

NORTHAMPTON BOROUGH COUNCIL

CABINET

Wednesday, 13 September 2017

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

1. APOLOGIES

Apologies were received from Councillor Hallam.

2. MINUTES

The minutes of the meeting held on the 19th July 2017 were agreed and signed by the Leader.

3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE

There were no items to be heard in private.

5. DECLARATIONS OF INTEREST

Councillor Nunn declared a disclosable pecuniary interest - Item 20 - 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.

The Leader explained that order of the agenda had been changed in order so that Item 20 would be heard first and Item 14 second due to the number of public speakers.

The Leader, having declared an interest, left the room and Councillor Larratt, the Deputy Chair, Chaired the meeting for the duration of the discussion.

20. DISPOSAL OF OPEN SPACE AT LANCASTER WAY

Councillor Larratt proposed that the Item be deferred to the next Cabinet meeting to be held on the 18th October 2017 as there were some outstanding unresolved concerns with the non-adoption of public open spaces and access for pedestrians and cycles.

RESOLVED:

This item was deferred.

At this juncture of the meeting, Councillor Nunn re-entered the room and resumed the position of Chair.

4. DEPUTATIONS/PUBLIC ADDRESSES

Mr Winston Strachan address the Cabinet in respect of Item 14 - Semilong/ Trinity Designation of Neighbourhood Forum & Neighbourhood Area and commented that he was not unhappy about the forum, it was the inclusion of the Racecourse that he had concerns about. He reported that the inclusion would inevitably involve a further layer of bureaucracy which was unneeded and unwanted and asked that the Racecourse be excluded from the Plan.

Ms Sally Haddon addressed Cabinet in respect of Item 14 - Semilong/Trinity Designation of

Neighbourhood Forum & Neighbourhood Area, as the secretary of the Friends of the Racecourse and she commented that there had been lots of discussion and whilst she had not problems with the Plan itself, she urged Cabinet not to agree to the inclusion of the Racecourse.

Ms Janet Burrell addressed Cabinet in respect of Item 14 as a friend of the Racecourse and commented that she objected to the inclusion of the Racecourse in the plan and noted that the originator of the plan stated that the inclusion would protect the Racecourse, but questioned from what. She noted that 80% of representations received by the Council objected to the Racecourse being included in the Plan and commented that the Racecourse had been left to the people of Northampton, for the people of Northampton.

Mr Don O'Hare addressed Cabinet in respect of Item 14 and commented that he had treasured the Racecourse and noted that he had never encountered any unpleasant incidents there even at night time. He further commented that if the Racecourse was adopted as part of the Plan it would be influenced by the residents of Trinity and Semilong and not those in closest proximity to the Park.

Mrs Jan Grover (Chair of West Hunsbury Residents Association) spoke in respect of Item 14 and commented that she had been informed by the 'Friends of the Racecourse' that many surrounding streets and areas were not aware of the proposed plan and questioned why Trinity and Semilong wanted involvement.

14. SEMILONG/ TRINITY DESIGNATION OF NEIGHBOURHOOD FORUM & NEIGHBOURHOOD AREA

Councillor Beardsworth addressed Cabinet and commented that she was amazed that the Council had gone out to consultation with residents but had failed to listen to them. She affirmed that the Racecourse belonged to everyone and that the 'Friends of the Racecourse' should be allowed to continue in their current management of the Park. In response to a question from Councillor Hadland, Councillor Beardsworth stated that she recognised that the proposal was not a change of ownership, but that was the feeling of the residents who would be left feeling disenchanting.

The Leader commented that Cabinet were in agreement that the 'Friends of the Racecourse' were doing an excellent job, but could not understand how this would change if the park was included.

The Deputy Leader commented that he perceived the inclusion of the Racecourse as a positive as this would grant access to Community Infrastructure Levy (CIL) funds and would not want to deny them access to extra financial resources.

Councillor Birch, addressed Cabinet as the Ward Councillor, and thanked the Officers involved for their hard work. She explained that many residents had been invited to attend the consultation meetings to explain the benefits of the Plan. She noted that with the potential increase in (Houses in Multiple Occupation) HMOs in Semilong could be better managed with a Neighbourhood Plan. She further reported that there had been extensive consultation with residents and that the benefits of being a part of the Neighbourhood Forum would allow discussions to be had about how, when and where to spend the CIL money and urged Cabinet to support the recommendations.

