



**West
Northamptonshire
Council**

Cabinet

Minutes of a meeting of the Cabinet held at Council Chamber, The Forum, Moat Lane, Towcester, NN12 6AD on Tuesday 11 July 2023 at 6.00 pm.

Present:

Councillor Jonathan Nunn (Chair)
Councillor Adam Brown (Vice-Chair)
Councillor Fiona Baker
Councillor Rebecca Breese
Councillor Matt Golby
Councillor Mike Hallam
Councillor Phil Larratt
Councillor Daniel Lister
Councillor Malcolm Longley
Councillor David Smith

Also Present:

Councillor Sally Beardsworth
Councillor Andrew Grant
Councillor Jonathan Harris
Councillor Keith Holland-Delamere
Councillor Koulla Jolley
Councillor Peter Matten
Councillor Ian McCord
Councillor Bob Purser
Councillor Wendy Randall
Councillor Emma Roberts
Councillor Danielle Stone

Officers:

Rebecca Peck, Assistant Chief Executive
Catherine Whitehead, Director of Legal and Democratic (Monitoring Officer)
James Smith, Assistant Director - Finance (Strategy)
Stuart Lackenby, Executive Director - People Services & Deputy Chief Executive
Stuart Timmiss, Executive Director - Place, Economy and Environment
Rebecca Wilshire, Director of Children's Services
Sally Burns, Director of Public Health
Luiza Morris Warren, Assistant Director Customer and Corporate Services
Lisa Hyde, Acting Director of Communities and Opportunities
Paul Hanson, Head of Democratic & Elections
Kathryn Holton, Committee Officer
Gillian Baldock, Political Assistant to the Conservative Group
Josh West, Political Assistant to the Labour Group

14. **Declarations of Interest**

Councillor Mike Hallam declared a personal and prejudicial interest in Item 13 (Highways Maintenance Machinery) as JCB were a customer of his employer. He took no part in the debate or vote on the item.

15. **Minutes**

The minutes of the meeting held on 13 June 2023 were agreed as an accurate record.

16. **Chair's Announcements**

There were none.

17. **Reports from Overview and Scrutiny Committees**

Corporate Overview and Scrutiny Committee – Modernising Systems

At the Chair's invitation Councillor McCord presented the report and outlined the findings and recommendations of the Corporate Overview and Scrutiny Committee. Thanks were expressed to Councillor Stone who had started the review and to all members of the committee and officers involved. There needed to be increased spending on ICT, a faster pace of transformation and co-ordination of IT packages.

Councillor Hallam advised that new hardware was being rolled out and members would be next to receive it. This would make it easier to hold paperless meetings.

RESOLVED: That Cabinet welcomed the recommendations of the Corporate Overview and Scrutiny Committee in relation to the spotlight review into Modernising Systems.

Children, Education and Housing Overview and Scrutiny Committee – West Northamptonshire Council Housing Allocation Scheme

At the Chair's invitation Councillor Grant presented the report and outlined the recommendations of the Children, Education and Housing Overview and Scrutiny Committee in relation to the proposed West Northamptonshire Housing Allocation Scheme. There had been a constructive discussion with the cabinet member and service managers.

Councillor Brown acknowledged the robust and thorough consideration of the policy and suggested that recommendations a) to e) be accepted, but not recommendation f) due to legal considerations relating to the go-live date.

RESOLVED: That Cabinet

- a) Agreed 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) Agreed 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) Agreed that an applicant who had at least one dependent child and was living in accommodation where the facilities were 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) Agreed that the proposed bands for assessing housing need within the new West Northamptonshire Housing Allocation Scheme should include provision for an applicant who had a dependent child under 16 years old who was subject to a Child Protection Plan
- e) Agreed 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.

18. **Provisional Outturn Report - Revenue**

At the Chair's invitation Councillor Longley presented the report and summarised the salient points. There had been a small overspend of £320k and just under £0.25m carry-forward. The year had not been straightforward with an almost £12m overspend by the Children's Trust and an overspend by adults of £10.5m. In the current year spending was broadly on track with the exception of NCT. The HRA provisional outturn was balanced with a bad debt situation of only £400k.

Councillors made the following points:

- Some areas had delayed filling staff vacancies in order to defer spending to the current year, which had impacted services.
- An £18m uplift had been put into the current year's budget for contractual pressures. What were the effects of this so far (4 months into the year)?
- Contingency funds had been used to balance the budget.

Councillor Longley advised that the current year was similar to the previous year with pressures from Children's Services. He explained that contingency funds were put into the budget and used if required. This was not the same as using reserves – although £5m had been taken from general reserves last year.

The Chair noted that given the challenges faced, this had been a good result.

RESOLVED that Cabinet:

- 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.

19. **Provisional Outturn Report - Capital**

At the Chair's invitation Councillor Longley presented the report and summarised the salient points.

