

**Summary of the decisions taken at the meeting of the
Cabinet held on Monday 13 February 2023**

1. Date of publication of this summary: 13th February 2023
2. Deadline for requests for call-in (detailing reasons for doing so): 20th February 2023
3. Earliest date for implementation of decisions: 21st February 2023
4. Urgent decisions taken and not subject to the call-in procedure: 13th February 2023

Agenda Item and Recommendations	Decision
<p>Agenda Item 3 Minutes</p> <p>To confirm the minutes of the meeting of Cabinet held on 17 January 2023.</p>	<p>RESOLVED: That the minutes of the previous meeting were agreed subject to the following amendment:</p> <p>Councillor Adam Brown advised that having a governance framework was <i>necessary to enable the Council to meet statutory requirements and other obligations</i>.</p>
<p>Agenda Item 7 Revenue Monitoring, Quarter 3 - Financial Year 2022-23</p>	<p>RESOLVED: That Cabinet:</p> <ol style="list-style-type: none"> a) Noted the forecast outturn position for 2022-23 and associated risks b) Noted the deliverability assessment of West Northamptonshire Council savings requirement for 2022-23 summarised in section 7 and detailed in Appendix B c) 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 8 Quarter 3 General Fund and Housing Revenue Account (HRA) Capital Monitoring Report 2022-23</p>	<p>RESOLVED: That Cabinet;</p> <ul style="list-style-type: none"> a) Noted the latest capital monitoring position for the General Fund and HRA. b) Noted the new capital schemes and changes to the Capital Programme since the report that was considered by Cabinet in December 2022. <p>REASONS RESOLVED: In order to continue to ensure sound management of the council's finances.</p> <p>ALTERNATIVE OPTIONS: None</p>
<p>Agenda Item 9 Treasury Management Update Quarter 3, 2022-23</p>	<p>RESOLVED: Cabinet noted the report and treasury activity for the third quarter of the 22-23 financial year.</p> <p>REASONS RESOLVED: To ensure that the Authority complied with its financial regulations and its Treasury management policies.</p> <p>ALTERNATIVE OPTIONS: None</p>
<p>Agenda Item 10 2023-24 Final Budget and Medium Term Financial Plan</p>	<p>RESOLVED: That Cabinet;</p> <ul style="list-style-type: none"> a) Approved the 2023-24 Budget for West Northamptonshire set out in this report, and recommended the Budget to the Full Council meeting on 22 February 2023, including: <ul style="list-style-type: none"> i. an estimated net revenue budget of £826.069m (£382.391m excluding Dedicated Schools Grant) as set out in Appendix A. ii. an average Band D Council tax of £1,693.73 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 schedule as

- iv. detailed in Appendix D.
- iv. dedicated schools grant budget of £443.7m as detailed in Appendix EP.
- v. the Capital Strategy as set out in section 7 and Appendix F1, and Capital Programme as set out in Appendix 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) Recommended the following to Full Council on 22 February 2023, to ensure that the revenue and capital budget and all associated financial policies can be delivered in a safe and legal manner from 1 April 2023 and also to ensure there is flexibility to manage the overall budget in the year:

- i. To delegate authority to the Executive Director - Finance to manage any variation in budget prior to the start of 2023-24 as a result of final confirmation of the local government finance settlement, or as a result of unforeseen commitments; in consultation with the Finance Portfolio Holder.
- ii. To delegate authority to the Executive Director - Finance in consultation with the portfolio holder for Finance to amend the capital programme for 2023-24 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. To note the use of reserves as summarised in the table contained at paragraph 5.102.
 - iv. To delegate 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. To delegate authority to the Executive Director – Finance in consultation with the portfolio holder for finance to release the general contingency fund of £11.1m if required in the year.
 - vi. To note the Executive Director – Finance has delegated authority to amend fees and charges.
- c) For the Dedicated Schools Grant (DSG):
- i. Noted the allocations and planned usage of the DSG for 2023-24.
 - ii. Following consultation with the Schools Forum, delegates authority to the Executive Director - People to determine the DSG 2023-24 schools funding formula, high needs funding arrangements and the Early Years Funding Formula in line with Department for Education guidance.
- d) Considered the Section 25 statement of the Chief Finance Officer detailed in section 8 of the report.
- e) Noted that car parking charges are still in the process of being considered following budget consultation and discussions with local business leaders and other interested parties. Final charges will be confirmed at the Cabinet meeting.
- 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) Following consideration of the budget consultation exercise and ongoing dialogue with local business leaders and other interested stakeholders Cabinet agree to amend the final budget proposals recommended to Council so that the car parking fees and charges tabled at the meeting are adopted in place of the car parking charges contained in the previously published fees and charges schedule.
- i) Cabinet recommend as part of the final budget proposals to full council that free parking be provided for blue badge holders at the Council's Country Parks.
- j) Following consideration of the budget consultation exercise Cabinet agree to amend the final budget proposals recommended to Council to include the creation of a highways fund of £1m to be funded through re-purposing one off reserves.

