

Summary of the decisions taken at the meeting of the Cabinet held on Tuesday 11 July 2023

1. Date of publication of this summary: 11th July 2023
2. Deadline for requests for call-in (detailing reasons for doing so): 18th July 2023
3. Earliest date for implementation of decisions: 19th July 2023
4. Urgent decisions taken and not subject to the call-in procedure: N/A

Agenda Item and Recommendations	Decision
<p>Agenda Item 2 Minutes</p> <p>To confirm the minutes of the meeting of Cabinet held on 13 June 2023.</p>	<p>RESOLVED: That the minutes of the meeting held on 13 June 2023 were agreed as an accurate record.</p>
<p>Agenda Item 5 Reports from Overview and Scrutiny Committees</p> <p>Item 06a: Corporate Overview and Scrutiny Committee – Modernising Systems Item 06b: West Northamptonshire Housing Allocation Scheme – recommendations by the Children, Education and Housing Overview and Scrutiny Committee</p>	<p>Corporate Overview and Scrutiny Committee – Modernising Systems</p> <p>RESOLVED: That Cabinet welcomed the recommendations of the Corporate Overview and Scrutiny Committee in relation to the spotlight review into Modernising Systems.</p> <p>REASONS RESOLVED: The recommendation seeks to ensure that Cabinet considers the recommendations coming from the group.</p> <p>ALTERNATIVE OPTIONS: The Committee's report makes recommendations for the Cabinet to consider. The Committee hopes these recommendations will lead to benefits for service users, but it is for Cabinet to determine whether to adopt some or all of the recommendations.</p> <p>Children, Education and Housing</p>

**Overview and Scrutiny Committee –
West Northamptonshire Council
Housing Allocation Scheme**

RESOLVED: That Cabinet

- a) Agrees that the proposed non-qualifying criteria for the new West Northamptonshire Housing Allocation Scheme should not bar persons who have housing related debt but who are making reasonable efforts to pay it back.
- b) Agrees that the proposed non-qualifying criteria for the new West Northamptonshire Housing Allocation Scheme should deal robustly with persons who have damaged social rented housing let to them in the past.
- c) Agrees that an applicant who has at least one dependent child and is living in accommodation where the facilities are shared with others outside their own household should be placed in Band B not Band C of the proposed bands for assessing housing need within the new West Northamptonshire Housing Allocation Scheme.
- d) Agrees that the proposed bands for assessing housing need within the new West Northamptonshire Housing Allocation Scheme should include provision for an applicant who has a dependent child under 16 years old who is subject to a Child Protection Plan
- e) Agrees that clear information regarding the affordability of properties should be made available to applicants at an early stage in the bidding process within the new West Northamptonshire Housing Allocation Scheme, ideally including an affordability calculator tool.

REASONS RESOLVED: The recommendations are intended to enhance the effectiveness of the draft Housing Allocation Scheme that WNC issues for public consultation in 2023 and, ultimately, of the final Scheme that is adopted. The

	<p>specific thinking behind each recommendation is set out in section 5 of the report below. The presentation of the recommendations reflects the Overview and Scrutiny function's role for the development and review of policy.</p> <p>NOTE: Cabinet did not agree recommendation f) as the go-live date was bound by legal considerations.</p> <p>ALTERNATIVE OPTIONS: The Committee's report makes recommendations for the Cabinet to consider. The Committee hopes these recommendations will lead to benefits for service users, but it is for Cabinet to determine whether to adopt some or all of the recommendations.</p>
<p>Agenda Item 6 Provisional Outturn Report - Revenue</p>	<p>RESOLVED that Cabinet:</p> <ul style="list-style-type: none"> a) Noted the provisional outturn position for 2022-23 b) Noted the deliverability of West Northamptonshire Council savings requirement for 2022- 23 summarised in section 9 and detailed in Appendix B c) Approved the service carry forward requests in Appendix C d) Delegated authority to the Executive Director – Finance in consultation with the portfolio holder for finance to utilise any budget virements to effectively manage the overall budget e) Approved the agreed debt write-off requests that are greater than £25,000 as detailed in section 7 4. <p>REASONS RESOLVED: To update members on the financial position of the Council and ensure that the Council complies with its financial regulations.</p> <p>ALTERNATIVE ACTIONS: The report is for information only.</p>
<p>Agenda Item 7 Provisional Outturn Report - Capital</p>	<p>RESOLVED: that Cabinet:</p> <ul style="list-style-type: none"> a) Noted the 2022-23 provisional capital