Councillors made the following comments:

- There was a stark amount of rephrasing. How confident were we that the capital would be used in the current financial year?
- Was work being done to evaluate capital projects carried over from legacy councils to see if they were still relevant?

Councillor Longley pointed out that a lot of rephrasing had taken place, but once agreed there was no reason that it should not be spent.

When projects were agreed at the Capital Assets Board they were expected to go through and it was for partners to deliver. Legacy projects were more likely to be axed.

The Executive Director, Place advised that all projects had a grip on milestones and gateways and were reviewed regularly with RAG rating and monitoring.

RESOLVED: that Cabinet:

- a) Noted the 2022-23 provisional capital outturn position for the General Fund and HRA;
- b) Approved the proposed capital carry forwards for the General Fund capital programme which were required as a result of rephrasing in the 2022-23 programme. These were detailed in appendix A;
- c) Approved the proposed capital carry forwards for the HRA capital programme which were required as a result of rephrasing in the 2022-23 programme. These were detailed in appendix B;
- 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.
- 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.

20. **SEND Strategy 2023-26**

At the Chair's invitation Councillor Baker presented the report. She acknowledged that WNC had not delivered against its own expectations and explained that some issues were national and outside of the Council's direct control. Calls for her resignation were not helpful as they did not support the stability which was sought. Thanks were expressed to the hard-working SEND team. The new SEND strategy set out ambitions and aspirations for all children with SEND and demonstrated the improvements which needed to be made. It would not be perfect, but failings would be acknowledged and lessons learned.

An additional recommendation had been proposed and was circulated at the meeting.

Claire Baxter, Coordinator at Northants Parents Forum Group (NPFPG) was invited to address the Cabinet. She was pleased to see the SEND strategy and noted that there had been good co-production. Although things were not yet where they needed to be, the strategy provided support and constructive challenge to partners.

Councillors made the following comments:

- The additional recommendation was welcomed.
- A parental engagement strategy could be developed alongside NPFPG which would enable more voices to be heard.
- Engagement events needed to be continued so that people could respond to progress and delivery.
- The main focus should be the delivery rather than the strategy.
- It needed to be clear that learning had taken place following past mistakes.
- The report was good but outcomes needed to be delivered. Officers needed to be honest about the problems.
- More detail was needed regarding timelines and detailed plans.

The Chair reiterated the commitment to getting the strategy right in the face of increasing numbers of EHCPs. Councillor Baker's commitment to the role was acknowledged.

The Executive Director, People stated that difficult messages had needed to be conveyed and the team were committed to being transparent. The strategy set the tone but WNC needed to be in a position to deliver outcomes.

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.

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.

21. **Towns Fund Leisure Project Business Case**

At the Chair's invitation Councillor Lister presented the report and summarised the salient points.

Councillors made the following comments:

- The development and investment was welcomed. Did all the projects complement each other? Could better value be obtained?
- What effect would the project have on other areas of the town, for example ten pin bowling at Sixfields and other restaurants?
- How much disposable income did people currently have to spend on leisure?
- Had the police been informed of plans? The town centre had an unfortunate reputation on Friday and Saturday nights.
- The project needed to be looked at carefully. Experience with outside developers had not always been good in the past.

Councillor Lister stated that the site was currently empty and needed development. The developer had undertaken other projects which had worked well.

The Executive Director, Place advised that due diligence had been done and partners had been talked to. Other businesses would benefit from the development.

Councillor Smith pointed out that the challenge for any town was footfall, which would be provided by this project.

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.

22. **Procurement of a new Strategic Transport Model**

At the Chair's invitation Councillor Larratt presented the report. The Northamptonshire Strategic Transport Model needed to be rebuilt. The model provided a vital evidence base for transport policies, spatial strategies and major highway schemes. This would be undertaken in partnership with North Northamptonshire Council, with WNC being the lead procuring authority.

Councillors made the following comments:

- Previous models had been too car-based and road-centred. The requirements of pedestrians and cyclists needed to be built in.
- A focus on climate impact needed to be built into the model and net zero should be central.

Councillor Larratt noted the comments and advised that they would be taken on board.

Councillor Brown and Councillor Baker noted that there had been many requests for safer cycling routes to the nearest town.

Councillor Larratt agreed that there was work to be done on safe cycling routes. The model would help with building connections.

RESOLVED: that Cabinet:

- 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.

23. **Home to School Transport Policy**

At the Chair's invitation Councillor Larratt presented the report and explained that of the children under 16 who were entitled to free transport, relatively few would be impacted by this paper. The policy had not been reviewed for 10 years. This report summarised the outcome of the recent consultation and sought approval to implement the changes from September 2024.

