

NORTHAMPTON BOROUGH COUNCIL

CABINET

Wednesday, 27 July 2011

PRESENT: Councillor Palethorpe (Chairman); Councillors Hadland, Yates, Malpas, Bottwood .

1. APOLOGIES

Apologies were received from Councillor Hill.

2. MINUTES

The Minutes of the meeting held on the 6th July were agreed and signed by the Chairman.

3. DEPUTATIONS/PUBLIC ADDRESSES

Mr Neal addressed Cabinet on Item 6 – Confirmation of Proposed Article 4 Directions re Houses in Multiple Occupation (HIMO's). He stated that he had concerns that properties in his area were being purchased by landlords whose sole intentions would be to make as much money as possible through converting properties into HIMO's with little regard for local residents. He commented that a number of HIMO's had detrimental affects on the local area having witnessed an increase in Anti-Social Behaviour, increased parking problems and rubbish being left out in the street. Mr Neal commented that he was of the opinion that a number of HIMO landlords had little or no intention of enhancing the local area at a cost to local residents.

Mrs McMurdie also addressed Cabinet on Item 6 - Confirmation of Proposed Article 4 Directions re Houses in Multiple Occupation (HIMO's). She concurred with the comments made by Mr Neal and further added that there was a strong case for the reinforcement of the directive as self regulation had not worked and the detrimental affect that HIMO's had made should be noted. Without the directive any measures to resolve problems experienced had been drawn out and long winded. She also commented that with the increase in tuition fees, there would be less of a need for student housing (who often resided in HIMO's) and there would be less of a demand for HIMO's near Northampton University.

Mrs Crake addressed Cabinet on Item 6 - Confirmation of Proposed Article 4 Directions re Houses in Multiple Occupation (HIMO's). She reported that she favoured the recommendations within the report and commented that if agreed it would be beneficial not only to Sunnyside residents but for Northampton as a whole. She expressed her concern at the expansion of HIMO's close to the University and commented that residents wanted to maintain the pleasant character of the area.

Mrs Barnes addressed Cabinet on Item 6 - Confirmation of Proposed Article 4 Directions re Houses in Multiple Occupation (HIMO's). She reported that she had lived in the area for 20 years and that she had hoped to remain there for her senior years. However, since being confronted by HIMO's she had seen an increase in noise, fighting and rubbish left out on the street, which had resulted in her contacting the Council on order to complain. She reported that the prospect of more HIMO's in the area was very distressing and upsetting.

Mr Shaw addressed Cabinet on Item 6 - Confirmation of Proposed Article 4 Directions re Houses in Multiple Occupation (HIMO's). He reported that he had spoken to one of the HIMO landlords who had informed him that the students in the property had been vetted.

However, he had experienced increased Anti-Social Behaviour, fights amongst students and rubbish left out on the street. He suggested that the Council produce a series of contact numbers for residents relating to problems incurred by HIMO's and further commented that the cost of clearing up the excess rubbish should be imposed on the HIMO landlords and not other residents.

Mr Birch addressed Cabinet on Item 7 – Community Centres – Management Organisation Appointments. He commented that he welcomed the report and its recommendations and reported that as a member of Alliston Garden Youth and Community Centre much care and consideration had been put into Community Centres. He expressed his pleasure at the prospect of working alongside the Council and local residents and commented that improvements would not be immediate and would take time but that there was a commitment to working in partnership and exploring more autonomous practices which would manage and delivered community services.

4. DECLARATIONS OF INTEREST

None

5. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

None

6. CONFIRMATION OF PROPOSED ARTICLE 4 DIRECTIONS RE HIMO'S

Councillor Marriott welcomed the report and commented that the agreement of the recommendations would allow the Council to have greater control of the number of HIMO's. It was noted that it was not just a student issue but the increase in population in the town had lead to greater demand for such housing. He explained that the change of use from use Class C3 Dwelling House to C4 Houses in Multiple Occupation would lead to areas that currently welcomed students to being overrun by them and an increase in hostility. He further suggested that the Council, for monitoring purposes, keep a permanent register of HIMO's.

