

North Northamptonshire Council – Decisions taken by the Executive on Thursday 8 June 2023

Issued: 8<sup>th</sup> June 2023

The following decisions in this notice were made by the Executive on Thursday 8<sup>th</sup> June 2023.

Any decisions identified below as a **KEY DECISION** will come into force and may be implemented on 16<sup>th</sup> June 2023, unless the decision is subject to call-in, in accordance with section 18 of the Scrutiny Procedure Rules within North Northamptonshire Council’s Constitution.

**Requests for Call-In**

A request for call-in shall only be considered to be valid if signed by at least 8 members of the Council (10% of the total number of members) who are not members of the Executive. One of the requestors must identify themselves as the originator of the request and the request must specify the nature of the grounds relied upon. A call-in request must be in the form of a written notice submitted to the Monitoring Officer and received before the published deadline. Either one notice containing all required signatures or up to 8 separate e-mails (as appropriate) will be acceptable.

The notice must set out:-

- (a) the resolution or resolutions that the member(s) wish to call in;
- (b) the reasons why they wish the relevant Scrutiny committee to consider referring it back to the Executive, with particular reference to the principles of decision making set out elsewhere within this Constitution; and
- (c) the alternative course of action or recommendations that they wish to propose.

Agenda Item No	Subject	Decision
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**Part A – Items considered in public**

Item 5	Performance Indicator Report 2023/24 - Period 1	<p><b>RESOLVED</b></p> <p>That the Executive noted the performance of the Council as measured by the available indicators at Period 1 (April) 2023/24, set out in the appendix to this report.</p> <p>Reason for Recommendations: To better understand the Council’s performance as</p>
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		<p>measured by performance indicators as at Period 1 (April) 2023/24.</p> <p>Alternative Options Considered: Reporting performance data on a less frequent basis is an option but monthly reporting is considered useful at this stage of the Council's existence, reporting alongside budget information.</p>
<b>Item 6</b>	Corporate Parenting Board	<p><b>RESOLVED</b></p> <p>That the Executive:</p> <ul style="list-style-type: none"> <li>i) Established a Corporate Parenting Board with seven elected members for North Northamptonshire</li> <li>ii) Noted the Terms of Reference at Appendix A of the report and agreed the membership as set out therein</li> </ul> <p>Reason for Recommendation – to ensure that statutory obligations are effectively discharged.</p> <p>Alternative Options Considered: The alternative option is to not have a Corporate Parenting Board, however, to assist in effectively discharging the Council's obligations it is best practice to have a Corporate Parenting Board.</p>

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<b>Agenda Item No</b>	<b>Topic</b>	<b>Decision</b>
<b>Item 7</b>	NNC Public Space Protection Order for Dog Control	<p><b>RESOLVED</b></p> <p>That the Executive approved the commencement of the Public Spaces Protection Order Consultation for Dog Control for North Northamptonshire Council.</p> <p>Reason for Recommendations – having one aligned PSPO in place for dog control, will bring all existing conditions and controls together in one place, will remove inconsistencies across the areas and make enforcement more straightforward and easier to understand for the public.</p> <p>Alternative Options Considered – The existing PSPO’s within the previous sovereign areas of Wellingborough, Kettering and East Northamptonshire could be extended; amended; or revoked or could be left to expire in November 2023. However, having one aligned PSPO in place would remove inconsistencies that having three PSPO’s creates and if they were allowed to lapse, this could increase dog fouling and dog control complaints and issues.</p> <p>A separate PSPO could be introduced for the previous sovereign area of Corby, or this area could remain without standards for and enforcement of dog control. It is however believed to be important that all areas are covered by the same PSPO.</p>
<b>Item 8</b>	Adoption of the NNC Contaminated Land Strategy and the Contaminated Land Cost Recovery and Hardship Policy	<p><b>RESOLVED</b></p> <p>That the Executive approved the proposed Contaminated Land Strategy and Cost Recovery and Hardship Policy as set out in Appendix A and Appendix B to the report.</p>