	<p>outturn position for the General Fund and HRA;</p> <p>b) Approved the proposed capital carry forwards for the General Fund capital programme which were required as a result of rephasing in the 2022-23 programme. These were detailed in appendix A;</p> <p>c) Approved the proposed capital carry forwards for the HRA capital programme which were required as a result of rephasing in the 2022-23 programme. These were detailed in appendix B;</p> <p>d) Noted the revised General Fund capital programme for 2023-27 (appendix C) including the new schemes which had been added to the programme since the 2023-24 budget was approved in February 2023.</p> <p>e) Noted the revised HRA capital programme for 2023-27 (appendix D) including the new schemes which had been added to the programme since the 2023-24 budget was approved in February 2023.</p> <p>REASONS RESOLVED: This in accordance with the policy of the Council and Constitution and to ensure that the Authority complies with its financial regulations.</p> <p>ALTERNATIVE ACTIONS: The report is largely for information.</p>
<p>Agenda Item 8 SEND Strategy 2023-26</p>	<p>RESOLVED: that Cabinet adopted the co-produced Special Educational Needs and Disabilities and Alternative Provision Strategy 2023-26. This Strategy included the new WNC Co-production Charter.</p> <p>That alongside the annual report, a summary of the minutes from each meeting of the SEND Improvement Board be published on the Council's website.</p> <p>REASONS RESOLVED:</p> <ul style="list-style-type: none"> To accord with OFSTED and CQC requirements as specified in the Local Area SEND Inspection framework and the Department for Education Special

Educational Needs and Disabilities and Alternative Provision Improvement Plan.

- To support the Council and its partners to improve outcomes for children with SEND.
- To ensure an effective and consistent offer of support to children with SEND and their families across West Northants.

ALTERNATIVE OPTIONS:

The Council and its local partners do not have a joint understanding of needs of children with SEND locally, and do not have a joint approach to delivering services. A joint approach to delivering SEND services, including clarity about how our statutory obligations will be delivered is needed.

The Council proposed to the SEND Improvement Board (local multi-agency governance group) that a new SEND & Alternative Provision Strategy should be co-produced. This proposal stated that in order to address areas of under-performance, and to achieve the best outcomes for children with SEND and their families, the new approach must include all partners, especially children and their families.

**Agenda Item 9
Towns Fund Leisure Project Business
Case**

RESOLVED: that Cabinet:

- a) noted the update on delivery of the Northampton Towns Fund Leisure Project;
- b) noted the decisions taken by the Leader of the Council set out at Appendix A.

REASONS RESOLVED:

- Where decisions that would otherwise be taken by the Leader and Cabinet have been taken by the Leader alone, in the interests of transparency, the decision is reported to the next available meeting of the Cabinet.
- The decision taken provided the authority for the Council to:
 - a) approve the Outline Business Case

	<p>for the Market Walk Shopping Centre project</p> <ul style="list-style-type: none"> b) note that Northampton Forward have approved the substitution of the grant allocation for Emporium Way to be allocated to the Market Walk Shopping Centre project. c) delegate to the Head of Major Projects and Regeneration authority to take all necessary steps to complete the grant funding agreement for the Market Walk project and secure the site development. <ul style="list-style-type: none"> • The full reasons for the decision taken are set out in the decision records appended to this report. <p>ALTERNATIVE ACTIONS: The decision taken was necessary to ensure the continued proper running of the Council and its business.</p>
<p>Agenda Item 10 Procurement of a new Strategic Transport Model</p>	<p>RESOLVED: that Cabinet:</p> <ul style="list-style-type: none"> a) Agreed to working in partnership with North Northamptonshire Council to update and rebuild the Northamptonshire Strategic Transport Model b) Agreed to West Northamptonshire Council being the lead procuring authority. Agreed £78k of existing model fee income towards the development of the Northamptonshire Strategic Transport Model, alongside the £400k already set aside by both councils, and an equal contribution of £78,000 from North Northamptonshire Council. c) Agreed to delegate authority to Director of Place, in consultation with the Portfolio Holder for Environment, Transport, Highways and Waste, the S151 Officer, the Monitoring Officer and the Portfolio Holder for Finance, to take any further decisions and/or actions required in connection with the procurement and award of the Northamptonshire Strategic Transport Model contract, without the need to return to the Cabinet. d) Noted that West Northamptonshire

Council will retain ownership and ongoing management of its own independent version of the Northamptonshire Strategic Transport Model.

