



CABINET

WEDNESDAY, 8 JULY 2009

DECISIONS

Present:

Councillor Wood (Chair), Councillor B Hoare (Deputy Chair)
Councillors Beardsworth, Church, Crake, Perkins and PD Varnsvery

Set out below is a summary of the decisions taken at the meeting of the Cabinet held on Wednesday, 8 July 2009. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

These decisions will come into force and then may be implemented on the expiry of three working days after the publication of this list.

If you have any queries about any matters referred to in this decision sheet please contact Jo Darby 01604 837089 .

THIS LIST OF DECISIONS PUBLISHED:

THURSDAY 9 JULY 2009 AT 09:00 HOURS

DATE OF EXPIRY OF CALL IN:

TUESDAY 14 JULY 2009 AT 17:00 HOURS

| | |
|----------------|---|
| Agenda | Declaration/Conflict of Interests: |
| Item No | None |

**5A OVERVIEW AND SCRUTINY 1 PRE-DECISION SCRUTINY:
COMMUNITY CENTRES**

Cabinet has been formally notified of Overview and Scrutiny Committee 1 (Partnerships, Regeneration, Community Safety and Engagement)'s conclusion and recommendations following the pre decision scrutiny of the Community Centres issue on 24 June 2009 as follows.

“Resolved: That Overview and Scrutiny Committee 1 (Partnerships, Regeneration, Community Safety and Engagement) inform Cabinet that: -

1. Overview and Scrutiny Committee 1 is concerned whether the identified saving of £190,000 from the Community Centre budget will be achieved.

2. The Community Centre Strategy should not be driven by the identified budget savings.
3. There is insufficient information available for the Committee to determine the basis of the Review of Community Centres, and it requests Cabinet to provide this information to its meeting on 12 October 2009.
4. Sufficient time be given to the Review of Community Centres to ensure that it is carried out thoroughly.”

| | |
|----------------|---|
| Agenda | Declaration/Conflict of Interests: |
| Item No | None |

6. Response to O & S Housing and Environment (Billing Waste Water) Task and Finish Group 26.11.08

1. The recommendations have been agreed as set out in the Overview and Scrutiny 2, Billing Waste Water Task and Finish Group in 3.3 (1 to 7) below namely:
 - a) That continuous improvement reviews of the service are carried out to ensure that their working practices continue to be in line with national standards and Government guidance
 - b) That a robust proactive continuous monitoring regime be put in place by the Council’s Regulatory Services
 - c) That the evidence collected by this working party is forwarded onto West Northamptonshire Development Corporation for their information in the consideration of any planning applications submitted by Anglian Water
 - d) That Officers be instructed to monitor the iron salts releasing programme Water and request details of the iron salts releasing programme
 - e) That a copy of the report be forwarded to all neighbouring Local Authorities
 - f) That the Council’s Regulatory Services Officers contact each petitioner within the Northampton Borough Boundary, and forward the rest of the petition to Wellingborough Borough Council for action according to their processes.
2. It has been noted that currently there is insufficient evidence to serve an Abatement Notice
3. This response is to be confirmed to Overview and Scrutiny 2.

| | |
|---------------------------|--|
| Agenda Item No | Declaration/Conflict of Interests: |
| | Cllrs Church and Woods: Personal and Prejudicial Interest as members of the WNDC Board. (Both left the meeting for the duration of the item) |
| | Cllr P D Varnserry: Personal non-prejudicial interest as a participant of the Task and Finish Group. |