Councillor Marriott, addressed Cabinet as the Ward Councillor and noted that the Neighbourhood Plan had taken the best part of 2 years to come to fruition and that work had been undertaken very cautiously. He echoed the comments of Councillor Birch in that there was a need for Semilong to have more control over HMOs and to exclude the Racecourse from the Plan would be wrong and could have a potential negative impact through lack of access to CIL funding.

Councillor Hadland, as the relevant Cabinet Member, submitted a report and elaborated thereon and noted that the Neighbourhood Plan had been a very long process and noted that there was a fundamental misunderstanding that the designation of a Neighbourhood Forum was a takeover of the Racecourse, He commented that the 'Friends of the Racecourse' was an extremely successful organisation and that the Neighbourhood Planners would be inclusive of them. It was reported that once residents witnessed the benefits gained from being members of the forum, inclusion could grow and would provide a useful collection of people interested in improving the area. It was noted that the Council had previous experience of doing this and this could be evidence in Spring Boroughs and it was noted that this would be financially and socially beneficial. He thanked the Officers who had been involved in the lengthy and detailed process.

The Leader stated that the Town faced many challenges including housing and that the designation of a Neighbourhood area would assist in controlling the number of HIMOs and would help groups to improve their areas and assured those concerned that there was no take over.

The Deputy Leader commented that he commended the work that had been done and thanked the Community Groups involved. He further commented that there were many benefits through CIL funding and that this could help with the provision of Community facilities and development.

RESOLVED:

1. That Cabinet noted the analysis of representations received in response to the publicising of the Semilong and Trinity Neighbourhood Area and Neighbourhood Forum applications (Appendix 1 of the report)
2. That Cabinet designated the Semilong and Trinity Neighbourhood Area as published in Appendix 2 for the purposes of preparing a Neighbourhood Plan under Section 61G of the Town and Country Planning Act 1990 (as amended)
3. That, following the designation of the Semilong and Trinity Neighbourhood Area, Cabinet designates Semilong and Trinity Neighbourhood Forum (Appendix 3 of the report) under Section 61F of the Town and Country Planning Act 1990 for a period of five years for the purposes of producing a Neighbourhood Plan, subject to the following conditions:
 - Maintaining a written constitution
 - Holding an Annual General Meeting within 12 weeks of the designation
 - Maintaining a minimum of 21 members drawn from each of the subsections set out within the Localism Act section 61F(5)

6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

There were none.

7. PUBLIC SPACE PROTECTION ORDER - MARBLE ARCH

Councillor King, as the relevant Cabinet Member, submitted a report and elaborated further on the recommendations contained within the report. It was reported that there had been a 12 week consultation process which had been promoted through various means which sought the views on the level and frequency of anti-social behaviour witnessed and for alternative routes; the results of which were contained within the report.

The Leader commented that there was a need to take action as some residents felt unsafe

in the area and that the PSPO would provide some reassurances.

The Cabinet Member for Regeneration, Enterprise and Planning offered his support, stating that there had been numerous problems in the area and was pleased that it was now being dealt with.

RESOLVED:

4. That the making of a PSPO to gate the Highway known as Marble Arch in accordance with the results of the public consultation as detailed in Appendix 1 of the report be authorised.
5. That approval be granted for the PSPO to go live as soon as the gates be installed (date dependent on contractor availability).

8. BUSINESS RATES - DISCRETIONARY RATE RELIEF 2017/18

Councillor Eldred, as the relevant Cabinet Member, submitted a report and noted that in the past 4 years, the Council had assisted 170 private business who had suffered difficulties in paying rates. He also noted that numerous public houses had faced challenging financial times and that a discount would be applicable for some.

The Leader commented that it was a very good report and welcomed the recommendations.

