



**West
Northamptonshire
Council**

Cabinet

Minutes of a meeting of the Cabinet held at The Forum, Towcester, NN12 6AF on Tuesday 13 July 2021 at 6.00 pm.

Present Councillor Jonathan Nunn (Chair)
 Councillor Adam Brown (Vice-Chair)
 Councillor Lizzy Bowen
 Councillor Rebecca Breese
 Councillor Matt Golby
 Councillor Mike Hallam
 Councillor Phil Larratt
 Councillor Malcolm Longley
 Councillor David Smith

Apologies Councillor Fiona Baker
for
Absence:

Officers: Ed Bostock (Democratic Services)
 Anne Earnshaw (Chief Executive)
 Paul Hanson (Democratic Services)
 Martin Henry (Chief Finance Officer)
 Stuart Lackenby (Executive Director – Adults, Communities &
 Wellbeing)
 Sofia Neal-Gonzalez (Democratic Services)
 Rebecca Peck (Assistant Chief Exevutive)
 Stuart Timmiss (Executive Director - Place and Economy)
 Catherine Whitehead (Director of Legal & Democratic and Monitoring
 Officer)

1. Apologies for Absence and Notification of Substitute Members

Councillor Fiona Baker sent her apologies.

2. Declarations of Interest

There were none.

3. Minutes

RESOLVED: That the minutes from the Cabinet meeting of the 8th June were approved and signed as a true and accurate record.

4. Chairman's Announcements

A public speaker would be speaking on item 5.

5. **Environmental Principles and Framework**

At the Chairman's invitation Councillor Larratt presented the report, copies of which had been previously circulated. The report showed how strong partnerships had been created during the project. The Shadow Executive had last year created an Environmental Task and Finish Group to review the policy framework. This would be continually monitored and as such could be considered a living document.

The Chairman then invited member of the public Harry Mellor to make his comments. Mr Mellor felt that there had been no attempt at a public conversation and discussed the perceived failings of local government. In his view, there had been out-of-date group think tanks which had not taken into consideration the feelings of those who would be affected by this. Mr Mellor noted that this would affect a keystone region and this could potentially have unexpected consequences.

Councillors made the following comments.

- The dates that were discussed in the report varied, and as such the outcomes had not been made clear. It was suggested that one date be given to help clear up any confusion.
- It was noted that not much had been accomplished in the past 2 years regarding this issue.
- It was noted that planning policies were still not aligned.

Stuart Timmis advised that it would take time to develop a strategy. Consultation with various groups would continue to happen. It should be noted that this was a starting point and not the final product.

Councillor Breese advised that the points raised would be taken on board.

Councillor Larratt noted that it was a priority to address climate change issues, and in order to reach this objective it was important to engage with partners.

RESOLVED: That Cabinet;

- A. Endorsed the Arc shared environment principles as set out at Appendix 1**
- B. Supported the development of an Arc Environment Strategy which would provide for how the principles can be delivered.**
- C. Adopted the proposals set out in the WNC Task and Finish Group report as set out at Appendix 2,**

Is subject to:

- i. The commitment to purchasing 100% 'green' energy is understood to mean electricity generated and gas produced without the use of fossil fuels, and to apply from 1st October 2021 or as soon as possible thereafter.**
- ii. To accommodate this, an increase in the energy budget of £25,000 in the current financial year and £50,000 in 2022/23 is approved. The current**

year cost is to be met from in-year underspends or from General Fund balances if required.

6. **Integrated Care across Northamptonshire (ICAN) Procurement**

At the Chairman's invitation Councillor Golby presented the report, copies of which had been previously circulated. Councillor Golby presented the aims and outcomes and advised one key hope was to bring services together at a neighbourhood level. It was advised that there had been a significant population increase in the county that was expected to continue, there was a steady increase in the number of residents aged 65 and over. There had been a rise in the number of mental health cases. ICAN would be of benefit here as its role would be to work within the community and to support the community. The ICAN programme would improve outcomes and reduce costs and would report through the Northamptonshire Health and Wellbeing Board.

Councillor Nunn agreed with the suggestion of a member briefing in order to give an update on this programme.

Councillors made the following comments.

- Concern was raised regarding how the Council would deliver what was discussed in the report.
- The problem of bed-blocking was noted as well as the lack of care packages in place for patients when needed.
- It was asked if there was a difference in the time taken to provide care packages if the care was self-funded. It seemed that the process would take longer if conducted by the local authority.
- It was noted that mental health in schools was a concern.
- With regards to the potential savings that would be made, would the Council benefit from these or would it be the Council's partners.
- It was suggested a formal update be presented to Council in early 2022 in order to gauge how far the project had progressed.