Councillors made the following comments:

- Proposal 7 completely ignored the equality impact assessment and needed to be reconsidered. The change had been made so that the savings target would be achieved despite 73% of people objecting to it.
- The report should have included full anti-poverty mitigation statements.
- The report was based around budget considerations rather than the needs of children.
- There were safety issues around children walking along main roads to school.
- This was a tax on rural parents particularly - because there were no pavements on rural roads.
- The changes were contrary to the wellbeing and anti-poverty strategies and could lead to parents withdrawing their children from school.

Councillor Larratt advised that the changes only affected 168 young people. There had been a significant cost increase over the last decade since the rate had been agreed. There was a £5m home to school budget overspend which needed to be reduced. Appendix D set out the criteria for safer walking.

Councillor Brown acknowledged the mitigations built into the policy and advised that those children going to the geographically closest or associated school would get free transport. It was a tough choice, but the budget had to be balanced.

Councillor Baker asked for clarification as to whether children with SEND were affected. The Executive Director, Place advised that where pupils were unable to walk to their nearest suitable school the council would meet transport costs.

RESOLVED: that Cabinet:

- a) 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.
- b) 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.
- c) 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.
- d) 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.

24. To agree the additional budget for the purchase of machinery to increase highways maintenance productivity

At the Chair's invitation Councillor Larratt presented the report and advised that two pieces of machinery had been ordered which would improve the efficiency and productivity of highways maintenance. Cabinet was asked to agree an increase to the capital budget to fund the purchases rather than reduce the capital programme.

Jean Lineker was invited to address the Cabinet. She had been waiting for a letter from the Assistant Director, Highways and Transport, which she had now received.

Councillors made the following comments:

- Why were the council buying equipment for Kier Highways to use?
- How did the machinery improve on the 50:50 ratio of recycled/reused material?
- There had been a lack of clarity around the machine. Repairs had been irregular and comments from residents showed it was not being monitored well.

Councillor Larratt explained that the council purchased equipment for use by the highways contractor although the asset remained with WNC. Councillor Longley advised that the payback for the machines was 1 year which was very good.

The Executive Director, Place made the following comments:

- The thermal machine took up the tarmac, recycled it and then added more material to fill the hole.
- Members would be able to visit Kier Highways to see the machines and ask technical questions.
- During mobilisation, monitoring issues had been identified but the latest monitoring showed that targets were being met.

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.

25. Library Service Strategy 2023-27

At the chair's invitation Councillor Brown presented the report. It was proposed that there would be an 8 week consultation and necessary amendments made before finalisation and formal adoption of the strategy. Tribute was paid to the volunteers in community libraries.

Councillors made the following comments:

- The strategy focussed on efficiencies. A more aspirational view of being real hubs and providing opportunities in communities was needed.

- Paper books were important as well as IT. Reading needed to be encouraged for all young people, not just under 5s. Reading could help with mental health issues.
- There were resourcing issues in libraries and an over-reliance on volunteers. The skills of qualified librarians were missing.
- Concern was expressed about the condition of some library buildings.
- Libraries were needed to educate people – for example in relation to climate change impacts and sustainability.
- Kingsthorpe library needed to be opened as soon as possible.

Councillor Brown responded as follows:

- The duty to inform and educate about climate change formed part of the library strategy.
- The books available in libraries should represent different views and ideas.
- Opportunities were being extended for older children. The aim was to support all ages.
- The strategy aimed to continue events in libraries and make the most of the spaces.
- The lease for Kingsthorpe Library was with the parish council for confirmation. It was hoped the library would be opened shortly.
- Everyone would have an opportunity to respond to the consultation.

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.

26. **West Northants Housing Allocations Policy**

At the chair's invitation Councillor Brown presented the report and summarised the salient points. It was important that tenants were targeted in the consultation.

Jean Lineker addressed the Cabinet and expressed concern about the situation of friends who had been issued with a Section 21 notice. She was advised that they would be offered temporary accommodation initially and then an assessment of need would be made. Councillor Brown agreed to speak with her outside the meeting.

Councillors made the following comments:

- The document was welcomed.
- Had any analysis been done on identifying those who would potentially be negatively impacted by the policy?
- Could analysis be done regarding overcrowding which did not meet the criteria? Would those people be more adversely impacted than other groups?
- Could clarity be provided on the 'effective date' on the register.
- How would it be ensured that the people most affected were able to engage?
- Would raising the bar to £60k in Northampton result in more people joining the register?
- Could a lounge be used as a bedroom under the new policy?

Councillor Brown advised as follows:

- Modelling would be done on the impact of the policy.
- Under the draft policy a lounge could not be used as a bedroom.
- The £60k earnings threshold was government guidance. It was not anticipated that too many would be added to the register as a result.
- Officers would be asked to provide clarity on the effective date.

RESOLVED: that Cabinet:

- 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.