REASONS RESOLVED:

To ensure that the Council complies with its Constitution and all other relevant requirements in setting the budget for West Northamptonshire Council.

In relation to the additional resolution relating to car parking charges

Budget consultation on the draft budget proposals identified concerns over the impact of car parking on local businesses, stakeholders and community groups during a time of regeneration in the town.

Following a series of meetings between the Council and stakeholders to further understand the impacts, whilst setting out a principle of not wanting to see any increases, businesses pointed to the areas which had most impact in retaining footfall, encouraged dwell time within the centre but had minimal changes in regard to the loss of budget.

The proposed changes therefore take on board consultation results and have been amended to support the town centre through the next stage of development.

Consultation also identified concerns about the arrangements for the Racecourse car park. The proposed charges have therefore been withdrawn to allow further consideration to be given to this area.

Budget consultation also included a significant number of comments on town centre car parking and Country Parks parking. As a result, the Country Park charges have also been re-considered and amended. This includes the introduction of free parking for blue badge holders at the Council's country parks.

In relation to the additional resolution relating to highways funding

Following consultation, it is clear that the condition of the highway is of particular concern to residents and stakeholders. Cabinet have taken this into account in framing their final budget recommendations to full council.

In looking at the current evidence, number of complaints and condition of the roads it is clear that the winter weather experienced along with several periods of freezing temperatures followed by warmer temperatures has had a particularly damaging impact in regard to the number and size of potholes appearing.

It is therefore proposed that a further £1m be allocated to the highways maintenance budget to be used to prioritise potholes including investigation and possible investment of machinery that will improve the productivity and efficiency of the maintenance process.

ALTERNATIVE OPTIONS:
None

**Agenda Item 11
Housing Revenue Account Budget 2023-**

RESOLVED: That Cabinet recommended Council to approve: -

24 and Medium-Term Financial Plan

- a) The HRA revenue budget for 2023-24 of £61.19m.
- b) An average maximum rent increase of 7% per dwelling, in line with the legislation and the government's amended national rent standard, to take effect from 3 April 2023.
- c) An average maximum increase of 10% in garage rents and commuter surcharges to take effect from 3 April 2023.
- d) An average increase of 10% in tenants and leaseholders service charges with effect from 3 April 2023.
- e) The HRA capital programme for 2023-24, noting the future year estimated commitments, and proposed sources of finance.
- f) The total management fee of £32.8m for NPH to deliver the services in scope for 2023-24.
- g) The setting of the minimum working balance at £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 2023-24 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

	<p>other reason where the capital programme needs to be adjusted.</p> <p>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 2023.</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 and avoids going into deficit operating, within national standards in relation to rent increases. 3. To ensure that the Council is able to meet its wider duties and obligations to tenants. 4. To ensure that the Council complies with its Constitution and all other relevant requirements in setting the budget for West Northamptonshire Council. <p>ALTERNATIVE OPTIONS: None</p>
<p>Agenda Item 12 West Northamptonshire Council Emissions Report</p>	<p>RESOLVED: That Cabinet;</p> <ol style="list-style-type: none"> a) Noted the progress towards the commitment to publish WNC emission levels b) Noted the commitment to Net Zero Emission Levels <p>REASONS RESOLVED: Key reasons for the recommendations: -</p> <ul style="list-style-type: none"> • To keep members up to date in relation to the progress towards publishing the CO2e emission levels • To reaffirm the Council's commitment to Net Zero Emission Levels • The Council recognises the climate emergency, its importance to residents and impact on their everyday lives;