Stuart Lackenby made the following comments.

- The importance of best practice was noted.
- It was advised that accurate costs would be hard to discuss at present.
- Further work would be required to find where savings would come from.
- ICAN had been the first project that had been created through a partnership.
- Any modifications to contracts would be a last resort.

The Chief Executive advised that ICAN had gone through the Peoples advisory group which had given good feedback.

The Chair of the Scrutiny Committee Rosie Herring made the following comments.

- It had been disappointing to hear that a 3rd party was involved in the project.
- An in-depth look into what the contract was producing would be helpful.

- She would like to see a working group with a focus on safeguarding.
- With regards to the risk register, it was questioned whether there could be an impact from the new Social Care Act.

Councillor Golby noted that an update would be presented to Cabinet on a quarterly basis.

RESOLVED: That Cabinet;

- A. Noted the progress toward establishing the Integrated Care System and the further work required to describe how the ICS will operate at a Council and neighbourhood level.**
- B. Delegated to the Executive Director for Adults, Communities and Wellbeing in consultation with the Cabinet member for Adult Social Care and Public Health the decision whether to modify the adult social care TOM contract (with Newton Europe).**
- C. Recommended to Council the approval of one-off revenue funding of up to £1m to be agreed from general fund balances to contribute to the iCAN programme, subject to satisfactory evidence of a likelihood of a positive return on the investment.**
- D. Delegated to the Executive Director of Adults, Communities and Wellbeing, in consultation with his Portfolio Holder the Executive Director of Finance (S151 officer), and the Portfolio holder for**
- E. Financed the power to determine whether there is satisfactory evidence of a likelihood of a return on the investment.**
- F. that the iCAN funding will be included within the Better Care Fund section 75 and that this will be reported to and government through the West Northamptonshire Health and Wellbeing Board**

7. Appointments to Outside Bodies

At the Chairman's invitation Councillor Hallam presented the report copies of which had been previously circulated. Councillor Hallam advised that the report was a straightforward matter and put it to the committee.

RESOLVED: That Cabinet;

- A. Noted and endorse the appointments to outside bodies set out at Appendix A**
- B. Noted that further work is required in relation to a small number of outside bodies and agreed that delegated authority be granted to the Chief Executive, in consultation with the Leader(s) of any group to whom a place on an outside body has been allocated, to make such appointments in due course**

8. MHCLG's Rough Sleeper Accommodation Programme funding

At the Chairman's invitation Councillor Brown presented the report, copies of which were circulated previously. This programme was part of a number of government back initiatives to provide new build homes and court services. The Council would expect to hear if the bid extra homes has been accepted by the 4th of August.

Councillors made the following comments

- It was noted that at present there was no housing strategy for when residents left temporary accommodation.
- It was questioned whether there was a plan b in place in case the Council's bid should be unsuccessful.
- It was noted that it was not the first time a programme like this had been put into place at the Council.

Stuart Lackenby advised that there would have to be conversations with the users of the facility in order to understand why they became rough sleepers. If the reasons given were holistic ones such as drink and drugs, support could be given. The Council was confident that the bid would be accepted. If it were not to be then the Council would continue to look at other ways to provide support.

RESOLVED: That Cabinet; increased the HRA Capital programme of £1.32m to purchase and refurbish ten 1- bedroom properties through the HRA, in order to accommodate and support people who had been sleeping rough or are threatened with sleeping rough, funded by MHCLG/Homes England RSAP grant and HRA borrowing.

9. Various Freehold and Leasehold Asset Disposals

The Chairman announced that appendix J had been removed from the item and would not be considered. He then invited Councillor Longley to present the report, copies of which had been previously circulated. Councillor Longley advised that the report could be described as a tidying up exercise, and that the report gave a detailed description of each proposal. With regard to Wantage Farm (appendix J), further consultation was required.

A Councillor noted that residents of Thorplands and surrounding areas had not been consulted.