27. **Anti-Poverty Strategy**

At the chair's invitation Councillor Golby presented the report. He expressed thanks to the anti-poverty oversight group. A productive collaboration had taken place with partners and officers and good progress had been made on the Year 1 'Must Do' actions.

Councillors made the following comments:

- Good progress had been made in this collaborative work, but more could be done.
- There was a commitment to paying the living wage to external partners but not steps as to how this would be done. Discussion with the Living Wage Foundation was suggested.
- All decisions of Council/Cabinet needed to be reviewed against the Anti-Poverty Strategy and mitigations put in place as required.
- The Anti-Poverty Strategy had been a powerful way of collaborating and people had been listened to. It would be good for all strategies to be developed in that way.
- Ameliorating poverty is important but preventing it is quite different. Money needed to be kept local to stimulate the local economy.
- The presentation to members from the Director of Public Health had been excellent.
- Work done on warm spaces and social isolation had been good and needed to be built on.

Councillor Hallam advised that very few councils had signed up to the Living Wage Foundation. WNC needed to build its own ambitions and extend this to suppliers.

The Executive Director, People noted that the focus in the second year needed to be on reducing poverty in the first place. Reliance on the household support fund needed to be reduced. There needed to be joined-up thinking – for example a reduction in youth offending would lead to increased opportunities going forward.

RESOLVED: that Cabinet:

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

28. **Energy Procurement Risk Management Strategy 2024-28**

At the chair's invitation Councillor Longley presented the report and summarised the salient points.

In relation to point 5.3 a councillor asked for clarity regarding the purchase of 100% renewable electricity and gas, as gas was not green unless it was bio methane gas. The Executive Director, Place agreed to check this.

RESOLVED: that Cabinet:

- a) Approved the recommended energy procurement risk management strategy. Agreed that a procurement process should be commenced.
- 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.

29. **Housing Acquisitions Programmes**

At the chair's invitation Councillor Brown presented the report. If the first recommendation was agreed, this would need to go to full council to make the necessary changes to the budget.

Councillors made the following comments:

- Participation in the scheme was welcomed. Every opportunity was needed to bring new houses in.
- Were properties being bought former council housing stock?
- Was there any further news on the empty new-build houses on Welford Road?

Councillor Brown advised that WNC were working with housing developers to purchase housing close to completion in new developments but also other opportunities which might include former council housing stock. The Welford Road houses had frustratingly remained empty due to complications with a Section 278 agreement and financial failures on the part of a sub-contractor. WNC were working with Futures Housing to bring this to completion as soon as possible.

RESOLVED: that Cabinet:

- 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.
- b) delegated authority to the Section 151 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 was accepted.

30. **HMO Working Group Report**

At the chair's invitation Councillor Brown presented the report. He thanked those on the working group who had put forward an Action Plan for implementation. It had never been the intention to end HMOs altogether as they had a place in the housing market. The Article 4 Direction had been having an effect and expansion of the licensing scheme was being considered.

Councillors made the following comments:

- The cross-party work was very welcome. It had taken a long time to get work done and further action needed to be taken. This had been important for some areas and was having an impact.
- Enforcement was welcomed but work needed to go beyond that to have a vision of how communities should operate. There was a lack of balance and cohesion.
- Families should not be housed in HMOs because of safeguarding issues.
- The number of HMOs meant there were very few large houses available for those with large families.

Councillor Brown agreed with the need for joined-up working. Planning law said that HMOs needed to be considered. Some people wanted to live in shared accommodation. Children in HMOs was not a widespread issue and should be reported if discovered because of safeguarding concerns.

Councillor Breese noted that this had been an excellent piece of work. The regulatory side had sought to boost enforcement activity but the planning side had been harder to resolve. HMOs were an important part of the housing mix.

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.

31. **Disposal of Areas of WNC Land by Leasehold**

At the chair's invitation Councillor Longley presented the report which sought approval for three disposals of land by leasehold.

Councillor Baker noted that in the list of appendices on page 559, Appendix C was listed as 'Land off Manor Road, Brackley'. This should have been 'Land off Candleford Close, Brackley'. Councillor Baker declared an interest in this item and did not participate in the discussion.

Councillor Brown declared an interest in Appendix B – Delapre Abbey.

A councillor agreed that these were good news stories, although balancing commercial and community interests was difficult. Councillor Longley noted that the balance was as good as it would get.

RESOLVED: that Cabinet:

In relation to Becket's Park Pavilion:

- 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.

In relation to the 19th Century Stable Yard at Delapre Abbey:

- a) Authorised the Assistant Director Assets & Environment to grant extensions of the long stop date in the agreement for lease to:
 - 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.

In relation to the land at Candleford Close, Brackley:

- 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.

The meeting closed at 9.50 pm

Chair: _____

Date: _____