

**Summary of the decisions taken at the meeting of the
Cabinet held on Tuesday 13 February 2024**

1. Date of publication of this summary: 13th February 2024
2. Deadline for requests for call-in (detailing reasons for doing so): 20th February 2024
3. Earliest date for implementation of decisions: 21st February 2024
4. Urgent decisions taken and not subject to the call-in procedure: N/A

Agenda Item and Recommendations	Decision
<p>Agenda Item 7 2024-25 Final Budget and Medium-Term Financial Plan</p>	<p>RESOLVED: That Cabinet:</p> <ol style="list-style-type: none"> a) Approved the 2024-25 Budget for West Northamptonshire set out in this report, and recommends the Budget to the Full Council meeting on 22 February 2024, including; <ol style="list-style-type: none"> i. an estimated net revenue budget of £889.5m (£414.5m excluding Dedicated Schools Grant) as set out in Appendix A. ii. an average Band D Council Tax of £1,778.25 for West Northamptonshire Council, which represents an average increase of 4.99% (2.99% increase in ‘core’ Council Tax and 2% Adult Social Care Precept). iii. Fees and Charges as detailed in Appendix D. iv. Dedicated Schools Grant budget of £475m as detailed in Section 7 and Appendix E. v. Capital Strategy additions as set out in Appendix F1 and F2. vi. the Flexible Use of Capital Receipts Strategy set out in Appendix G. vii. the Treasury Management Strategy set out in Appendix J. viii. setting the authorised limits for borrowing as set out in Appendix F1 section 8.13 and 8.14.

- b) Noted the final tax base for West Northamptonshire at 142,664.60 Band D equivalent properties, as set out in paragraph 5.91.
- c) Would recommend the following to Full Council on 22 February 2024, to ensure that the revenue and capital budget and all associated financial policies can be delivered from 1 April 2024 and also to ensure there is flexibility to manage the overall budget in the year:
 - i. Delegated authority to the Executive Director - Finance to manage any variation in budget prior to the start of 2024-25 as a result of final confirmation of the local government finance settlement, or as a result of unforeseen commitments; in consultation with the Cabinet Member for Finance.
 - ii. Delegated authority to the Executive Director - Finance in consultation with the Cabinet Member for Finance to amend the capital programme for 2024-25 going forward so that it accurately reflects issues such as slippage on current year projects that will need to be added to the programme, any amendments made to existing capital programmes, adjustments to accommodate any future use of capital receipts policy and for any other reason where the Capital Programme needs to be adjusted.
 - iii. Noted the use of reserves as summarised in the table contained at paragraph 5.103
 - iv. Delegated authority to the Executive Director - Finance to employ earmarked reserves for the purposes they were set up for including the release of the risk reserve if required.
 - v. Delegated authority to the Executive Director – Finance in consultation with the portfolio holder for finance to release the general contingency fund of £10.0m if required in the year.
 - vi. Noted the Executive Director – Finance has delegated authority to

	<p>amend fees and charges.</p> <p>d) For the Dedicated Schools Grant (DSG):</p> <ul style="list-style-type: none"> i. Noted the provisional allocations and planned usage of the DSG for 2024-25 pending the final DSG settlement. ii. Following consultation with the Schools' Forum, delegated authority to the Executive Director for Children's Services to determine the DSG 2024-25 schools funding formula, high needs funding arrangements and the Early Years Funding Formula in line with Department for Education guidance. <p>e) Considered the Section 25 statement of the Chief Finance Officer detailed in section 8 of the report.</p> <p>f) Noted the consultation feedback on the budget in Appendix H.</p> <p>g) Noted the feedback from the Overview and Scrutiny Committee in Appendix I.</p> <p>h) Agreed a further recommendation to Council to 'top up' the Council Tax hardship fund by £150,000 to be funded from one-off earmarked reserves at the discretion of the Executive Director – Finance.</p> <p>i) Delegated authority to the Executive Director – Finance to take the necessary steps to introduce the new premiums on long term empty properties and second homes at the earliest opportunity as set out in paragraphs 5.94 to 5.96.</p> <p>REASONS RESOLVED: To ensure that the Council complies with its Constitution and all other relevant requirements in setting the budget for West Northamptonshire Council.</p> <p>ALTERNATIVE OPTIONS: The Council is required to set a balanced budget.</p>
<p>Agenda Item 8 Housing Revenue Account Budget 2024-25 and Medium-Term Financial Plan</p>	<p>RESOLVED: That Cabinet recommended Council to approve: -</p> <ul style="list-style-type: none"> a) The HRA revenue budget for 2024-25 of £65.49m.