RESOLVED:

6. That support for small businesses losing Small Business Rate Relief, to limit increases in their bills to the greater of £600 or the transitional relief cap for small businesses, for one year from 1 April 2017 be agreed.
7. That a £1,000 business rate discount for public houses with a rateable value of up to £100,000, subject to state aid limits for businesses with multiple properties, for one year from 1 April 2017 be agreed.
8. That support be given to individual businesses in the local area who have large increases in their business rates bills as a result of the 2017 revaluation, by restricting the increase in a bill to a maximum of 5%, for one year from 1 April 2017. Subject to the criteria detailed in the body of the report.

9. NBC STREET LIGHTING

Councillor Larratt, as the relevant Cabinet Member, submitted a report and noted that there were a number of street lights in parks and some housing estates that the County Council did not accept responsibility for and there were currently 607 lights that would be transferred to the Borough Council.

He noted that there would be a financial implication but that the intention was to undertake a survey to examine the conditions of the lights and to examine whether the energy efficiency could be reviewed.

RESOLED:

9. That the proposed transfer of up to 607 street lights from NCC to NBC on 2 October 2017 be agreed.

- 2.2 That an additional revenue budget of £70,000 per year that is included as part of setting the 2018/19 budget and to address ongoing electricity and maintenance costs be approved.
- 2.3 That an additional new budget of £35,000 for the 2017/2018 financial year to fund the additional costs of electricity and maintenance for the existing financial year be approved. To be funded by underspends within the Regeneration, Enterprise & Planning Directorate at the end of the financial year or a drawdown from reserves
- 2.4 That it be noted that further investigation would be undertaken by Officers into an invest to save programme for all NBC street lights that may lead to a further report to Cabinet in due course. An additional capital budget may need to be considered at this point as part of the Council's overall capital programme.
- 2.5 That it be noted that Officers would continue to investigate whether it was appropriate to use the HRA to fund some of the costs of the maintenance or electricity of certain additional street lights.
- 2.6 That authority be delegated to the Director of Regeneration, Enterprise and Planning, in consultation with the Section 151 Officer and the Deputy Leader of the Council, to conclude the transfer of the responsibility of street lights from NCC to NBC.

10. REVENUES AND BENEFITS JOINT COMMITTEE

The Leader of the Council submitted a report which updated Cabinet on the actual terms agreed in relation to the formation of the Revenues and Benefits Joint Committee.

RESOLVED:

- 2.1.1 That the contents of the Agreement and terms agreed be noted and;
- 2.1.2. That Cllr Brandon Eldred (Cabinet Member for Finance) be appointed as the Council representative on the Revenues and Benefits Joint Committee to full Council on September 18th 2017.

11. ADOPTION OF THE BIODIVERSITY SUPPLEMENTARY PLANNING DOCUMENT

Councillor Hadland, as the relevant Cabinet Member, submitted a report and noted that this had been a large project that had taken a long time and noted that it would be a County-wide policy.

RESOLVED:

That the Biodiversity SPD be adopted as a statutory Supplementary Planning Document.

12. NORTHAMPTON BOROUGH COUNCIL LOCAL PLAN PART 2 - EMERGING SITE OPTIONS CONSULTATION

Councillor Beardsworth commented that the document had been well put together but expressed her concerns with some of the proposed land use but stated that she was glad to see that no sites for consideration were green spaces or allotments which she considered to be very positive.

Councillor Hadland, as the relevant Cabinet Member, submitted a report and noted that the

proposed consultation was primarily a stock take and noted that officers had identified potential capacity for development that was larger than previously thought. He thanked the officers for their work, explaining that they had visited in excess of 500 sites.

The Leader commented that the public consultation may identify areas for housing development and commented on the very thorough report and proposed consultation.

RESOLVED:

10. That the Northampton Local Plan (Part 2) Sites Consultation, as shown in Appendix 1 of the report, for public consultation be agreed.
11. That the outcome of the Sites Consultation and further work would need to be considered before deciding what would go into the final plan be noted.
12. That the Consultation and Communications Strategy for the Sites Consultation (Appendix 3) of the report be agreed.
13. That the summary of responses to the Local Plan (Part 2) Options Paper Consultation (Appendix 2) of the report be noted.