	<ul style="list-style-type: none"> • The Council has committed to making the emissions data publicly available to keep its communities informed and build credibility with external stakeholders such as Climate Action West Northants (CA-WN) • Making the data publicly available shows accountability and reinforces the Council's commitment to the 2030 net zero target and will help set the format for work towards the 2045 target. • Local authorities have the ability to influence up to 30% of local emissions sources, publication of the report is evidence of transparency and demonstrates the Council's commitment to lead by example <p>ALTERNATIVE OPTIONS: Through consultation with members of the cross-party working group, the LGA tool was adopted for use in calculating CO2e emissions for the Council. During the consultation a number of emissions calculation options were considered, this included The MacKay Carbon Calculator, The Green House Gas Protocol and BSI PAS 2060.</p>
<p>Agenda Item 13 Rural leisure centres heat decarbonisation schemes</p>	<p>RESOLVED: That Cabinet;</p> <ol style="list-style-type: none"> 1. Noted the inclusion of the scheme in Capital Programme contained within the final budget proposals being considered by Council on 22 February 2023. 2. Authorised the procurement of services and works and, subject to Council approval of the budget, delegate the award of contracts for the services and works to the Executive Director of Place, Economy and Environment in consultation with the Section 151 Officer and the Portfolio Holder. <p>REASONS RESOLVED:</p>

1. To replace end of life heating systems and, reducing risks of failure and improving customer service to leisure centre users.
2. To mitigate the energy costs of the buildings.
3. To support the Council's efforts in meeting the net zero target for 2030 by decarbonising heat and increasing generating capacity from renewable resources.

ALTERNATIVE OPTIONS:

1. The choices available to the Council are as follows.
2. Option 1: Do nothing and leave the buildings as they are. This would not enable the Council to mitigate against increasing energy costs, maintenance costs or carbon emissions. There is also a high risk that the heating systems stop operating which will lead to long service disruptions, poor customer service, and reputational harm for the Council
3. Option 2: Carry out the proposed installation and benefit from a grant of £7.075m, with the savings outlined above.
4. Option 3: Like for like replacements. This would cost around £1m. The new heating systems would be more efficient, but this would not help as much with mitigating utilities costs. It would theoretically fall within the responsibility of the two operators of the leisure centres as they have full repairing leases. In practice this is unlikely to be secured, as the operators are likely to maintain the increasingly inefficient currently systems until the end of their contract terms rather than take that scale of capital investment. Alternatively, they may simply seek to exit the contracts or renegotiate terms on the grounds they were no longer viable. This option would also mean that Council would lose the opportunity to benefit from a grant to decarbonise the

	<p>heating systems.</p> <p>5. Option 2 is clearly preferable, enabling the Council to deliver good customer service, support its public health objectives, reduce net operating costs, and take a major step forward in reducing its carbon emissions.</p>
<p>Agenda Item 14 Contract for Dry Mixed Recycling</p>	<p>RESOLVED: That Cabinet;</p> <ol style="list-style-type: none"> a) Approved the recommendation to commence procurement for a new contract for mixed recycling. b) Agreed to delegate authority to the Executive Director for Place, Economy and Environment in consultation with the Portfolio Holder for Environment, Transport, Highways and Waste Services, and the Executive Director for Finance to <ol style="list-style-type: none"> i. take decisions related to the procurement process, to enable it to progress as planned; and ii. award the contract, (provided the procurement reaches a satisfactory conclusion). <p>REASONS RESOLVED:</p> <ul style="list-style-type: none"> • To ensure the Council has secure outlets at a competitive price for the dry mixed recyclable material it collects at the kerbside from residents, which will enable statutory recycling services to continue without disruption. • To ensure a compliant procurement process is commenced with a view to a new contract being awarded at the completion of the process and that the new contract is awarded as soon as possible to minimise the Council's exposure to 'spot prices' (6.10). • To ensure value for money for these arrangements. <p>ALTERNATIVE OPTIONS:</p> <p>Option 1 - Interim Contract for the Daventry Area from June 2023 – Feb 2024</p>

- The Daventry area contract expires before the South area contract, and officers have considered whether to enter an interim arrangement for the Daventry area to cover the period between June 2023 and February 2024. However, initial investigation of this option indicates a temporary arrangement is likely to be subject to a high price per tonne because there is no guarantee for a long-term contract for the contractor.
- The total value of this interim contract would be less than the procurement regulation threshold because of its short duration. This would simplify the initial procurement process. However, a second procurement for a new contract commencing in February 2024 for DMR from the Daventry and South areas would still be necessary.