RESOLVED: That Cabinet;

- A. Delegated authority be given to the Assistant Director Assets and Environment to dispose of the assets listed below and where relevant agree the terms of such disposal in line with the proposals in the relevant appendix:**
- B. Items 14, 15 and 16 may require the consent of the Secretary of State on the grounds that the disposal is at an undervalue of more than £2 million. Given the circumstances it is expected this would be forthcoming.**
- C. A number of further delegations were required in order for officers to effectively manage a range of transactions on a day-to-day basis affecting the Council's property portfolio. These are set out in the table**

below and will be incorporated into Constitution on a permanent basis as part of the ongoing review that is currently being undertaken by Democracy & Standards Committee. Pending the outcome of that review in December, it is recommended that interim delegated authority be granted to the Assistant Director Assets and Environment.

10. West Midlands Rail Ltd - Changes to Collaboration Agreement

At the Chairman's invitation Councillor Larratt presented the report, copies of which had been previously circulated. He advised Cabinet that the Council was a partner authority with the Department of Transport, with legally binding collaborations in place. It was advised that there had been changes in response to Covid-19. The Cabinet was advised that the franchise would be changed to a nationally awarded rail contract. It was important for the Council to be a partner of the scheme in order to be given a seat at the table.

RESOLVED: That Cabinet ratified the proposed Collaboration Agreement between West Midlands Rail Ltd and the Department for Transport set out in Appendix A of this report in light of the forthcoming replacement of the West Midlands Rail Franchise by a National Rail Contract.

11. OPUS - Governance and Delivery

Councillor Hallam advised that the 10% was only from NCC. It was felt that there was no conflict with regards the hiring of agency staff as it had allowed the Council to hire at short notice the best people for the job. Councillor Hallam advised that he would come back to the Councillor with a response to the Dynamic Purchasing system.

RESOLVED: That Cabinet;

- A. Noted the decisions made by Milton Keynes Council and Cambridgeshire County Council in relation to the Shareholding.**
- B. Agreed to the addition of the Northamptonshire Children's Trust as a new shareholder of Opus.**
- C. Agreed to the proposed changes to the shareholding of each of the existing shareholders**
- D. Agreed to the proposed amendments to the Dividend Policy**
- E. Agreed to delegate responsibility for the negotiation on behalf of West Northamptonshire Council of a revised Shareholder agreement to the Executive Director of Corporate Services.**

12. Variation of school admission arrangements for 2021/2022 and 2022/2023 due to the requirements of the new 2021 School Admissions Code

At the Chairman's invitation Councillor Golby presented this report on behalf of Councillor Baker. He advised Cabinet that the changes needed to be made in order to comply with statutory recommendations.

Councillors made the following points.

- Clarification was requested for whether the changes meant academies could pick and choose their students.

Chris Wickens advised that academies and free schools were still required to adhere to code with the DfE overseeing them. As such they were not permitted to pick and choose who attended.

RESOLVED: That Cabinet determined the necessary variations to the admission arrangements for 2021/2022 and 2022/2023 as described below:

- A. Amend the first oversubscription criterion for all Community and VC Schools to give the highest priority to: ‘looked after children and all previously looked after children, including those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted. Previously looked after children are children who were looked after but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship order). All references to previously looked after children in this Code mean such children who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been looked after and those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.’**
- B. Agreed that WNC’s new In-year scheme can be included in the admission arrangements;**
- C. Approved the new FAP, subject to consultation with schools in West Northamptonshire.**
- D. Authorised the Director of Children’s Services to take any action necessary to give effect to the admissions policies and to make any changes necessary to the admissions policies where required to give effect to any Acts, Regulations or revised School Admissions or School Admission Appeals Code or binding Schools Adjudicator, Court or Ombudsman decisions whenever they arise.**
- E. Any variation agreed would be conditional on the Code passing through Parliament;**
- F. All such variations should come into force on 1 September 2021**

13. **Shared Service Arrangements**

At the Chairman’s invitation Councillor Longley presented the report, copies of which had been previously circulated. The Committee was advised that the Council had come to the end of the 1st quarter. These arrangements had previously been complex and as such they had now been brought in-house in order to simplify them. It was noted that this decision had been made for qualitative reasons and was not a cost saving exercise.