- b) An average maximum rent increase of 7.7% per dwelling, in line with the legislation and the government's amended national rent standard, to take effect from 1 April 2024.
- c) An average maximum increase of 7.7% in garage rents and commuter surcharges to take effect from 1 April 2024.
- d) An average increase of 7.7% in tenants and leaseholders service charges with effect from 1 April 2024.
- e) The HRA capital programme for 2024-25, noting the future year estimated commitments, and proposed sources of finance.
- f) The total management fee of £34.9m for NPH to deliver the HRA services in scope for 2024- 25.
- g) The setting of the working balance at £6m, with the assessed minimum level of £5m informed by the outcome of the latest financial risk assessment.
- h) That authority be delegated to the Executive Director of Finance in consultation with the Portfolio Holder for Finance to transfer monies to/from earmarked reserves and the working balance, should that become necessary during the financial year.
- i) That authority be given to the Executive Director of Finance to update the prudential indicators in the Treasury Management Strategy reported to Council.
- j) That authority be delegated to the Executive Director of Finance in consultation with the portfolio holder for Finance to amend the capital programme for 2024-25 going forward so that it accurately reflects issues such as slippage on current year projects that will need to be added to the programme, any amendments made to existing capital programmes, adjustments to accommodate any future use of capital receipts policy, and for any other reason where the capital programme needs to be adjusted.
- k) That authority be delegated to the Executive Director of Finance to make any technical changes necessary to the

	<p>papers for the Council meeting of 22 February 2024.</p> <p>REASONS RESOLVED:</p> <ol style="list-style-type: none"> 1. To ensure that the HRA reflects the statutory requirement under Section 74 of the Housing and Local Government Act 1989 to account separately for local housing services. 2. To ensure the Council sets a balanced HRA within national standards in relation to rent increases and is able to meet its wider duties and obligations to tenants. <p>ALTERNATIVE OPTIONS: None</p>
<p>Agenda Item 9 Revenue Monitoring Period 9 - Financial Year 2023-24</p>	<p>RESOLVED: That Cabinet;</p> <ol style="list-style-type: none"> a) Noted the forecast outturn position for 2023-24 and associated risks. b) Noted the deliverability assessment of West Northamptonshire Council savings requirement for 2023-24 summarised in section 7 and detailed in Appendix B c) Noted the Treasury Management update in appendix C d) Delegated authority to the Executive Director – Finance in consultation with the portfolio holder for finance to apply any budget virements required to effectively manage the overall budget. <p>REASONS RESOLVED: To update members on the financial position of the Council and ensure that the Authority complies with its financial regulations.</p> <p>ALTERNATIVE OPTIONS: None</p>
<p>Agenda Item 10 Period 9 General Fund and Housing Revenue Account (HRA) Capital Monitoring Report 2023-24</p>	<p>RESOLVED: Cabinet:</p> <ol style="list-style-type: none"> a) Approved the proposed budget reprofiling outlined in section 6 and detailed in Appendix B. b) Noted the latest capital monitoring position for the General Fund and HRA.