Councillor Mennell thanked the residents who had attended the meeting to express their concerns and wanted to ensure that Cabinet were aware of the experiences of what residents close to HIMO's had endured. She commented that a major problem was with private landlords who were not taking responsibility for their properties and was a problem that would get worse and which should be considered by the Council. She reported that the Council had a register for landlords and that provisions should be made to give guidance to Councillors and residents who are experiencing the negative affects of HIMO's.

Councillor Markham addressed Cabinet and commented that having heard the views of residents, the Council had a duty of care to its residents. She recognised that there was significant pressure on the housing stock but reported that HIMO's did not always provide good quality housing neither inside nor out. She further commented that in relation to HIMO's she had seen poor management of gardens and an increase in parking issues. She suggested that the Council adopt a local planning policy document under the Local Development Framework and commented that planning policy should provide a balance in order to prevent harm to residential areas.

Councillor Yates, as the relevant Portfolio Holder, introduced the report and noted that there was a need to renew the Article 4 Direction as it was near to expiry, which would have an affect on 13 wards in the Borough. Having listened to the opinions and comments of residents and Councillors he stated that the reasons for the confirmation were obvious and there was a need for HIMO's to be properly regulated, through the planning system and commented that there was a real need to renew the existing orders.

Councillor Malpas commented that when examining the account of some of the HIMO landlords it was incongruous to the experiences voiced by the residents.

The Chairman thanked the members of the public for their contributions and stated that the report was a way of looking forwards and anticipating any future problems that could arise. Referring to Councillor Markham's comments with regards to planning policy, it was noted that the Director of Planning and Regeneration and the Director of Housing would work together in examining policy and a report would be brought back to Cabinet in early 2012.

RESOLVED:

1. That the 'Immediate' Article 4 Direction which removed permitted development rights for change of use from C3 to C4 for an area bound by Holly Lodge Road to the north of the area, the Borough boundary to the east, Boughton Green Road to the south (including properties fronting the Road on the southern side) and Harborough Road to the west (including properties fronting the Road on the western side) as shown on the attached plan at Appendix 1 of the report be confirmed.
2. That the 'Non-immediate' Article 4 Direction which removed permitted development rights for change of use from C3 to C4 for the rest of the area comprising the remaining part of the central and northern parts of the Borough as shown on the attached plan at Appendix 2 of the report be confirmed

7. COMMUNITY CENTRES - MANAGEMENT ORGANISATION APPOINTMENTS

Councillor Mason addressed Cabinet and whilst supporting the report, she voiced a number of concerns with regards to Community Centres and questioned whether the Council would be able to take action in the future should the Community Centres experience any problems. She commented that the Council should ensure that local people are getting the correct opportunities and expressed the need for adequate backing and support being mindful of the current recession. She also requested support for the Spencer Dallington Community Centre, which had many dealings with the support of the older generation.

Councillor Glynane spoke as the Chair of the Southern Quarter Development Group that looked after Far Cotton Recreational Centre. He congratulated officers who had been involved in the project and offered his full support, which he considered a step towards Localism. He reported that he had confidence in the success of Community Centres and that not only will they deliver a good service but would improve sustainability in the areas. He commented that Councillor Malpas had spoken of the Management Appointment 2 years ago and had referred to it as having been a cost cutting measure.

Councillor Palethorpe, on behalf of the Portfolio Holder, thanked the officers involved. He expressed his wish to allay the fears that Councillor Mason had voiced and reassured her that the Council would provide organisational and financial support. He commented that people would be empowered to contribute towards their communities. He congratulated all organisations on their success and expressed his appreciation for the work that had been carried out and stated that the Council would continue to support and have a responsibility in supporting the Community Centres.

The Chief Executive explained that the proposals would enable the transfer of power and opportunities back into the communities and placed emphasis on the development of relationships and support, which he considered to be extremely positive. He commented that there had been extensive dialogue with the Community Centres and was assured that the Centres would do themselves proud.

