



## CABINET

WEDNESDAY, 17 OCTOBER 2018

## DECISIONS

<b>PRESENT:</b>	Councillor Larratt (Chair); Councillors Hallam, Hibbert, Hadland, King, Hill and Eldred.
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Set out below is a summary of the decisions taken at the meeting of the Cabinet held on Wednesday, 17 October 2018. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

These decisions will come into force and then may be implemented on the expiry of three working days after the publication of this list.

If you have any queries about any matters referred to in this decision sheet please contact Emma Powley.

<b>THIS LIST OF DECISIONS PUBLISHED:</b>	<u>18<sup>th</sup> October 2018</u>
<b>DATE OF EXPIRY OF CALL IN:</b>	<u>23<sup>rd</sup> October 2018 AT 17:00 HOURS</u>
<b>EXEMPTION FROM CALL IN:</b>	<u>Item 20</u>

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

### **7. RESPONSE TO OVERVIEW & SCRUTINY REVIEW OF CHILD SEXUAL EXPLOITATION**

Cabinet noted the report

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

### **8. RESPONSE TO OVERVIEW & SCRUTINY REVIEW DEMENTIA FRIENDLY TOWN**

Cabinet noted the report

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

## **9. CORPORATE PLAN - 2018-2020**

Cabinet recommended to Council on 5 November 2018 that the draft Corporate Plan for 2018 to 2020 be approved, and that the Chief Executive be authorised to finalise the document and publish this alongside the Council's Medium Term Financial Plan (MTFP).

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

## **10. TRANSFER OF LAND AND OPEN SPACE TO PARISH COUNCILS**

- 2.1 Cabinet agreed to amend the strategy adopted by Cabinet on 16<sup>th</sup> November 2016;
- 2.2 Cabinet agreed that future transfers to Parish Councils would normally be on a freehold rather than long leasehold basis;
- 2.3 Cabinet agreed that where assets to be transferred are commercial in nature, a commercial sale price would be appropriate;
- 2.4 Cabinet agreed that where assets to be transferred are non-commercial in nature, a nominal consideration will be charged;
- 2.5 Cabinet agreed that all freehold transfers would include appropriate overage provisions;
- 2.6 Cabinet authorised the advertisement of the proposed disposal of any areas of Public Open Space in a local newspaper for two consecutive weeks in accordance with the procedural requirements of Section 123 (2A) of the Local Government Act 1972, and thereafter for the Cabinet to agree to meet to consider any objections to the proposed disposal which may be made to them before any final decision is taken on the disposal, so that proper consideration is given to the responses that are received.
- 2.7 Cabinet delegated to the Head of Economy, Assets and Culture, in consultation with the Cabinet Member for Regeneration and Enterprise, authority to negotiate and agree in principle the terms of any transfer/disposal on a freehold basis in accordance with the parameters of this report and subject to the agreed terms of each proposed transfer/disposal being subsequently approved by Cabinet.

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

## **11. CORPORATE RISK REGISTER**

Cabinet reviewed and noted the risks contained in the register and the related risk exposures and mitigating actions be relevant.

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<b>Agenda</b>	<b>Declaration/Conflict of Interests:</b>
<b>Item No</b>	None

## **12. APPROVAL OF A COUNCIL-OWNED HOUSING DEVELOPMENT COMPANY**

- a) Cabinet confirmed the establishment of a Council-owned, non-charitable Housing Development Company (DevCo), called Hamtune Homes Ltd, that would acquire, develop, manage and sell real estate to help the Council achieve its strategic objectives in relation to housing demand, place-shaping and income generation;
- b) Cabinet confirmed the appointment of the Head of Housing & Wellbeing and the Housing Options & Advice Manager as the two initial Directors of Hamtune Homes Ltd;
- c) Cabinet delegated to the Borough Secretary & Monitoring Officer, in consultation with the Chief Finance Officer and the Cabinet Member for Finance, the authority to approve the Articles of Association and any appointment of a Company Secretary;
- d) Cabinet agreed that a sum of up to £50,000 is made available from Reserves to fund the DevCo's initial start-up costs and support the production of the company's first business plan and development pipeline;
- e) Cabinet agreed that each of the housing schemes / projects undertaken by the DevCo would require a fully-costed Business Case and formal approval by Cabinet;
- f) Cabinet to receive a further report, prior to the commencement of trading, when Cabinet approval would be sought for the DevCo's business plan.