	<p>c) Noted the new capital schemes and changes to the Capital Programme since the report that was considered by Cabinet in December 2023.</p> <p>REASONS RESOLVED: To continue to ensure sound management of the Council’s finances.</p> <p>ALTERNATIVE OPTIONS: None</p>
<p>Agenda Item 11 Provision of an Environmental Enforcement Contract to supplement the work of the Environmental Crime team</p>	<p>RESOLVED: That Cabinet;</p> <ol style="list-style-type: none"> 1. Agreed to the procurement, at no anticipated direct cost to the Council, of an environmental enforcement contract, that specifies the issuing of fixed penalty notices for littering and other environmental misdemeanours and includes an option for the provision of other enforcement services. 2. That Cabinet delegate authority to the Executive Director of Place & Economy, in consultation with the portfolio holder for Regulatory Services and the Head of Environmental Protection & Environmental Crime to select a suitable contractor and award the aforementioned contract for a period of up to five (5) years, with an initial contract of three (3) years, with an option to extend for a further period of up to two (2) years in annual increments (3+1+1), following the procurement process. 3. That Cabinet delegate authority to the Executive Director of Place & Economy, to allow the contractor to issue fixed penalty notices on behalf of West Northamptonshire Council, in accordance with our Enforcement Policy. <p>REASONS RESOLVED:</p> <ol style="list-style-type: none"> 1. The recommendations proposed will allow the Council to continue an effective enforcement service across the whole of West Northants. 2. The recommended course of action is the most cost-effective for the Council to ensure that effective enforcement to

- complement the work undertaken by the current Neighbourhood Wardens.
3. The Council (or customers) will receive benefit from the option proposed; enforcement and deterrent of environmental crime supports the Live Your Best Life Ambition of a cleaner and greener environment.
 4. Supporting the recommendations of the report ensure consistency with previous decisions to employ an external contractor to carry out face to face enforcement in urban areas but allows expansion and consistency across West Northants.
 5. Supporting the recommendations is in line with Council Enforcement Policy and the Littering and Fly Tipping Charters approved by Members and currently in place.
 6. The proposal has the potential to generate an amount of income for WNC through enforcement carried out by the third party.

ALTERNATIVE OPTIONS:

- Cabinet may instead choose to keep environmental enforcement entirely inhouse. This is a tried and tested approach and has the benefit of being embedded within an integrated service. However, it is more costly and less effective in terms of low-level enforcement (and the numbers of FPN's issued) and may be unsustainable in the future. The Neighbourhood Wardens currently carry out a community focussed role, and enforcement is just one part of their duties, meaning the impact of enforcement for the lower-level environmental crimes can be diluted. The number of offences able to be dealt with through enforcement would reduce significantly if the service remained in house only.
- Cabinet could choose not to undertake enforcement action at all. This would achieve a negative revenue impact against the current service model but would also be

	<p>likely to have a negative impact on matters such as cleanliness and safety in the towns and villages of West Northants. It would also forgo the benefits that could be achieved from the delivery model proposed in this report, supporting the whole of West Northants with a robust enforcement model.</p> <ul style="list-style-type: none"> • Cabinet could decide to ask for other ways of delivering environmental enforcement activity to be identified, developed and brought forward for its consideration.
<p>Agenda Item 12 Future use of the County Hall site</p>	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the strategy for future use of the County Hall site as set out in paragraphs 5.14 to 5.18 is agreed. 2. The Assistant Director Assets & Environment in consultation with the Executive Director of Finance and Finance Portfolio Holder is authorised to: <ul style="list-style-type: none"> • Appropriate parts of the site to planning purposes, if useful to ensure that they can be disposed of whilst seeking to secure their future and best use. • Grant long leasehold disposals of Judges' Lodgings and Centre Blocks, including any ancillary areas or rights. • Grant long leasehold disposals of the parts of the Former Constabulary Block and Front Block, including any ancillary areas or rights, no longer required for the Council's operations. <p>REASONS RESOLVED:</p> <ol style="list-style-type: none"> 1. To secure the beneficial future use, and therefore restoration, preservation, and where appropriate conversion, of this important and cherished set of buildings. 2. To increase the potential for public use and enjoyment of these important heritage assets, enabling them to fulfil a valued role in the life of the area. 3. To assist the Council to deliver on its

goals to preserve heritage and regenerate Northampton.

4. To reduce the Council's holding costs and create the potential for capital or revenue income creating better value for the taxpayer.
5. To comply with the legal obligations on the Council relating to disposal of property.

ALTERNATIVE OPTIONS:

The Council has a wide range of options, relating to each part of the County Hall site. The main choices are summarised here.