Councillor Yates reported that he was glad to see that flexibility was being demonstrated with regards to the different needs of the Community Centres. Councillor Malpas, in response to comments made by Councillor Glynane, informed Cabinet that he had previously commented that he did not want Management Appointments to be a cost cutting measure but emphasised that he was predominantly concerned about community centres being left to stagnate and fall into disrepair.

RESOLVED:

1. That in principle the appointment of the following organisations to manage and deliver community services from the community centres indicated be approved:
 - Deafconnect, to manage Spencer Dallington community centre;
 - Community Spaces Northampton (CSN), to manage Bellinge, Briar Hill, Kingsthorpe, Rectory Farm, Southfields (Bob Purdey Centre), Standens Barn and Vernon Terrace community centres
2. That authority be delegated to the Borough Solicitor to sign the leases and management agreements in accordance with the Framework (Appendix of the report) on the Council's behalf.

8. COMMISSIONING FROM THE VOLUNTARY AND COMMUNITY SECTOR

Councillor Beardsworth commented on the importance of the report and spoke of her concerns that the Commissioning from the Voluntary and Community Sector be funded correctly and that a high amount of resources be provided.

Councillor Palethorpe, on behalf of the Portfolio Holder, explained that the report had been bought back from Overview and Scrutiny Committee, the work for which he thanked. He commented that funding needs and explained that those who were most in need would get the services they required.

The Chief Executive reported that the Overview and Scrutiny Committee had paved the foundations of the framework, which had focused on shared objectives. In developing the framework, there was strong demand to make it as democratic and transparent as possible with limited bureaucracy with a continued dialogue.

The Chairman thanked the officers and the work carried out by the Overview and Scrutiny Committee. He stated that the key to success would be the reduction of bureaucracy to allow focus to be placed into the energy into providing a service.

Councillor Hadland commented that he hoped that the framework would reflect different sizes of the Voluntary and Community Sector and all of them would be listened to.

RESOLVED:

1. That recommendation 1 of the Overview and Scrutiny report but with the task of developing a draft commissioning framework such that it is

refocused on promoting the use of grants as well as commissioning, and with an emphasis on developing a relationship through dialogue with local Voluntary and Community Sector (VCS) providers to shape services such that they meet both the Council's and VCS organisations' objectives be agreed.

2. That recommendation 2 of the Overview and Scrutiny report, to manage the process of change to new or revised arrangements but to involve both grants and commissioning, acknowledging that this may need to be introduced in stages be agreed.
3. That recommendation 7 of the Overview and Scrutiny report, that in order to identify outcomes to be commissioned in a particular service area, the Council and the VCS should work together where appropriate to assess needs be agreed.
4. That recommendations 3 to 6, 8 and 9 of the Overview and Scrutiny report be agreed.

9. TREASURY MANAGEMENT OUTTURN 2010-11

Councillor Bottwood, as the relevant Portfolio Holder, submitted a report, which he explained, was the Treasury Management Outturn for the year ending 31 March 2011. It was noted that the Audit Committee had made no comments other than to congratulate officers on the treasury management performance. He reported that long term borrowing stood at £32 million against the affordable borrowing limit of £50 million. With regards to investments, it was noted that there had been high prescribed investment and noted that there was a potential to sharing services with other authorities in this area. It was further noted that £1,117K backdated interest on a refund from Her Majesty's Revenues and Customs, on overpaid VAT in previous years had been received by the Council.

The Director of Finance and Support commented that she would start to research the possibility of working with other Local Authorities in developing a shared service

The Chairman reported that in the last 4 years, the Council's Treasury Management had been a leader in its field and congratulated the finance department on their excellent work.

RESOLVED:

That Council note the treasury management performance in 2010-11.