Option 2 – New Contract, phasing in DMR from Geographic Areas, commencing June 2023

- The alternative option is for the current arrangements to be combined into a single new contract, with separate lots, in phased start dates from June 2023 for Daventry area DMR and February 2024 for South area DMR.
- The length of the new contract is still to be determined. However, if the length of the new contract is beyond June 2028, it may also be possible for DMR from the Northampton area to be included, which may provide further economies of scale.
- Soft market testing with contractors interested in providing this service for WNC commenced in January 2023 to gain intelligence on current market prices, length of contract, level of risk that contractors are prepared to enter related to price, capacity within the MRFs and other factors that will affect the contract. This information will enable WNC to

	<p>tailor the contract specification, contract.</p> <ul style="list-style-type: none"> • A proposed procurement timetable is provided in Appendix 1. Due to the value of this contract (which is over the regulation threshold) the procurement process must follow the full regulations of the Public Contract Regulations 2015. The procurement timescales are short and this is the main reason why delegated authority to award the contract is recommended, to enable award of the contract on the shortest possible timescale. • The reason the procurement timescales are short is that the price review for the Daventry arrangement was not triggered until 6 months before the 3 June review date. Officers had anticipated the price review and considered options in advance, but it was not until early January that it became clear that an interim arrangement was unlikely to offer WNC the most competitive price. • The two incumbent contractors have indicated that they could provide a short-term price for the Daventry area if this option 2 is pursued. If this procurement process does not result in a new contract which can commence in June 2023, then it may be necessary for WNC to continue to use its current arrangements on a temporary basis. However, as noted earlier this would be at new 'spot rates' and not under the current terms.
<p>Agenda Item 15 Public Health and NHSE (NHS England) Integrated Sexual Health Services</p>	<p>RESOLVED: That Cabinet; Delegated authority to the Director of Public Health, in consultation with the Cabinet member for Adults, Wellbeing and Health Integration, to extend the current NISHH contract with the existing provider for 2 years (1 + 1).</p> <p>REASONS RESOLVED:</p>

1. To enable the contract to be extended in order to continue to provide the service as described in the report.
2. The recommended course of action is the most cost and clinically effective service provision and enables a review of the current need and service to be carried out ahead of re-procurement.

ALTERNATIVE OPTIONS:

1. Do nothing: Service will cease at end of March 2023 and disrupt service provision and the health and wellbeing of West Northants residents and lose delivery of mandatory services.
2. Procuring alternate integrated service: The commissioning and procurement process cycle will take time before an alternative provider is commissioned to deliver the integrated service. The commissioning process cannot start before the end of the current arrangement. There will be disruption in service delivery when the existing contract comes to an end. The local authority and Public Health are in a transitional phase of managing the change, this may further impact the service.
3. Procuring separate sexual health and HIV services: The commissioning and procurement process cycle will take time before an alternative provider is commissioned to deliver the separate services. This would require a re-design of both services with separate specifications and care pathways and commissioning formalities. To deliver 2 separate standalone services will require duplication of resources and capacity which will incur additional costs. The commissioning process cannot start before the end of the current arrangement. There will be disruption in service delivery when the existing contract comes to an

	<p>end. The local authority and Public Health are in a transitional phase of managing the change, this may further impact the service.</p> <p>4. Extend current Integrated service: The extension of the current service will continue the delivery of the mandated service and avoid affecting the health and wellbeing of West Northants residents. Time will be available to carry out a needs assessment, review the current service and design a service model and a care pathway fit for future purpose and subsequently procure the service. NHSE is in agreement to extend the service for 2 years (1 +</p> <p>1 - This is the most cost and clinically effective option in the current scenario.</p>
<p>Agenda Item 16 West Northamptonshire Council Primary and Secondary Co-ordinated Schemes for 2024 Intakes</p>	<p>RESOLVED: Cabinet approved the two co-ordinated schemes as detailed in Appendices A and B.</p> <p>REASONS RESOLVED: The above is a statutory requirement.</p> <p>ALTERNATIVE OPTIONS: None</p>