



## CABINET

WEDNESDAY, 16 OCTOBER 2019

## DECISIONS

<b>PRESENT:</b>	Councillor Nunn (Chair); Councillor Larratt (Deputy Chair); Councillors Hallam, Hibbert, Eldred, King and Hill.
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Set out below is a summary of the decisions taken at the meeting of the Cabinet held on Wednesday, 16 October 2019. 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 Ed Bostock, ext 7722.

<b>THIS LIST OF DECISIONS PUBLISHED:</b>	<u>17 October 2019</u>
<b>DATE OF EXPIRY OF CALL IN:</b>	<u>22 October 2019 AT 17:00 HOURS</u>

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b> None
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### **7. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) POLICY UPDATE**

- 2.1 Cabinet noted the update on the outcome of the desktop Inspection carried out by the Investigatory Powers Commissioner's Office (IPCO) dated 16<sup>th</sup> August 2019.
- 2.2 Cabinet approved the updated RIPA Policy attached as Appendix 1;  
and
- 2.3 Cabinet delegated authority to the Borough Secretary and Monitoring Officer to
  - a) Update the RIPA policy to include the name and contact details of new Authorising Officers after they have been appointed,  
and

- b) Make such future amendments to the Policy which are in the opinion of the Borough Secretary and Monitoring Officer minor and are necessary to reflect either legislative requirements, relevant guidance or current good practice.

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**Agenda**      **Declaration/Conflict of Interests:**  
**Item No**      None

## **8. REVIEW OF PUBLIC SPACES PROTECTION ORDER 2017**

- 2.1.1 Cabinet authorised the Chief Executive to undertake a 12 week consultation period regarding whether the review of current PSPO 2017 under the Anti-Social Behaviour, Crime & Policing Act 2014 should be renewed for a further three years and whether any additional activities or behaviour ought to be included in it as detailed in Appendix 1.
- 2.1.2 In addition, Cabinet authorised the consultation on additional behaviours which have been brought to our attention (busking, cycling on pavements).
- 2.1.3 Cabinet agreed to receive a further report, following completion of the statutory public consultation, which considers any representations received and, if appropriate, seek approval of the PSPO(s).

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**Agenda**      **Declaration/Conflict of Interests:**  
**Item No**      None

## **9. PUBLIC SPACES PROTECTION ORDER - JEYES JETTY**

Cabinet:

- 2.1.1 Resolved to make a PSPO as per Appendix 1 to this report restricting the public right of way over Jeyes Jetty for a period of three years after taking into account the results of a public consultation carried out between 19th June and 11<sup>th</sup> September 2019.
- 2.1.2 Resolved to delegate to the Borough Secretary the authority to comply with all legal steps and processes required by Chapter 2 of Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014 for the Council to make a PSPO restricting the public right of way over Jeyes Jetty for a period of three years as per Appendix 1 in order to give effect to the decision at 2.1.1.
- 2.1.3 Resolved to delegate to the Chief Executive authority to make an application for listed building planning permission for the installation of secure gates at each end of Jeyes Jetty and, subject to approval

being granted, arrange for the installation, operation and maintenance of said gates.

- 2.1.4 Resolved to delegate to the Chief Executive authority to enforce a PSPO made under the power delegated at 2.1.2 and to authorise Council officers and appropriately trained external contractors working on behalf of the Council as authorised persons to issue fixed penalties of £100 to any person suspected of committing an offence under section 67 of the Act.

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

## **10. DRAFT NORTHAMPTONSHIRE DOMESTIC ABUSE AND SEXUAL VIOLENCE STRATEGY 2019-2022**

- 2.1.1 Cabinet considered and adopted the draft Countywide Domestic Abuse and Sexual Violence Strategy 2019-2022.
- 2.1.2 Cabinet committed to work with partner agencies to ensure the development and delivery of the strategy and associated action plans, through the community safety governance structures that are proposed.
- 2.1.3 Cabinet agreed to receive further reports on the implementation and progress of this strategy as and when necessary.

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

## **11. MUSEUM POLICY DOCUMENTS**

- 2.1 Cabinet agreed the adoption of the updated and revised Collections Development Policy; Care of Collections and Conservation Policy; Documentation Policy and Access Policy.
- 2.2 Cabinet noted Section 1 Overarching Principles and Section 16. Disposal Procedures in the Collections Development Policy relating to financially motivated disposals and the undertakings contained therein.