10. DRAFT HOUSING REVENUE ACCOUNT OUTTURN

Councillor Bottwood, as the relevant Portfolio Holder submitted a report, which identified the outturn position for the 2010/2011 Housing Revenue Account (HRA) subject to audit. He referred to Appendix 4 – Summary of HRA Earmarked Reserves 2010/11 and particularly welcomed the 'Supporting People Reserve' of £500K.

Councillor Malpas thanked the Director of Housing and the Director of Finance and Support with regards to the HRA balance. He expressed his appreciation at the £500K being earmarked into the 'Supporting People Reserve', which would provide a safety net for those most deserving.

The Chairman thanked the Finance team for the report and noted that the Council's Reserves looked healthy.

RESOLVED:

1. That the outturn position for the Housing Revenue Account (HRA) be noted.

2. That the increase in the HRA Capital Programme Reserve of £3.6m to £12.86m and also, the setting up of a new HRA Self-financing Reserve of £2m and a new HRA Supporting People Reserve of £500k (as shown in Appendix 4 of the report) be noted.

11. DRAFT CAPITAL OUTTURN

Councillor Bottwood, as the relevant Portfolio Holder submitted a report on the Draft Capital Outturn 2010/11, subject to audit. He explained that the total outturn capital expenditure (for 2010/11) was £20 million, with a Final Approved Budget of £34 million. He further reported that there was a Carry Forward of £12 million, but that the funding was fully committed but not spent, due to timing issues.

The Chairman commented that the Capital Programme had always been about delivery and was glad to see that once again it had been well delivered.

RESOLVED:

1. That the outturn position for the Council's capital programme for 2010-11
2. That the carry forward of unfinished capital schemes from 2010-11 into the 2011-12 capital programme be approved.

12. DRAFT GENERAL FUND OUTTURN

Councillor Bottwood, as the relevant Portfolio Holder introduced the report and noted that the outturn position was subject to audit. He reported that there were positive variances and the ongoing savings being made had been reflected in the 2011/12 budget.

The Chairman commented that the outturn position for the revenue General Fund was good news. He explained that it be noted that when reserves are spoken about, it doesn't always equate to there being surplus amounts of cash. Whilst it may appear that there is funding available, it was necessary to remain frugal and aware of the current financial situation. He thanked the finance team for their work and paid tribute to the members of the team who had been involved.

RESOLVED:

1. That the outturn position for the revenue General Fund be noted
2. That the net movement in Reserves of £3.1m, and the detailed movement in Earmarked Reserves shown in Appendix 4 of the report be noted.

13. FINANCIAL MONITORING DASHBOARD TO THE END OF MAY 2011

Councillor Bottwood, as the relevant Portfolio Holder submitted a report, requesting changes to the capital programme for 2011/12.

Councillor Malpas, as the Portfolio Holder for Housing, spoke of the proposed reduction in the Decent Homes Programme for 2011-12, which would increase in future years. He further reported that money was being spent on Disabled Adaptations of Council Stock and up to 400 houses were going to have heating replacement. It was explained that this would take customers out of fuel poverty and would specifically help people on the lowest incomes.

The Chairman welcomed the report and congratulated the housing team on the proposed work and the planned heating replacements, which would ease fuel poverty for residents.

The Director of Housing reported that the planned programme of work to deliver the Planned Heating Replacement would commence on Thursday 28th July 2011.

RESOLVED:

That the following additions to the capital programme 2011-12 be approved

Scheme Reference & Description	2011-12 £	Future Years £	Funding Source
HRA			
2011-12/HRA23 External Gas Supply Replacement	100,000	0	Prudential Borrowing

That the following variations to the capital programme 2011-12 be approved.

Scheme Reference & Description	2011-12 £	Future Years £	Funding Source
Housing Revenue Account			
2011-12/HRA01 V01 Decent Homes	(4,823,000)	4,395,000	Prudential Borrowing
2011-12/HRA05 V01 Disabled Adaptations (Council Stock)	500,000	0	Prudential Borrowing
2011-12/HRA17 V01 Planned Heating Replacement	1,400,000	0	Prudential Borrowing

14. 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.

The meeting concluded at 19.18