7. Response to O & S 1 Report on WNDC Partnership Working with NBC 25.02.09

1. The broad thrust and direction (more particularly as set out in Recommendation 2 below) of the Recommendations from Overview and Scrutiny Committee 1 are supported and accepted and thanks are given to the Committee for their report on this important matter.
2. Cabinet is going to respond to Overview & Scrutiny Committee 1 as follows: (numbers relate to groupings i. to vi. as set out in para. 3.1.1 of the report.)
 1. That recommendation 1 (Appendix 1) is accepted and that Cabinet instructs officers to prepare a comprehensive and constructive response to the Secretary of State on the review of WNDC to take place during 2009, in accordance with the terms of reference of that review; the objectives set down by Overview and Scrutiny Committee and having regard to Paras 3.2.5 to 3.2.8. of the report.
 2. That Cabinet recognises that there has been an improvement in the working relationship and partnership arrangements between NBC and WNDC. However, that this improved relationship is still maturing and should not be taken for granted and that officers be instructed to prepare an annual review and report on the achievements of the two organisations working in partnership.
 3. That the improvement in communications between the two organisations be noted and that this should be covered in the annual review and report to Cabinet.
 4. Cabinet are asked to note that:-
 - a) Officers are already working with our partners in West Northamptonshire to produce a Joint Core Strategy and a report outlining the emergent strategy will be presented to the West Northamptonshire Joint Strategic Planning Committee on the 6th July for the purpose of public consultation. Overview and Scrutiny Committee One's concerns in this respect are already being met.
 - (b) Cabinet instruct Officers to write to WNDC to record our

appreciation for their involvement in the plan making process to date and request that they continue to ensure senior representation at strategic plan making meetings.

5. That Cabinet and Members of Overview and Scrutiny Committee One will receive a further briefing on the Environmental Health Consultancy service to WNDC in due course.
6. That Cabinet notes the improvements that have taken place to date in the consideration of WNDC planning applications and the way in which WNDC considers the corporate response to these applications by the Planning Committee. This will, however, also be kept under review and will be included in the annual review and report.

| | |
|-----------------------|--|
| Agenda Item No | Declaration/Conflict of Interests: |
| | Cllr P D Varnsvery: Personal. Non-prejudicial as a participant of the Task and Finish Group. |

**8. Response to O & S 2 Contaminated Water Task & Finish Group
20.05.09**

1. The Overview and Scrutiny Committee's concern to support vulnerable people in emergency situations is noted and supported;
2. The Committee is to be informed that Cabinet supports the continuing development and testing of the multi-agency arrangements designed to ensure that vulnerable people can be identified in an emergency, but in line with national guidance does not support the creation of a single central register of vulnerable people.

| | |
|-----------------------|--|
| Agenda Item No | Declaration/Conflict of Interests: |
| | Cllr Woods: personal non-prejudicial interest owing to his involvement with the Northampton Arts Collective. |

9. Market Hall, Bradshaw Street - Grant of Lease to Northampton Arts Collective

1. That subject to the resolution of issues set out in 3.2.2. of the report to the satisfaction of the Borough Solicitor, the grant of a lease of the Market Hall, Bradshaw Street (shown edged red upon the attached plan at Appendix 1) on the terms set out in Appendix 2 to this report, to the Northampton Arts Collective Limited (Reg. Co. No. 6817424) is supported.
2. The allocation is supported of £10,000 revenue funding per annum in each of the financial years 2009/10, 2010/11 and 2011/12 to support the cost of necessary maintenance and repair works to the property – consistent with the terms set out in Appendix 2 of the

report.

| | |
|----------------|---|
| Agenda | Declaration/Conflict of Interests: |
| Item No | None |