- Option 1: Do nothing. This is likely to result in further deterioration of the site and the associated loss of heritage value. The Council would be exposed to increasing costs of maintenance, as well as retaining existing operational costs (utilities etc.). The Council would also not be able to realise the revenue, community, and heritage benefits that would come from having the properties in beneficial use.
- Option 2: Maximise use by the Council. The buildings are unsuitable for modern office and similar uses and the Council would incur significant costs to bringing the buildings into a fully habitable condition. Given the level of office accommodation already held by the Council in Northampton town centre (One Angel Square, and the Guildhall), allied with wider issues with the fabric of the building (fire escape to the Chamber), there is likely to be limited potential to pursue this option.
- Option 3: Long leasehold disposal of the identified buildings (Judges Lodgings, Centre Block, and potentially parts of the Former Constabulary Block and Front Block) and the active management of the retained elements to facilitate any relevant WNC and third-party occupation. This should maximise productive use of the buildings, reduce costs, produce some capital receipts (or, less likely, revenue rent), and help secure the future of the

	<p>buildings for the public good.</p> <p>Option 3 is recommended for the reasons outlined above.</p>
<p>Agenda Item 13 Hosting the functions of the South East Midlands Local Enterprise Partnership</p>	<p>RESOLVED: That the Cabinet:</p> <ul style="list-style-type: none"> a) Would receive the transfer of all the Local Enterprise Partnership (LEP) rights, loans and liabilities including all reserves and funding as the accountable body for the six local authorities within South East Midlands economic area from 1 April 2024 as detailed in paragraph 4.2 and in recognition of Luton’s ongoing accountable body role as detailed in 4.5. b) Would receive future funding as accountable body, where it is deemed appropriate that services or functions should be managed by the accountable body. c) Accepted the transfer of staff and any liabilities, in accordance with TUPE, to include where applicable finance, communications and operational support. d) Noted the inherited financial position as set out in paragraph 6.1.1 e) Agreed the governance structure and responsibilities for the transferred LEP functions, as described in paragraph 5.2.4 option 2, with Milton Keynes City Council, Luton Borough Council, North Northamptonshire Council, Bedford Borough Council and Central Bedfordshire Council f) Would enter into an agreement with the five authorities in relation to the delivery of the services on their behalf and for the use of the reserves to meet the liabilities and where the reserves are insufficient to meet the liabilities to be able to recover the liabilities from the relevant local authorities including any successor bodies as described in paragraph 5.11. g) Delegated authority to the Director of Communities & Opportunities in consultation with the Leader of the Council, to lead the integration process, including finalising the joint agreement

with the other local authorities.

REASONS RESOLVED:

- To satisfy the Government with respect to the transfer of LEP functions in accordance with guidance in August and December 2023, to integrate these functions into local democratic institutions across a functional economic geographical area
- To deliver LEP functions across the South East Midlands functional economic area to ensure the wider benefits to the area associated with the delivery of strategic economic growth
- To ensure that the transfer of functions is managed to ensure the Council has mitigated its exposure to financial liabilities and other risks arising from the transfer of LEP functions

ALTERNATIVE OPTIONS:

- **Option 1 - Utilise Government funding and any existing project funding only.**

This is the lowest cost option but requires a reduction in the capacity and functions currently provided by SEMLEP and the Council providing corporate service support rather than the function having dedicated staff.

The WNC management fee would be slightly higher to reflect no dedicated enabling resource. This option has no call on LEP reserves although any contingency requirements for the Council would need to be identified from LEP reserves.

- **Option 2 - Utilising Government funding, any existing project funding and reserves to create a stronger year one position.**

This is the mid-range option and would see the continuation of existing functions and capacity and bringing over the existing corporate “enabling service” support roles rather than using WNC services and some use of LEP reserves. It is recognised that use of reserves couldn’t be sustained in a long-term model, but this would be a