REASONS RESOLVED:

The recommended course of action is the most cost-effective. Unlike the other options considered, the joint revalidation of the NSTM produces financial, time and resource efficiencies whilst allowing each authority to retain future exclusive use of the model.

ALTERNATIVE ACTIONS:

The NSTM has proved to be a valuable source of evidence and a renewed version is expected to remain so in future years. Options considered, alongside the benefits and constraints are set out below;

- a) Option 1 - Both authorities develop strategic transport models based on the NSTM (not recommended)
 - b) Option 2 - One authority rebuilds the NSTM, with the other paying for use and access to the model (not recommended)
 - c) Option 3 - The model is not rebuilt (not recommended)
 - d) Option 4 – The NSTM is rebuilt jointly, with each authority managing its own version to enable future access, usage and control (recommended).
- d)

**Agenda Item 11
Home to School Transport Policy**

RESOLVED: that Cabinet:

Approved the changes to the Home to School Transport Policy outlined in Part 6 of this report and the resulting new Policy and supporting documents. Approved the implementation of the changes proposed in Part 6 of the report and applied those changes from the beginning of the academic year starting in September 2024. Approved the list of 'Geographically Associated Schools' attached in Appendix B which will be used by the Council to determine entitlement to free home to school transport to schools which are not a child's nearest. The list will apply from the

beginning of the academic year starting in September 2024.

Provided delegated authority to the Executive Director of Place, Economy and Environment in consultation with the Portfolio Holder for Environment, Transport, Highways and Waste to make any adjustments to the policy which are necessary to ensure it remains compliant with legislation and Statutory Guidance issued by the Department for Education.

REASONS RESOLVED:

- To demonstrate how the Council will meet its statutory obligations in relation to the provision of Home to School transport. The current policy includes enhanced arrangements over and above the Council's statutory duty.
- The current policy has not been reviewed in over 10 years and during this time most schools within West Northamptonshire have moved to academy status and are no longer under local authority control. As a result, the current policy and the associated enhancements need to be reviewed and updated to ensure the policy is clear for parents and carers.
- The changes are proposed in order to meet increased demand and operating costs that the service has experienced over the last 2 years, whilst at the same time attempting to create a fairer system and exploring opportunities to give greater flexibility for parents, supporting young people's independence and helping to promote sustainable travel.

ALTERNATIVE ACTIONS:

As an alternative option the Council has also considered setting the cost at £800 for students who are currently part of the scheme and not increasing this for the period they attend their current school or until they complete Year 11, whichever is sooner. The new charge of £1,000 would therefore only apply to all new students requesting to join the scheme from September 2024 allowing parents to fully understand the impact of their decision

when they are choosing a school place for their child who is starting school from September 2024.

Implementing a phased approach or offering a subsidised rate for existing students, would result in the Service not being able to achieve its Medium Term Financial Plan target for 2024/25. Given there are no suitable alternative proposals available to meet this savings target, the result would be an overspend on the budget and so the original proposal to raise the cost of a non-entitled bus pass to £1000 from the beginning of the academic year commencing in September 2024 will be implemented

Agenda Item 12
To agree the additional budget for the purchase of machinery to increase highways maintenance productivity

RESOLVED: that Cabinet:

- a) Noted the contents of the report
- b) Endorsed the officer decision to purchase the additional highway maintenance machinery
- c) Agreed to allocate an additional capital budget of £450,000 to fund the purchase of the new machinery.

REASONS RESOLVED:

The recommended course of action will allow for an increase in productivity and efficiency of the Council's highway maintenance for this year and future years without the need to reduce the agreed 2023/24 capital maintenance programme.

ALTERNATIVE ACTIONS:

The decision has been taken to purchase one Pothole Pro and one additional TRR Machine. Delivery of the machinery is anticipated late in July / early August 2023 and will be operational shortly after this once training of the operatives is complete.