13. ADOPTION OF THE UPPER NENE VALLEY GRAVEL PITS SPECIAL PROTECTION AREA (SPA) SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Councillor Hadland, as the relevant Cabinet Member, submitted a report and noted that the SPD would be running alongside and in conjunction with planning policy and recognised the site as being of national and international importance.

The Leader commented that the adoption would help the Town to protect and shape areas that need to be protected.

RESOLVED:

Cabinet adopted the Upper Nene Valley Gravel Pits SPA SPD as a statutory Supplementary Planning Document

15. AIR QUALITY REPORT

Councillor Beardsworth commented that she was a bit disappointed as there was a lack of figures and statistics contained within the report which meant there was little scope for benchmarking. She noted that she could access information relating to Beijing and Singapore's Air Quality and questioned why this was not accessible in Northampton. She asked that the Management Area be extended to cover the Bus Station and Drapery.

Councillor Larratt concurred with Councillor Beardsworth and that lack of available baseline figures and would look to resolving the matter.

Councillor Kilby-Shaw, as the Chair of Scrutiny Panel 4, elaborated on the report and stated that it was an extensive problem that could only be actioned with the multi-agency and partnership working. He commented that the main issue was congestion and noted the Governments push on reducing the number of diesel vehicles on the road. He reported that there was a need for an education programme for children.

The Leader thanked the Cabinet Member for Environment and reported that there was a need for number to be published to ensure transparency.

The Deputy Leader thanked the officers for their expediency on the matter and notified Members that the publication of related figures would be done in the near future.

RESOLVED:

- 2.1 That excellent work of Scrutiny Panel 4 in the production of their report Emissions Strategy (Action Plan) be acknowledged.
- 2.2 That Cabinet would respond to the recommendations of the Scrutiny report as outlined in the report and confirmed that the Low Emissions Strategy would be brought forward for adoption as soon as possible.
- 2.3 That the establishment of a multi-agency Air Quality Working Group to actively engage all stakeholders in the implementation of the Low Emissions Strategy and to develop further air quality initiatives be endorsed.
- 2.4 That the extension of the Council's air quality monitoring network on a risk based basis to incorporate locations such as schools and residential areas where significant numbers of sensitive receptors may be exposed to elevated concentrations of air pollution be endorsed
- 2.5 That it be noted that the Council was legally required to take action to address recently identified exceedances of air quality objective for Nitrogen Dioxide around Northgate Bus Station and The Drapery, Abington Square and Wellingborough Road, resolved to declare appropriate air quality management areas (AQMAs).
- 2.6 That a single air quality management area be declared which encompasses existing areas of exceedance in the town centre and newly identified areas of exceedance. As outlined in Appendix 2 of the report
- 2.7. That that the work undertaken so far in the development of the Strategy is broadly in line with the requirements for the designation of a Non Charging Clean Air Zone as outlined in the DEFRA / DoT Clean Air Zone Framework and authorised the further development of this work with the aim of the development of a Clean Air Zone for Northampton be noted.

16. FINANCE MONITORING - PERIOD 4

Councillor Eldred, as the relevant Cabinet Member, elaborated on the submitted report and noted that the forecast overspend was largely due to additional costs for agency staff in Housing Options and Advice and an increase in temporary accommodation costs due to upsurge in homelessness. He noted that all schemes included in the capital programme were fully funded, either through borrowing, internal resources or external funding agreements.

RESOLVED:

Cabinet reviewed the contents of the report.

17. MUSEUM EXPANSION - COMMENCEMENT OF FORMAL TENDER PROCESS TO APPOINT MAIN CONSTRUCTION CONTRACTOR

Councillor Beardsworth expressed concerns about the closure of the Museum over the

holiday period and questioned why the contactor was only just being appointed.

Councillor Birch commented that she was glad to see the speed of the expansion of the Museum. She questioned if lesson had been learned from other project work and questioned whether due diligence and contingency money had been considered. She further requested that the work undertaken be closely monitored and capital be given in several tranches.

Councillor King, as the relevant Cabinet Member thanked the support shown in moving forward with the expansion and commented that it would be necessary to gather costings for various issues, such as the removal of asbestos and drainage. She notified Cabinet that update reports would be brought before the Committee in the future.