10. Evaluating Ways of Delivering Services and improving Value for Money (VFM) for the Council Tax payers of Northampton

1. It has been decided to undertake a full market testing exercise to determine the most cost effective and efficient way to deliver waste management, street care and grounds maintenance services and so improve VFM of these services for Council Tax payers.
2. Cabinet's commitment has been given to implementing the findings of this particular market testing exercise if a well defined and robust business case is established that supports this course of action, subject to paragraph 3 and 4 below.
3. It has been noted that further reports will be brought forward throughout the course of this market testing exercise if key decisions need to be made.
4. It has been noted that, further to paragraph 3 above, before any contract or tender is awarded as a result of the market testing of waste management, street care and grounds maintenance services, a report will be brought to Cabinet to seek its agreement.
5. That, subject to specific agreement with the relevant portfolio holder, approval has also been given to the principle and practice of market testing Council services where it is considered that the external market might provide greater opportunities to achieve better value for money, efficiencies and effectiveness in service delivery, as part of the Strategic Business Review programme or as distinct projects.
6. It has been noted that the Trades Unions have been informed of this proposal and that management are seeking positive and active engagement of the Trades Unions in pursuing this programme, to ensure that the proper interests of all employees, whether Union members or not are duly considered.
7. Working together with other Councils on market-testing has been endorsed by Cabinet where this enables potential mutual benefits and sharing of the costs of market-testing, as long as such joint working does not fetter future discretion by this Council.

| | |
|----------------|---|
| Agenda | Declaration/Conflict of Interests: |
| Item No | None |

11. Housing Tenancy Agreement

1. Approval has been given to the commencement of formal consultation on the draft tenancy agreement (attached as Appendix 1 of the report) and authorisation given for the issue of the preliminary notice to all council tenants.
2. Following consultation with tenants a further report will be presented to Cabinet detailing the comments received from tenants, any amendments made to the draft tenancy agreement and asking cabinet authorise the service of the Notice of Variation on all tenants.

| | |
|----------------|---|
| Agenda | Declaration/Conflict of Interests: |
| Item No | None |

12. Places of Change Project Implementation

It has been agreed:

1. To transfer the southern section of the Maple Buildings site, (as edged in red on drawing DO2 revision J, in Appendix 2 of the report) to Midland Heart Ltd. Housing Association (MHHA) at a nominal charge, on a long leasehold basis, upon NBC achieving vacant possession of the site and subject to the necessary Social Housing Grant being approved by the Homes and Community Agency (HCA).
2. That vacant possession notices be issued to the existing commercial tenants.
3. To delegate authority to the Director of Housing and the Borough Solicitor to complete the detail of the legal arrangements between Midland Heart Ltd and the council.
4. That the northern part of the site, (as edged in blue on drawing as included in Appendix 3 of the report) be retained by the Council for an alternative use.
5. That the Director of Housing will oversee progress on the next stage of the project as detailed in the Project Implementation Plan.

| | |
|----------------|---|
| Agenda | Declaration/Conflict of Interests: |
| Item No | None |

13. Greenfield Avenue - Proposed Infill Development

1. The Director of Housing, in consultation with the Portfolio Holder, is to be authorised to negotiate the terms of the disposal at nil financial consideration of land shown at appendix A to Metropolitan Housing Trust in return for nomination rights to all completed homes.
2. A report setting out the final terms of disposal is to be presented to Cabinet for final approval in due course.
3. It has been noted that on Health and Safety grounds, numbers 58 & 60 Greenfield Avenue have had to be demolished because of structural instability due to subsidence.

| | |
|----------------|---|
| Agenda | Declaration/Conflict of Interests: |
| Item No | None |

14. Community Centres

1. A review of community centres has been approved to ensure they can contribute effectively to thriving communities and provide improved value for money;
2. The exploration of Community Asset Transfer in appropriate cases has been endorsed;
3. Officers are authorised to explore opportunities with other providers of community facilities actively to seek shared solutions to meeting community needs;
4. Officers are authorised to undertake the discussions necessary to understand the opportunities and interest locally in the transfer of community centre assets to appropriate community groups.

| | |
|----------------|---|
| Agenda | Declaration/Conflict of Interests: |
| Item No | None |

15. Future of Allchin Steamroller

The transfer of ownership of the remaining parts of the Allchin Steam Roller No. 1131, to the Northampton & Lamport Railway Preservation Society ("NLRPS") is supported on precise terms to be approved by the Director of Finance and Support, provided that they are consistent with the conditions set out in 3.2.2 of the report.