This purchase will be funded either from existing capital budgets resulting in a reduction to the planned programme of works in 2023/24 or from an additional capital budget, allowing the 2023/24 planned programme of works to continue in full.

If the existing budgets are required to fund

the purchase, then the removal of schemes from the existing 2023/24 programme will result in additional deterioration of the sites and additional minor repairs may be required in the intervening period leading to pressure on the revenue budget. The delay to the schemes will also result in those capital scheme costs increasing due to the additional deterioration and inflationary increases.

Agenda Item 13
Library Service Strategy 2023-27

RESOLVED: that Cabinet approved the adoption of the draft strategy for the library service subject to public and stakeholder consultation, to be reported back through the portfolio holder, with any amendments, prior to finalisation and formal adoption.

REASONS RESOLVED:

- The proposed strategy will provide a framework against which the Library Service can deliver and maximise its role in the delivery of WNC corporate priorities.
- The proposed strategy will support the established model of community managed libraries enabling the Council to deliver vital services and support at a local level from community library venues.

ALTERNATIVE ACTIONS:

The accompanying Library Service Strategy 2023-2027 has been designed to address the corporate priorities of West Northamptonshire Council. The 18 library venues are well located at the heart of local communities and provide vital local access to services and support for residents.

The strategy uses the 6 corporate priorities as a framework and demonstrates how the Library Service delivers against the priorities with particular emphasis on Improved Life Chances, Thriving Towns and Villages and Economic Growth.

Libraries' unique position of being neutral, safe, trusted, and non-judgemental spaces also enables them to support the

	<p>Integrated Care Northamptonshire Strategy “Live your best life” ambitions. As community hubs of knowledge, information and resources libraries act as conduits and connectors, providing information and opportunities to improve wellbeing, and in particular mental health. This includes opportunities for self-help as well as community level social prescribing and the promotion of key Public Health messages and campaigns to a wide audience.</p> <p>The statutory function of the library services is preserved and maintained through delivery of the Libraries Connected Public Library Universal Offers. These focus on Reading and literacy, Health and wellbeing, Culture and Creativity and Information and Digital.</p>
<p>Agenda Item 14 West Northants Housing Allocations Policy</p>	<p>RESOLVED: that Cabinet:</p> <ul style="list-style-type: none"> a) Approved a ten-week public consultation period on the draft West Northamptonshire Housing Allocation Scheme b) Approved delegated authority to Portfolio Holder for any changes to the Scheme prior to the start of the consultation c) Noted that following the public and stakeholder consultation, a final West Northamptonshire Housing Allocation Scheme will be brought back to Cabinet for adoption. <p>REASONS RESOLVED: To accord with legislation which requires that when a local authority makes an alteration to their Housing Allocation Scheme reflecting a major change, they shall within a reasonable period of time bring these changes to the attention of those likely to be affected by them.</p> <p>ALTERNATIVE ACTIONS: It is a legal requirement under Part 6 of the Housing Act 1996 (as amended) that Local Authorities have a Housing Allocation Scheme</p> <p>West Northamptonshire Council is required to have a harmonised housing allocation</p>

scheme by 1 April 2024 as set in the Local Government (Structural Changes) Transitional Arrangements (No.2) Regulation 2008, (regulation 12) (as amended coronavirus amendment regulation).

Therefore, to enable us to adhere to these timescales it is recommended that the draft West Northants Housing Allocation Scheme is approved for public and stakeholder consultation.

The Council may be at risk of legal challenge if we do not have an adopted Housing Allocation Scheme within the timescales set out.

**Agenda Item 15
Anti-Poverty Strategy**

RESOLVED: that Cabinet:

- a) Noted that good progress had been made in Year 1
- b) Noted that the Anti Poverty Strategy (APS) Oversight Board is committed to supporting a refreshed series of actions for year 2 – some of which are longer term, ambitious actions.

REASONS RESOLVED:

This is the first annual report of the APS. We are reporting on actions and impact to date. The delivery of the Strategy is guided by the APS Oversight Board - where there is a complete consensus to see a refreshed series of Must Do actions for year 2. A recognition to move towards priority 2 - 'preventing people from falling into poverty in the first place'.