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

## **12. TOWN CENTRE MASTERPLAN**

- 2.1 Cabinet approved the Northampton Town Centre Masterplan which sets the Principles and the approach that will be taken in order to deliver transformational change.
- 2.2 Cabinet noted the results of the consultation and how the masterplan has accounted for these within its design.
- 2.3 The Masterplan is used to inform emerging planning policy within the town centre
- 2.4 Cabinet noted the progress made to date, timescales and next steps for the Future High Street Fund application and the priority areas for intervention.

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

## **13. PROPOSED DESIGNATION OF AN ADDITIONAL HMO LICENSING SCHEME**

- 2.1 Cabinet:
  - (a) Noted the 'Consultation Report' of 3 May 2019 (attached to the report as Appendix A) and the 'Report on the findings from the Consultation on the Designation of an Additional HMO Licensing Scheme in Northampton' (attached to the report as Appendix B);
  - (b) Agreed that, having considered the 'Consultation Report' (Appendix A), the 'Report on the Findings from the Consultation' (Appendix B) and the 'Hazards identified during HMO inspections' (Appendix C) which show that a significant proportion of the HMOs in the designated area are being managed ineffectively, an Additional HMO Licensing Scheme is required for a period of five years; and
  - (c) Agreed to designate, with effect from 1 February 2020 for a period of five years, a selected area of the Borough (identified in the map and list of streets contained in Appendix D of this report) as being subject to Additional HMO Licensing under section 56(1)(a) of the Housing Act 2004 for the following types of HMO:
    - (i) Any HMO (irrespective of the number of storeys) that contains three or four occupiers who form two or more households; and
    - (ii) All self-contained flats (irrespective of the number of storeys) that are Houses in Multiple Occupation and contain three or four occupiers who form two or more households but, where the

HMO is a section 257 House in Multiple Occupation, this Additional HMO licensing designation will only apply to those section 257 HMOs that are mainly or wholly tenanted, including those with resident landlords.

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

#### **14. BOROUGHWIDE ARTICLE 4 DIRECTION FOR HOUSES IN MULTIPLE OCCUPANCY**

- 2.1 Cabinet approved, for public consultation, the Council's proposal to introduce a Borough wide Article 4 Direction for houses in multiple occupation (HMO). This Direction, if it were to come into effect, would withdraw permitted development rights for the change of use from Class C3 Dwellinghouses to Class C4 Houses in Multiple Occupation for areas of the Borough not currently covered by an Article 4 Direction.
- 2.2 Cabinet agreed that the Head of Planning be given delegated authority in consultation with the Cabinet Member for Planning to make minor non-material spelling, formatting and other amendments to the consultation notices and documents where they do not alter the intent of the Direction.

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<b>Agenda Item No</b>	<b>Declaration/Conflict of Interests:</b>
	None

#### **15. LONG LEASE OF PUBLIC OPEN SPACE AT STONE CIRCLE ROAD**

- 2.1 Cabinet approved "in principle" the disposal by way of a long lease the land at Stone Circle Road subject to (1) the intended disposal being advertised in accordance with statutory requirements and (2) any objections arising from this process being considered by Cabinet prior to any disposal taking place.
- 2.2 Cabinet authorised the advertisement of the proposed long lease (25 years) of public open space at Stone Circle Road in accordance with the requirements of the Local Government 1972, section 123 (2A) of the local Government Act 1972 as amended by the Local Government Act 1980, relating to the disposal of public open space
- 2.3 Cabinet authorised in the event of there being no objections received to the proposed disposal of public open space, that authority be delegated to the Economic Growth and Regeneration Manager in consultation with the Lead Member for Regeneration and Enterprise,

the Deputy Leader, the Chief Finance Officer and Borough Secretary to approve and conclude terms of the long lease to Thorplands 81.

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<b>Agenda</b>	<b>Declaration/Conflict of Interests:</b>
<b>Item No</b>	None

## **16. SIXFIELDS - ENFORCEMENT STRATEGY - UPDATE**

Cabinet noted the actions that are being undertaken to recover the judgement debt and in particular noted that:

- 2.1 The Council is in the process of agreeing transfers to it of residential properties from Artefact Investments Limited.
- 2.2 The Council has commenced possession proceedings for Christina and David Cardoza's property outside Northampton.
- 2.3 FRP Advisory Insolvency Practitioners LLP (Paul Allen) has been appointed as the Trustee in Bankruptcy for Anthony Cardoza.
- 2.4 Discussions are ongoing with Deloitte about the recovery of monies for NBC as major creditor through the First Land Limited liquidation.
- 2.5 Of the £200k maximum legal costs spend agreed by Cabinet at its meeting on 3rd April 2019 £141,564 has been spent.