successful as the bid had been undertaken in line with EU regulations and any company that had issued a profit warning would have been barred from qualifying. He further noted that co-mingling had been requested by a large number of residents as part of the consultation process.

5. DECLARATIONS OF INTEREST

There were none.

6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

There were none.

7. USE OF CIVIL PENALTIES TO FUND THE EXPANSION OF THE HOUSING ENFORCEMENT TEAM

Councillor Ashraf addressed Cabinet and commented that the Labour Group supported the recommendations and recognised the problems of rogue landlords and that there was a real need to have an enforceable policy.

Councillor Hibbert, as the relevant Cabinet Member, elaborated on the report and explained that the approval of the use of Civil Penalties would increase the control that the Council had in tackling issues surrounding rogue and irresponsible landlords. He noted that the proposal had been properly costed which was evidenced in the Business Case. It was reported that if option 2 was approved the first phase would see the inclusion of 8 additional officers to the Housing Enforcement Team.

The Leader commented that it was a fantastic piece of work and that he fully supported the work that had been undertaken that would continue to benefit residents in the private rented sector.

RESOLVED:

1. That the Business Case for using the income received from civil penalties to fund the expansion of the Housing Enforcement Team (attached to this report as Appendix A) be approved;
2. That the expansion of the Housing Enforcement Team to include an additional 8 Officers (a Housing Enforcement Manager, a Tenancy Relations Officer, 4 Environmental Health Officers and 2 Intelligence Officers) as described in Option 2 of the report be approved
3. That authority be delegated to the Chief Executive, in consultation with the Chief Finance Officer and the Cabinet Members for Finance and Housing & Wellbeing, to expand the Housing Enforcement Team by an additional 5 Officers (4 Environmental Health Officers and an Intelligence Officer), described in Option 4 of the report, subject to due diligence and the production of an updated Business Case.

8. NON-IMMEDIATE ARTICLE 4 DIRECTIONS - HOUSES IN MULTIPLE OCCUPATION (HMO) IN FAR COTTON/ DELAPRE AND CLIFTONVILLE

Councillor Birch addressed Cabinet and stated that she welcomed the extension to withdraw permitted development rights for the change of use from buildings used as Dwellinghouses to Houses in Multiple Occupation (HMOs). She reported that the planning department had been deluged with requests for conversion to HMOs and considered that overall, there had been an increase in high quality conversions. She further commented that the report included at Item 7 of the agenda complimented the recommendations contained within this report.

Councillor McCutcheon commented that there were some very good and responsible landlords who worked well and maintained their properties to a very high standard and that the proposal would provide an opportunity to tackle rogue landlords. He stated that with an expanding population there was a need to be adaptable and flexible due evolving demographics.

Councillor Hadland, as the relevant Cabinet Member, submitted his report and commented that policies had been based on local evidence and thanked members of the planning department and housing department and the local residents for their evidence-collection which had driven the project forwards. He noted that the Council had been approached from other areas in the Town and consideration would be given to them in due course.

The Leader commented that it was important to continue to monitor other areas and noted the need for all information to be evidence based.

RESOLVED:

That the Non-Immediate Article 4 Directions for Far Cotton/Delapre and Cliftonville (as shown on Map 1 and 2 of the report) made on 29th June 2017, to withdraw permitted development rights for the change of use from buildings used as Dwellinghouses (Use Class C3) to Houses in Multiple Occupation (HMOs) (Use Class C4) with effect from 29th September 2018 be confirmed.

9. ENVIRONMENTAL SERVICES RE-PROVISION

Councillor Meredith, as the Chair of the Re-provision of the Environmental Services Contract Scrutiny Working Group, commented that the concluding report submitted by the Group had been passed unanimously and noted that due diligence had been in place. He stated that he had been critical of the current contract and commented that his ward had been affected greatly by the mess and detritus that had not been dealt with by the contractors. He thanked the Cabinet Member for his support and stated that he hoped that residents would see a marked improvement once the new contract was in place.

In response, Councillor Hallam thanked Councillor Meredith for the work of the panel and for undertaking an extensive scrutiny process of the contract. He commented that he would appreciate a continuation of involvement from the panel members during the transition period.

Councillor Stone commented that she had serious concerns especially since the bankruptcy of Carillion had been announced and stated that she would like to see the service brought back in house to mitigate risk. She commented that there was a need for the Council to be entrepreneurial in their approach and noted that many other local authorities were bringing services back in house after having contract them out and questioned why further exploration of a joint contract with Kettering and Corby Councils had not been fully considered and spoke of preference that the company be British.

In response, Councillor Hallam stated that the decision to be made was about the award of contract and that the decision to not bring the contract back in house had been made at the very beginning of the process. He further reported that not only were the new contractors entrepreneurial but the innovativeness of the contract would see many new trial features. He further reported that the new contractors would comply with all relevant employment laws.

Councillor Haque congratulated the team on their hard work on the contract but voiced his concerns at the length and cost of the contract. He stated that the contract would compromise the budget for 10 years and noted concerns about outsourcing to private sector companies in light of recent news.

In response, Councillor Hallam commented that the contract length was determined partly by the age of the vehicles and the new contract would offer a lot more flexibility than the previous one.

Councillor Beardsworth commented that she was pleased to hear that due diligence had been carried out and stated that the last contract had not been performance managed well. She questioned whether the contracted staff would be offered some protection as she did not want redundancies.

In response, Councillor Hallam concurred with Councillor Beardsworth on the performance management of the current contract and noted that the new contract would be diligently managed. He thanked the Liberal Democrats for their input in the process and asked that they continue to contribute during the transitional period.

