



**West
Northamptonshire
Council**

Cabinet

Minutes of a meeting of the Cabinet held at Council Chamber, The Forum, Moat Lane, Towcester, NN12 6AD on Tuesday 13 February 2024 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 Ian McCord
Councillor Kevin Parker
Councillor Ken Pritchard
Councillor Bob Purser
Councillor Wendy Randall

Officers:

Josh West, Political Assistant to the Labour Group
Amy Brock, Assistant Director - Adult Services
Sarah Hall, Deputy Director - Law & Governance

113. **Apologies**

None

114. **Declarations of Interest**

None

115. **Minutes**

The minutes from the Cabinet meeting of 16th January 2024 were approved and signed as a true and accurate record.

116. **Chair's Announcements**

None

117. **Urgent Business**

None

118. **Report from the Overview and Scrutiny Committee - Recommendations of the Corporate Overview and Scrutiny Committee on the draft Budget 2024/2025 and Medium Term Financial Plan - General Fund Revenue and Capital**

At the Chair's invitation Councillor Ian McCord, Chair of the Corporate Overview and Scrutiny Committee, presented the report. Thanks were given to members of the committee and all those who participated in the breakout sessions. The Chair felt that good work had been done. The committee had made a conscious decision to not look into the Children's Trust this time but would revisit it in the future once the various interventions that were in place had taken effect. There was a great deal of discussion about the overspend on temporary housing in relation to rough sleepers. The committee would like Cabinet to consider further innovative works regarding housing to help with future expenditure. The drastic increase in fees from external auditors was also discussed. The committee asks that Cabinet reviews the council tax hardship fund to ensure that those most at risk are given then help they need. It was requested that Cabinet looked for a long-term solution for investment in roads and their maintenance.

119. **2024-25 Final Budget and Medium-Term Financial Plan**

At the Chairs invitation Councillor Malcolm Longley presented the report, copies of which had been previously circulated. Members were advised that the report had already been through scrutiny. It was advised that WNC had no control over the Children's Trust Budget, but it could support and guide the trust.

Councillors made the following comments.

- The household support fund was welcomed.
- A long-term budget was needed from central Government.
- It was noted that a shift towards prevention was needed.
- The cut to the highways budget would lead to the further deterioration of roads

RESOLVED: That Cabinet:

- 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;
 - 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 amend fees and charges.
- d) For the Dedicated Schools Grant (DSG):
- 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.
- e) Considered the Section 25 statement of the Chief Finance Officer detailed in section 8 of the report.
- f) Noted the consultation feedback on the budget in Appendix H.
- g) Noted the feedback from the Overview and Scrutiny Committee in Appendix I.

- 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.
- 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.

120. **Housing Revenue Account Budget 2024-25 and Medium-Term Financial Plan**

At the Chair's invitation Councillor Malcolm Longley presented the report, copies of which had been previously circulated.

Councillor Adam Brown noted that most of the rent increase would be covered by housing benefit and that the council was working hard with NPH (Northamptonshire Partnership Homes) on its own hardship fund.

Councillors made the following comments.

- It was noted that the way that universal credit works almost guarantees that some renters would end up in arrears.
- The importance of social housing and not affordable housing was mentioned to cater for those residents in the lower earning bracket.

RESOLVED: That Cabinet recommended Council to approve: -

- 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 papers for the Council meeting of 22 February 2024.

121. **Revenue Monitoring Period 9 - Financial Year 2023-24**

At the Chair's invitation Councillor Malcolm Longley presented the report, copies of which had been previously circulated. Members were advised that it had been a challenging period.

The Chair noted that the significance of the Children's Trust budget.

The Chief Executive advised that there were currently 32 projects running within the Children's Trust and that a lot of work was being done on this issue. Councillors were advised that more briefings on this would take place.

Councillor Fiona Baker advised that the goal was to have WNC-owned children's homes and that some of the homes proposed in the past not happened due to objections from councillors.

Councillors made the following comments.

- It was queried whether the Council had realistic expectations with regards the Children's Trust expenditure.
- There had been extra pressure on temporary accommodations due to flooding at Billing Aquadrome.
- Overspend in museums was mentioned in the report, did museums not receive discretionary relief?
- It was queried why there were so many back-dated invoices, and why they were not being raised when needed.
- It was queried the libraries had been disaggregated and if so how what the effect would be.

Councillor Malcolm Longley advised councillors to email him any questions.

Councillor Fiona Baker noted that the overspend within higher needs is due to the increase in demand for spaces.

In his capacity as Chair of the Corporate Overview and Scrutiny committee Councillor Ian McCord asked that the responses to any of the questions submitted by councillors be shared amongst all councillors.

Councillor Adam Brown then made the following comments.

- A rapid improvement plan is being implemented which is already demonstrating financial mitigations due to tighter controls, and we are accelerating spot purchases of suitable accommodation.

- The NDR exemptions and discretions mentioned do not apply to buildings owned by local authorities.
- The reasons for recruitment will vary from position to position, but prior to the forthcoming restructure in general it was necessary to fulfil vacancies as they arose.
- Library buildings were allocated to WNC and NNC on vesting day, back office functions for the library service remain a shared service as the Joint Shared Services Committee has not reached a decision on disaggregation. Any disaggregation would require additional staff to be recruited and the new library structure could be adapted accordingly, but obviously at a cost that has not been budgeted for.

RESOLVED: That Cabinet;

- 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.

REASONS RESOLVED:

To update members on the financial position of the Council and ensure that the Authority complies with its financial regulations.

ALTERNATIVE OPTIONS:

None

122. **Period 9 General Fund and Housing Revenue Account (HRA) Capital Monitoring Report 2023-24**

At the Chair's invitation Councillor Malcolm Longley presented the report, copies of which had been previously circulated.