ALTERNATIVE ACTIONS:

Following publication of the strategy in April 2022, by June 2022 an ambitious action plan had been developed with over 100 actions to address the 3 strategic priorities. The Oversight Board agreed to focus on identified critical 'Must Do actions for year 1. These primarily focused on priority 1 and supporting those facing hardship.

A presentation, noting the good progress that has been made against the year 1 Must Dos, was reported to the Overview

	<p>and Scrutiny Committee May 2023 – see 7.5 below. A copy of the slides is attached as Appendix E.</p> <p>This report will outline progress against each of the year 1 Must Dos, as well as noting progress against the broader 32 commitments.</p> <p>It will end by referring to work currently being undertaken to develop and agree the refreshed series of Must Do actions for year 2, and actions to measure success against the 9 APS performance indicators.</p>
<p>Agenda Item 16 Energy Procurement Risk Management Strategy 2024-28</p>	<p>RESOLVED: that Cabinet:</p> <p>a) Approved the recommended energy procurement risk management strategy. Agreed that a procurement process should be commenced.</p> <p>b) Delegated the responsibility for the procurement of new energy contracts and delegated the responsibility for the award of contract to the Executive Director of Place in conjunction with the Portfolio holder for Assets.</p> <p>REASONS RESOLVED:</p> <ul style="list-style-type: none"> • To accord with the Council’s procurement requirements. • The option proposed aligns most closely with Council’s 2030 Net Zero target. The recommended course of action is the most cost-effective. <p>ALTERNATIVE ACTIONS: For the contract period from October 2024, LASER will be offering a menu of options for their clients. These comprise procurement baskets, contract periods and service delivery options and are described within the body of the report.</p>
<p>Agenda Item 17 Housing Acquisitions Programmes</p> <p>Please note the General Exception Rule has been applied.</p>	<p>RESOLVED: that Cabinet:</p> <p>a) recommended to Full Council an increase in the capital programme of £10.907 million additional funding/borrowing in the Housing Revenue Account to deliver the LAHF R1 and R2 programmes.</p> <p>b) delegated authority to the Section 151</p>

Officer in consultation with the Cabinet Member for Finance and Cabinet Member for Housing, Culture & Leisure to approve the procurement of services of a property purchasing and renovation company to accelerate delivery and provide the necessary capacity to deliver the different acquisition programmes by the required deadlines subject to full business case and financial appraisal.

- c) delegated authority to the Section 151 Officer to enter into a Memorandum of Understanding with DLUHC relating to LAHF R2 upon confirmation that the Expression of Interest is accepted.

REASONS RESOLVED:

- An increase to the capital programme is being requested to enable completion of LAHF R1 and LAHF R2 programmes within the required timeframes. When the Council submitted its LAHF R1 EOI to DLUHC Registered Provider partners were very willing to support the Council with delivery of the whole of this programme, however they have found it challenging to secure sales with private developers in our area. To achieve the LAHF programme targets it will be necessary for the Council to undertake some direct purchases from the open market. The funding on offer through the LAHF programmes offers a good level of external funding towards property acquisitions between 40% and 50% of the property cost. The properties acquired will form part of the general needs housing stock in the medium/long term so will help address local housing needs once they have been initially used in the short term as temporary accommodation focused on resettlement pressures. The Finance Team have completed modelling within the HRA and set parameters for ceiling purchase prices within each LAHF programme to ensure that the schemes 'breakeven' or payback within the expected timeframes agreed in the HRA and are therefore capable of

paying off borrowing over the 40-year business planning period.

- The services of a specialist property purchasing and renovation company are required to accelerate delivery and provide the necessary capacity to deliver the different acquisition programmes within challenging timescales. Across WNC and Northamptonshire Partnership Homes there is limited capacity to successfully deliver the three acquisitions programmes simultaneously. Cabinet is being requested to delegate authority to the S151 Officer (in consultation with the Cabinet Member for Finance and Cabinet Member for Housing, Culture & Leisure) to approve the procurement process and most importantly the costs parameters of this process. However, in total costs for these specialist services across the 3 acquisition programmes are likely to exceed £500k therefore a specific delegation to the S151 officer regarding this process and the financial parameters of it is being requested.
- The timescales for West Northamptonshire Council for LAHF R2, are to submit an Expression of Interest (EOI) on 5 July 2023. If this EOI is accepted by central government then the Council will be expected to sign a Memorandum of Understanding swiftly afterwards to be formally awarded the funding. The Cabinet meeting cycle and dates would not allow a Cabinet decision within the required timeframes therefore delegated authority is being requested to the S151 Officer to complete this.