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<b>Agenda</b>	<b>Declaration/Conflict of Interests:</b>
<b>Item No</b>	None

## **13. FIXED PENALTY NOTICES LEVELS**

Cabinet agreed the following levels of fixed penalties to apply for fixed penalty notices issued from 1 November 2018:

Fixed penalty for fly tipping offences

Full Penalty £400

Reduced penalty for payment within 10 days £300

Fixed penalty for depositing litter, littering from vehicles, graffiti, fly posting

Full penalty £120

Reduced penalty for payment within 10 days £75

Fixed penalty for failure to comply with a Waste Receptacle Notice  
(Commercial)

Full penalty £110

Reduced penalty for payment within 10 days £75

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**Agenda**    **Declaration/Conflict of Interests:**

**Item No**    None

#### **14. EFFICIENCY AND MEDIUM TERM FINANCIAL STRATEGY**

1. Cabinet approved the draft Efficiency and Medium Term Financial Plan as attached at Appendix 1 of the report
2. Cabinet adopted the key principles as set out at paragraph 3.2.4 of the report

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**Agenda**    **Declaration/Conflict of Interests:**

**Item No**    None

#### **15. CHANGES TO THE HOUSING ALLOCATIONS AND CHOICE BASED LETTINGS SCHEME**

Cabinet approved the following changes to Northampton's Housing Allocations and Choice Based Lettings Scheme (set out in Appendix A of this report):

- (a) The Emergency Band is amended to include applicants who have been accepted by the Council as being owed the relief duty (under the Homelessness Reduction Act 2017) and have been assessed as being in priority need and unintentionally homeless;
- (b) Band A is amended to include applicants who have been accepted by the Council as being owed the prevention duty (under the Homelessness Reduction Act 2017) and have been assessed as being in priority need;

(c) Band B is amended to include the following applicants:

Applicants who have been accepted by the Council as being owed the prevention duty (under the Homelessness Reduction Act 2017) and have been assessed as having no priority need

Applicants who have been accepted by the Council as being owed the relief duty (under the Homelessness Reduction Act 2017) and have been assessed as having no priority need

Applicants who are homeless or threatened with homelessness but have been notified that they have no right of rehousing under the homelessness legislation, or where the homelessness duties have been discharged but homelessness continues.

- (d) Where an applicant has been accepted by the Council as being owed the relief duty (under the Homelessness Reduction Act 2017) and has been assessed as being in priority need and unintentionally homeless, their 'effective date' in the Emergency

Band will be the date that the Council accepted that they were owed a relief duty, even if this occurred prior to 17 October 2018.

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

## **16. GRANT OF PROPERTY LEASES AND FINANCIAL AND MANAGEMENT AGREEMENTS TO NORTHAMPTON LEISURE TRUST (UNITY LEISURE)**

- 2.1 Cabinet agreed to replace recommendation 2.1 and 2.2 of the report considered and agreed by Cabinet at its meeting on 14<sup>th</sup> March 2018 (Appendix 1) with the following new recommendations:
- 2.2 Cabinet agreed three new Full Repairing leases be granted under the Landlord and Tenant Act 1954 to Unity Leisure for the three leisure centres owned by Northampton Borough Council (Lings Forum, Danes Camp, Mounts Baths), for a period of 30 years. The combined rent would be £51,000 per year, and would be in accordance with the terms and conditions set out in this report and the Cabinet report dated 14 March 2018 (appendix 1), which reflected a discount from market rent of £22,500 per annum.
- 2.3 Cabinet delegated authority to the Head of Economy, Assets and Culture to complete the above leases in consultation with the Chief Finance Officer and the Cabinet Member for Regeneration and Enterprise, subject to the completion of necessary due diligence checks, ensuring that the Council not be exposed to unacceptable legal or financial risk.
- 2.4 Cabinet agreed that for the first 5 years of the leases, the responsibility for insuring the properties would remain with the Council
- 2.5 Cabinet agreed that a review be carried out in Year 4 of the leases to determine whether or not the Council would continue to carry the cost of insuring the properties after year 5.

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

## **17. ARRANGEMENTS FOR THE WEST NORTHAMPTONSHIRE STRATEGIC PLAN**

Cabinet approved:

- a) The Statement of Common Ground (attached at Appendix A) of the report
- b) The Joint Local Development Scheme for West Northamptonshire (attached at Appendix B of the report)

- c) The Memorandum of Co-operation and Terms of Reference for the West Northamptonshire Joint Planning and Infrastructure Board (attached at Appendix C of the report)

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<b>Agenda</b>	<b>Declaration/Conflict of Interests:</b>
<b>Item No</b>	None

### **19. AWARD OF CONTRACT FOR CAR PARK LIFT REFURBISHMENT.**

1. Cabinet approved the appointment of a contractor for the refurbishment of Car Park Lifts.
2. Cabinet delegated authority to the Head of Economy, Assets and Culture, in consultation with the Cabinet member for Regeneration and Enterprise, to agree the final sum and terms of the contract documents.

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<b>Agenda</b>	<b>Declaration/Conflict of Interests:</b>
<b>Item No</b>	None

### **20. STRATEGIC ACQUISITION OF PROPERTY**

The decision was made in private