The Leader stated that the administration wanted to minimise the amount of time the Museum stayed closed and assured Members that cost, quality and time were of paramount importance.

RESOLVED:

14. That the commencement of the formal tender process using the LGSS Procurement Framework (LGSS approved supply chain) and tenders be invited for a main construction contractor to undertake the Museum Expansion and exhibition fit-out be approved.
15. That an exemption from the Contract Procedure Rules to appoint Creative Good Ltd to provide exhibition design services for the museum expansion project for reasons pursuant to paragraph 3.2.3 of this report be approved

18. TEMPORARY CHANGES TO NORTHAMPTON'S HOUSING ALLOCATIONS SCHEME

Councillor B Markham addressed Cabinet in respect of Items 18 & 19 and commented that the issues faced by homeless people were significant and far-reaching. He commented that that the report went some way to address the issues and noted that progress was being made in getting homeless people out of bed and breakfast accommodation. He noted that he welcomed the recommendations contained in Item 19 – Improving the efficiency of the Homeless review Service as any reduction in the amount time spent in temporary accommodation was progress. He questioned whether employing consultants to deal with the current backlog would lead to a permanent member of staff being recruited and he suggested that the workload and homelessness would increase.

Councillor Smith commented that she was pleased with the recommendations within the report and noted her concern about the number of people who were being housed outside of the Borough. As Chair of Scrutiny Panel 3 – Homelessness, she commented that they had asked that the Council adopt an ambitious plan and it was hoped that the changes to the Housing Allocations scheme in ensuring that homelessness was being dealt with was a positive step. She commented that both Cabinet reports were welcome response to the recommendations of the Scrutiny Panel.

Councillor Hibbert, as the relevant Cabinet Member, submitted his report and thanked the Councillors for their contributions and welcomed the cross party support. He noted that there had been issues recruiting which had contributed to the backlog and noted that in August there had been 87 families in temporary accommodation and that the number of people housed in Bed and Breakfast had decreased. In response to comments made, Councillor Hibbert explained that it had been unfortunate but necessary for people to be housed outside the Borough. In response to a question asked, Councillor Hibbert

explained that Military Personnel would still be retain the 'priority' status as previously agreed by Council.

RESOLVED:

That the following temporary changes to the Housing Allocations Scheme (set out in detail in Appendix A of the report) for a fixed period of 9 months, commencing on 1 October 2017 and ending on 30 June 2018 be approved:

- (a) Where the Council accepts a rehousing duty to a household whose homelessness application has taken more than 8 weeks to investigate and determine – including those households whose applications are part of the backlog of outstanding homelessness decisions – the household's 'priority date' in the Emergency Band will be adjusted to a date that is 8 weeks after the date that their homelessness application was received;
- (b) Where a homeless household is living in temporary accommodation and 6 weeks have elapsed since the Council has accepted a rehousing duty to them, Northampton Partnership Homes will proactively consider them for a 'direct offer' – based on their relative priority – and, after notifying the household, the Council and/or Northampton Partnership Homes may undertake 'proxy bidding', for all suitable properties, on their behalf; and
- (c) Northampton Partnership Homes will set aside an average of up to 5 properties a fortnight for 'direct offers' to homeless households for whom the Council has accepted a housing duty.

19. IMPROVING THE EFFICIENCY OF THE HOMELESSNESS REVIEWS SERVICE

Councillor Hibbert, as the relevant Cabinet Member, explained that caseloads had risen sharply in the past 18 months and the number of outstanding homeless decisions had increased and therefore Cabinet were being asked to agree to the outsourcing of the homelessness reviews function. He explained that the people they intended to use for this were very experienced and that they would be charging on a case by case basis and noted that this would be better value for money than employing someone permanently.

RESOLVED:

- a) That the outsourcing of the homelessness reviews function to a suitably qualified person or organisation on a contracted basis be approved;
- b) That authority be delegated to the Borough Secretary, in consultation with the Chief Finance Officer and the Cabinet Member for Housing and Wellbeing, to award the homelessness reviews contract for a period of 2 years with an option for a third year.

The meeting concluded at 7.49pm