Councillor Hallam further commented that the new contract demonstrated an excellent example of joined up working and noted that the consultation had been the largest of its kind that the Council had carried out. He reported that the majority of people who had fed in to the consultation had favoured co-mingling and a much better quality of services, of which the new contract would provide.

The Leader thanked the work of the officers, the scrutiny working group and Councillor

Hallam as the relevant Cabinet member.

RESOLVED:

- 2.1 That, subject to confirmation of commitments after the Alcatel standstill period, Bidder B be appointed as the Preferred Bidder and agree to award the Environmental Services Contract for a period of 10 years, at a price of £97,697,867 (not including indexation /inflation), with an option to extend by mutual agreement for up to a further 10 years, subject to satisfactory performance of the contract and Cabinet approval nearer that time.
- 2.2 That authority be delegated to the Director of Customers and Communities, in consultation with the Cabinet Member for Environment, to do all that would be reasonably required, necessary and appropriate to implement Cabinet's decision to award the contract to the Preferred Bidder and to achieve successful completion of the environmental services procurement process, including:
 - Agreeing terms and entering into leases, in line with the Preferred Bidder's property, vehicle, equipment and container proposals
 - Providing final approval and execution of the contract following confirmation of commitments.
- 2.3 That, in accordance with the advice of the Council's Chief Finance Officer, expenditure of £11.938m into the capital programme, funded by borrowing with up to £10m of the Minimum Revenue and interest charges being offset by the use of existing reserves for the vehicles, equipment and containers that would be used to provide the new environmental services contract be approved.
- 2.4 That, in accordance with the advice of the Council's advisors that the Council would pay for the cost of bringing the facilities up to standard at the Council owned Westbridge Depot, at the price provided for this work by the Preferred Bidder of £450,038, the sum to be included for in the Capital programme for 2018-19 be approved.
- 2.5 That the impact on the revenue budget of the contract was £11.128m for 2018/19 which had been factored into the budget to be approved by Council in February 2018 be noted.

10. ST JAMES MILL LINK ROAD

Councillor Ashraf commented that the proposed St James Mill Link Road had been on the agenda for too long and that a lack of progress and a thorough timetable of was not providing assurance to local businesses. She also questioned the impact of increased air pollution in the area.

The Leader commented that there was a clear schedule in place but that discoveries in the ground might impact on the timetable in the future.

Councillor Hadland as the relevant Cabinet Member elaborated on his report and commented that the Council were currently at the point of entering into a deal with Network Rail but that this had yet to be sealed. He noted his frustrations with the delays but commented that the Council were committed to progressing and moving the proposed project forward. He reported that additional consultation with businesses would be undertaken through the planning process.

RESOLVED:

- 2.1 That the appointment of KierWSP (the County Council's approved highways contractor) to prepare and finalise the scheme design, inclusive of site clearance, intrusive site investigations, production of estimated costs, and to submit a planning application when appropriate be authorised.
- 2.2 That the informal consultation that has taken place with those business that may be directly affected by the proposed new link road be noted and that further consultation would be undertaken as a part of the proposed planning application process.
- 2.3 That the award of Local Growth Fund II and Growing Places Funding from SEMLEP be noted and welcomed and the agreement to further support the scheme through the use of Enterprise Zone Business Rates Uplift be noted.
- 2.4 That authorisation be granted for the expenditure of up to £600,000 for site clearance, site investigations, design work and the purchase of a small parcel of land from Network Rail that the route of the proposed link road would traverse.
- 2.5 That appropriate provision for this scheme in the capital programme over the period 2017/18 – 2019/20 inclusive, and the allocation of £600,000 into the Capital Programme from the Development Pool be approved.
- 2.6 That the Chief Executive, acting in consultation with the Cabinet Member for Regeneration Enterprise & Planning, the Borough Secretary & Monitoring Officer and the Chief Finance Officer be authorised to purchase, on terms to be agreed, a small parcel of land required for this scheme from Network Rail.
- 2.7 That the Borough Secretary & Monitoring Officer be authorised to arrange the preparation and execution of such contractual and other legal documents as are necessary to give effect to the above recommendations.
- 2.8 That the Chief Executive be authorised to submit a further progress report to Cabinet when appropriate.

11. FINANCE MONITORING - PERIOD 8 2017/18

Councillor Beardsworth questioned whether additional costs of the valuations of properties had been included in report.

Councillor Smith stated that there was a need for potentially homeless families to be treated as priority cases as there was a need for them to be cared for to ensure they did not face homelessness. She reported that there was a need for the housing stock to be protected and hoped that the Social Lettings Agency would assist residents who were vulnerable to homelessness.

In the absence of the Cabinet Member for Finance, the Chief Finance Officer elaborated on the report and noted that both the General Fund and the Housing Revenue Account had forecast underspends. He commented that pressures had been experienced in Homelessness and Temporary Accommodation due to sharp rise in the number of households applying to the Council for assistance under the homelessness legislation. The Chief Finance Officer further reported that Officers were currently delivering on the purchase of six properties at Princess Marina at 55% of open market value. Additionally, final payment was made in Quarter 2 for the purchase of 6 properties at Upton Place of £272k to which Cabinet budget approval was made in

2016/2017.

RESOLVED:

- 2.1 That the contents of the report be reviewed.
- 2.2 That the release of HRA capital reserves to cover the committed final expenditure for 6 dwellings at Upton Place (at paragraph 3.6.2.2 of the report) be approved.

The meeting concluded at 6.58pm