	<p>year one position with a review before the end of year one, when government direction is clear and true costs of hosting it within a local authority are established.</p> <ul style="list-style-type: none"> • Option 3 – Lift and shift the current LEP service – utilising government funding, existing project funding and reserves. This is the most expensive option and includes some functions and roles to drive the profile and investment of the body, dedicated corporate service roles and an increased use of reserves.
<p>Agenda Item 14 Bikeability Contract</p>	<p>RESOLVED: That Cabinet agreed to procure a new Bikeability cycle training contract with delegated authority given to the Executive Director for Place and Economy in consultation with the Cabinet Member for Environment, Transport, Highways and Waste, to award the new contract.</p> <p>REASONS RESOLVED:</p> <ul style="list-style-type: none"> • The recommended course of action is the most cost-effective. • The future Council (or customers) will receive the maximum benefit from the option proposed • To accord with legislation or the policy of the Council • Consistency with previous decisions on Bikeability <p>ALTERNATIVE OPTIONS: None</p>
<p>Agenda Item 15 Recommissioning of Extra Care Services</p>	<p>RESOLVED: That Cabinet;</p> <ol style="list-style-type: none"> Approved the procurement of a single framework for the provision of care and support delivered within extra care housing in accordance with the Contract Procedure Rules. Delegated authority to the Executive Director for People Services (DASS), in consultation with the Cabinet Member for Adult Care, Wellbeing and Health Integration, to take any further decisions and actions required to conclude this procurement and award

	<p>the contract.</p> <p>iii. Approve a proposed contract term of five years with an option to extend for a further period of 12 months + 12 months resulting in a maximum framework duration of 7 years.</p> <p>REASONS RESOLVED:</p> <ul style="list-style-type: none"> i. . WNC to meet its statutory duties under the Care Act 2014. ii. WNC to have a robust purchasing arrangement in place for the future development and provision of care and support in extra care schemes in West Northamptonshire. iii. Timely conclusion of the procurement via delegated authority to award <p>ALTERNATIVE OPTIONS: None</p>
<p>Agenda Item 16 Lease of land at New Manor Farm for NCCC second site</p>	<p>RESOLVED: Cabinet authorised the Assistant Director Assets & Environment in consultation with the Director of Legal and Democratic Services to enter into the agreements envisaged in the heads of terms at Appendix A (with any minor variations as is practically necessary) and any matters reasonably necessary to give effect to them.</p> <p>REASONS RESOLVED:</p> <ul style="list-style-type: none"> 1. To maximise the opportunity for NCCC to raise the necessary funds and deliver the proposed facility, and thereby to secure the identified sporting and wider benefits for West Northamptonshire. 2. The loss of potential capital receipts for disposal of the land at market value is considered justified in view of the expected sporting, health, and economic development benefits. 3. To provide a clear structure for the transaction which protects the interests of the Council and the residents of West Northamptonshire.

4. If NCCC is unable to raise the funds to proceed, the Council would be left with the land unfettered and able to be used in whatever other ways it considers best.

ALTERNATIVE OPTIONS:

1. Choice 1: Most fundamentally, the choice open to the Council is to proceed with offering NCCC a site or not doing so. For the reasons set out above (paragraphs Error! Reference source not found. to 5.17) it is suggested the benefits likely to be gained by West Northamptonshire if the scheme proceeds are sufficient to justify providing a site. In the absence of a WNC provided site, it is less likely the scheme would proceed.
2. Choice 2: Assuming a site is provided, the Council could provide it, as proposed, on a peppercorn basis (albeit with the provision for sharing any super-profit which might arise in the future) or it might seek to charge the commercial value of the site, or somewhere between those two. It appears likely that if the Council sought to charge the commercial value the scheme would be unable to proceed. This is not certain, and it is possible the scheme could support at least a modest land value payment. However, the Council charging for the land would be likely to be seen by funders as indicating a lack of support and thus make it less likely they would be forthcoming. Additionally, the proposed arrangements, which NCCC has accepted, provide robust protections for WNC's intentions in providing the site. If WNC was to charge the commercial value or even some fraction of this, it is likely to re-open the negotiations and NCCC may not be willing to accept the protections. At worst, this could mean either the scheme does not proceed (because the parties cannot agree terms) or WNC accepted such limited protections that it could not be confident the site would be used for the purposes intended.

3. Choice 3: It would be possible for WNC to offer to proceed by providing a site, but to offer a different site than one at New Manor Farm. However, none of the other sites examined appear as suitable, and in some cases the Council also has conflicting requirements for them. Therefore, offering a different site does not seem likely to be a productive approach.

There are, of course, effectively an infinite combination of possible terms which could be applied. However, it is suggested that those set out in the heads of terms achieve the necessary outcome i.e., secure access for NCCC provided it can secure funds and necessary permissions, and protection for WNC.

Agenda Item 17
Exclusion of the Press and Public