RESOLVED: That Cabinet;

- A. Noted the contents of this report and the related appendices**
- B. Approved the option to bring the Internal Audit Service in-house**
- C. Approved the option of an in-house service delivery model for Revenues and Benefits**
- D. Granted delegated authority to Executive Director, Finance in consultation with the Portfolio Holder for Finance to take all necessary steps to implement the in-house provision of internal audit services and Revenues and Benefits services as soon as is practicable.**

14. Northampton Market Square Redevelopment

At the Chairman's invitation Councillor Bowen presented the report, copies of which had been previously circulated. The Committee was advised that the purpose of the report was to seek approval for the proposal and that the grant had been ring-fenced for this proposal. This redevelopment was a critical one as there had been a lack of investment for many years, with footfall decreasing by 15% yearly. Northampton Forward had been involved with the proposal, this group consisted of a number of different groups and was currently chaired by Martin Mason. Items such as double-sided seating and fixed market stalls would be provided as well as others. It was advised that the principle contract would be external and that there had been a tender process as was required. Market Traders would be required to temporarily move in order for work to be completed. It was noted that it was a challenging budget and timeframe with no match funding. The project would be scrutinised by a quality surveyor and senior finance officers would attend any meetings conducted. There had been substantial consultation undertaken with work projected to start in the Summer of 2022.

Councillors made the following comments.

- It was felt that the Northampton Forward Board needed to be reviewed and that all parties should be involved in it.
- With regards to consultations, many members of the public had noted that they had not been consulted.
- It was asked if historians had been consulted.

Councillor Bowen advised that consultation outcomes were being reviewed and as such it was not too late to feedback and noted that she was happy to talk about any concerns. Councillor Bowen also advised that the Northampton Forward Board had made clear that they did not wish to be a political environment.

Councillor Nunn advised that the Northampton Forward Board had been open to everyone to attend and that he was happy to have a conversation with the opposition. This project had been covered by the news and leafletting had taken place. Councillor Nunn was happy to conduct a member briefing if needed and talk about the consultation that had taken place.

Councillor Brown advised that a Conservation Advisor had been appointed for heritage sites who would be involved in the Market Square project.

RESOLVED: That Cabinet;

- A. Noted the work to date on securing £8,427,625 for the redevelopment of Northampton Market Square and the next steps that are required to take forward this project.**
- B. Approved the use of the ring fenced Future High Street Grant Funding of £8,427,625 for the Northampton Market Square public realm improvements as set out in this report and the Stage 2 Design report (appendix 1).**
- C. Delegated authority to the Executive Director of Place, Economy and Environment in consultation with the Section 151 Officer, the Monitoring Officer and the Cabinet Member for Economic Development, Town Centre Regeneration and Growth**
 - i. appointed the Design Team to develop the Market Square proposals following an OJEU compliant procurement process.**
 - ii. appointed the principle contractor that demonstrates best value and quality using an OJEU compliant procurement process.**
- D. Delegated authority to the Head of Major Projects and Regeneration to approve the final design ahead of the procurement of a principal contractor. This will be taken through the Northampton Town Deals Board, Northampton Forward, to seek their agreement and incorporate feedback following the public consultation while ensuring that the design principles set out in the current stage of work are adhered to.**
- E. Noted that a full planning application using the detailed design proposals will be submitted as part of this work.**
- F. Noted the additional revenue pressure that this project will create to West Northamptonshire Council as a result of different maintenance regimes being required and as a result of the monitoring and evaluation obligation upon completion.**

15. Northampton Towns Fund

At the Chairman's invitation Councillor Bowen presented the report, copies of which had been previously circulated. The report highlighted the resources that were required to complete the process. It was advised that Northampton had been identified as one of the key areas in need of investment. The Town Investment Plan was set up with terms and conditions required to be met in order to access funding. Each project and its value are listed, with various sites discussed. The Social Enterprise and Development fund had been set up with a view to enable people to access support and find work. In order to achieve what is mentioned in the report, 3 new officers would be recruited to work on this project.

Councillors noted that there should be a review by Overview and Scrutiny. The Chairman agreed the need to involve Overview and Scrutiny in the process. Councillor Bowen advised the Committee that the project would go for scrutiny.

RESOLVED: That Cabinet;

- A. **Noted the Towns Fund grant allocation to West Northamptonshire Council from MHCLG of £24.9m, subject to approval of stage two business cases for each project.**
- B. **Approved £110,000 of new WNC funding required to develop the stage two businesses cases for the Towns Fund as set out in points 4.26 – 4.31.**
- C. **Noted that each project business case will need to come back to Cabinet for consideration approval**

16. **Urgent Business**

None.

17. **Exclusion of the Press and Public**

RESOLVED:

“That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that if the public were present it would be likely that exempt information under paragraph 3 of Part 1 of Schedule 12A to the Act would be disclosed to them”.

18. **Highways Contract Update**

This item was considered in private session.

The meeting closed at 8.00 pm

Chairman: _____

Date: _____