A councillor noted that a sustainable long-term solution for flood resilience was needed.

The Executive Director Place & Economy advised that WNC would not seek to budget flood until solutions had come forward, central government support would be needed.

RESOLVED: Cabinet:

- 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.
- c) Noted the new capital schemes and changes to the Capital Programme since the report that was considered by Cabinet in December 2023.

123. Provision of an Environmental Enforcement Contract to supplement the work of the Environmental Crime team

At the Chair's invitation Councillor David Smith presented the report, copies of which had been previously circulated. Members were advised that there had been extensive communication with the public.

Councillors made the following comments.

- It was queried why the Council was outsourcing, could this not be dealt with in-house?
- The current level of fines given out was low.
- It was queried whether the parish and town councils had been engaged in discussions about this.
- Could the schedule be shared with councillors?

Councillor Phil Larratt advised that the scheme was part of an old NBC one. It was recognised that the wardens did not have the time to deal with smaller infringements such as littering and were often busy with larger issues like as fly tipping. To bring the service in-house would be expensive.

Councillor David Smith confirmed that the new environmental team would complement the wardens that WNC already had and that it was important to work with parish and town councils on this.

RESOLVED: That Cabinet;

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.

124. Future use of the County Hall site

At the Chair's invitation Councillor Malcolm Longley presented the report, copies of which had been previously circulated. Members were advised that the building was not being sold.

Councillors made the following comments.

- No plan had been made for county hall during the building of OAS.
- It was important for the building to still belong in part to the people of Northampton.
- The report was difficult to read in some places.
- Concern was raised at the disposal of another publicly owned site.
- There had been nothing in budget that mentioned capital asset disposals. It was questioned whether the Council would need to spend money to deliver this.

The Executive Director Place & Economy advised that a variety of options had been looked at, which were reflected within the report. It was advised that it was in the best interests of the Council to work with potential end users.

RESOLVED:

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:
 - 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.

125. **Hosting the functions of the South East Midlands Local Enterprise Partnership**

The Chair introduced the report and its main points, copies of which had been previously circulated.

Councillors made the following comments.

- As WNC was currently in a transformation phase would this enterprise have any affect.
- The importance of ensuring that young people were given the skills to meet the needs of the future was noted.
- It was queried whether WNC would have to cover costs.

The Chief Executive advised that there would be no effect on the Council's transformation work. Councillors were advised that there would be no additional costs other than shared costs and that the SEMLEP reserves would cover that.

The Executive Director Place & Economy confirmed that he would be happy to answer any questions from councillors.

RESOLVED: That the Cabinet:

- 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.

126. **Bikeability Contract**

At the Chair's invitation Councillor Phil Larratt presented the report, copies of which had been previously circulated. Members were advised that the initial contract would be for 7 months, which could then be extended.

A councillor noted that it was important to have the appropriate infrastructure in place, such as cycle lanes.

Councillor Phil Larratt advised that infrastructure had been looked and was being addressed.

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.

127. Recommissioning of Extra Care Services

At the Chair's invitation Councillor Matt Golby presented the report, copies of which had been previously circulated advising that this was an important recommission.

A councillor noted that there had been no mention of the living wage provision within the report.

Councillor Matt Golby advised that the living wage would be incorporated into the contract.

RESOLVED: That Cabinet;

- i. 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.
- ii. 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 the contract.
- 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.

128. Lease of land at New Manor Farm for NCCC second site

At the Chair's invitation Councillor Adam Brown presented the report, copies of which had been previously circulated. Members were advised that the lease would be subject to the County Cricket Club being able to raise the relevant funds. There would need to be a full consultation and the County Cricket Club would engage with residents.

Councillor Mike Hallam stated that he had had various emails from residents concerning this site and made the following points:

- Would the new site be used in the same capacity as Wantage Road by hosting concerts?
- Engagement with residents should have already happened as many were not aware.
- If the money required is not raised what would then happen to the site?

Three members of the public then spoke and made the following comments, two of them from Sol Haven, a local Community Interest Company

- Cabinet were asked to remember that Sol Haven received mental health referrals from WNC.
- There were various concerns regarding the local environment.

- The traffic coming through the area would increase significantly.
- There had been no communication with residents.
- On street parking would increase on already busy roads.
- There were concerns about the unpredictable behaviour of inebriated people.
- Growth would be welcomed, but community support is important.
- There were also concerns about light and noise pollution, which could affect those with sleeping disorders.
- There were flooding issues, would this be looked in to.
- The ability of emergency services to navigate through the extra traffic was a concern.

Councillors made the following comments.

- The public need to be encouraged to get involved.
- It was important to be open about what would happen and how it would affect residents.
- It was noted that leasing from WNC would be more transparent for residents that leasing from private owners.
- It was questioned whether there would be a break clause in the 125-year lease.

The Executive Director of Place and Economy made the following comments.

- Sport is very beneficial for mental health.
- The proposal would be subject to planning permission and would need to answer a variety of questions including environmental impacts.
- Natural England would be involved, and a full consultation would take place.
- The County Cricket Club would work with stakeholders.
- The Council was working through all the assets gained during the amalgamation process.
- There would be a process to formalise the agreement with the charity that currently uses the site.

The Chairman of the County Cricket club advised members that they would welcome discussions with stakeholders and there would be full engagement.

Councillor Adam Brown reminded members that the report was not concerned with a planning application but would enable the County Cricket Club to begin the planning process.

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.

Cabinet - 13 February 2024

The meeting closed at 9.30 pm

Chair: _____

Date: _____