ALTERNATIVE ACTIONS:

Increase in HRA Capital Programme: WNC could choose to not draw down the LAHF R1 and R2 monies but this would lead to additional revenue spend and pressure on budgets in relation to procurement of temporary accommodation to house those who have arrived in the area through resettlement programmes and are threatened with or have become homeless. Also, this would mean WNC would be

declining funds being made available to help mitigate the impact of resettlement schemes on the existing housing and homelessness systems and those waiting for social housing and for additional affordable homes that in the medium to long term will be available to meet local housing needs.

Procurement of a specialist property purchasing and renovation company: The council could choose to not contract with a company offering specialist property purchasing services but this could compromise WNC's ability to draw down funding and comply with funded programme deadlines. Lack of additional capacity and specialist skills that a property purchasing and renovation company brings could mean that the authority has reduced ability to benefit from funding support available for resettled households, not increase stock levels and fail to increase the supply of more cost-effective temporary accommodation provision. Not having a specialist company onboard could mean a bid to Homes England for further external funding through programmes such as Single Homelessness Accommodation Programme would be at risk of failure.

MoU for LAHF R2: Cabinet could choose to not delegate authority to the S151 officer to sign a Memorandum of Understanding with DLUHC but the Cabinet meeting cycle and dates do not allow a Cabinet decision within the required timeframes therefore WNC would be unable to draw down the funding allocated to it for LAHF R2.

**Agenda Item 18
HMO Working Group Report**

RESOLVED: that Cabinet approved the Action Plan for implementation by Officers of the Council as identified on the Action Plan, subject to separate business cases as identified in the Action Plan.

REASONS RESOLVED:

The recommendation aligns with the 16th December 2021 recommendation of the Planning Policy Committee, in that the report provides the commentary of the

	<p>working undertaken by the Member Working Group, and the Action Plan provides a structure against which the work of the Working Group can be progressed, and where possible, implemented in the policy and operational practices of the Council.</p> <p>ALTERNATIVE ACTIONS: The recommendation regarding the implementation of an Action Plan as outlined below remains the preferred option, however, other options remain, for example the Council could accept the current position and the constraints of the regulatory regimes. This is not recommended, as it is clear that further investigation and review should be commissioned</p>
<p>Agenda Item 19 Disposal of Areas of WNC Land by Leasehold</p>	<p>RESOLVED: that Cabinet:</p> <p>In relation to Becket's Park Pavilion:</p> <ol style="list-style-type: none"> a) Authorised the Assistant Director Assets & Environment to grant the leases to the proposed tenants for the respective parts of the property broadly on the terms set out in the report. b) Noted and agreed to the proposed use being a part departure from the original proposal to use the whole of the building entirely for community type uses. <p>In relation to the 19th Century Stable Yard at Delapre Abbey:</p> <ol style="list-style-type: none"> a) Authorised the Assistant Director Assets & Environment to grant extensions of the long stop date in the agreement for lease to: <ul style="list-style-type: none"> • 31st January 2024. • In consultation with the Portfolio Holder for Finance, such later date is as reasonably necessary to support the restoration of the Stable Yard and it coming into productive use. <p>In relation to the land at Candleford Close, Brackley:</p> <ol style="list-style-type: none"> a) Authorised the Assistant Director Assets & Environment to grant a lease at less than best consideration to Brackley Town Council (BTC) as if BTC was a VCS group within the meaning of the Policy on the Voluntary,

Community, Social Enterprise, and Faith Group use of Property and it had submitted a successful expression of interest under that Policy.

REASONS RESOLVED:

The reasons for each proposed transaction are set out in the relevant Appendices.

ALTERNATIVE ACTIONS:

The issues and choices in each proposed transaction are set out in the relevant Appendix. In each case it is suggested the optimal choice is to proceed with the proposed disposals, as it will help the Council secure useful outcomes for the community whilst reducing its costs.