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<b>Agenda Item No</b>	<b>Topic</b>	<b>Decision</b>
		<p>Reason for Recommendation: The North Northamptonshire Contaminated Land Strategy and Cost Recovery and Hardship Policy are based on the strategy and policy documents previously adopted by the former Borough and District councils across Northamptonshire. The new documents have been produced in collaboration with West Northamptonshire Council. The responsibility for the inspection of contaminated land has traditionally sat within Environmental Protection.</p> <p>The document has been the subject of both an internal and external consultation process with comments invited on the document. The comments and changes, where appropriate to the aims and objectives of the document, have been incorporated into the strategy.</p> <p>Alternative Options Considered – The Executive could decide not to update the strategy and policy, however statutory guidance states that the local authority should keep their contaminated strategy under periodic review and not doing so could threaten the lawfulness of any enforcement action taken. The Council would also fail to meet its statutory duty.</p>
<b>Item 9</b>	Braybrooke Neighbourhood Plan	<p><b>RESOLVED</b></p> <p>That the Executive made the Braybrooke Neighbourhood Plan, so that it became part of the statutory development plan for the area.</p>

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Agenda Item No	Topic	Decision
		<p>Reason for Recommendation – The plan was approved through a public referendum, identifying a majority in favour verdict of making the Plan, in addition the Council is satisfied that the making of the Plan would not breach, or otherwise be incompatible with, any EU or human rights obligations. Therefore, the Council is procedurally required to “make” the Braybrooke Neighbourhood Plan part of the statutory development plan for the Braybrooke Neighbourhood Area within the timeframe set out by the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>Alternative Options Considered – The Council is required by the Localism Act and provisions of the Neighbourhood Planning (General) Regulations 2012 (as amended) to ‘make’ a neighbourhood plan within 8 weeks of the day following a successful referendum. The only circumstance where the Council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU of human rights obligation. Failure to make the Plan would prevent it being adopted.</p>
<b>Item 10</b>	Harrington Neighbourhood Plan	<p><b>RESOLVED</b></p> <p>That the Executive made the Harrington Neighbourhood Plan, so that it became part of the statutory development plan for the area.</p>

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		<p>Reason for Recommendation – The plan was approved through a public referendum, identifying a majority in favour verdict of making the Plan, in addition the Council is satisfied that the making of the Plan would not breach, or otherwise be incompatible with, any EU or human rights obligations. Therefore, the Council is procedurally required to “make” the Harrington Neighbourhood Plan part of the statutory development plan for the Harrington Neighbourhood Area within the timeframe set out by the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>Alternative Options Considered – The Council is required by the Localism Act and provisions of the Neighbourhood Planning (General) Regulations 2012 (as amended) to ‘make’ a neighbourhood plan within 8 weeks of the day following a successful referendum. The only circumstance where the Council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU of human rights obligation. Failure to make the Plan would prevent it being adopted.</p>
<b>Item 11</b>	South-West Kettering (Headlands Community) Neighbourhood Plan	<p><b>RESOLVED</b></p> <p>That the Executive made the South-West Kettering (Headlands Community) Neighbourhood Plan, so that it became part of the statutory development plan for the area.</p>

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<b>Item 12</b>	Primary Education Provision at the Glenvale Park Development, Wellingborough North	<p><b>RESOLVED</b></p> <p>KEY DECISION</p> <p>That the Executive:</p> <ul style="list-style-type: none"> <li>i) Approved the proposal to seek expressions of interest in relocating an existing local school to the Glenvale Park school.</li> <li>ii) Approved the commencement of the preparation for the statutory process relating to making a significant change to an academy or a maintained</li> </ul>

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		<p align="center">school.</p> <p>iii) Noted that a further report will be brought forward setting out the outcome of the expression of interest process and seeking a formal decision about whether to proceed on this basis.</p> <p>Reasons for Recommendation:</p> <ul style="list-style-type: none"> <li>• Ensure the delivery of sufficient suitable school places that meet the needs of the community now and in the future.</li> <li>• Ensure pupils have access to high quality facilities that support their education.</li> <li>• Making effective and efficient use of the education estate to meet the needs of all pupils.</li> <li>• Ensure full transparency of the process being followed.</li> <li>• Allows for all interested parties to have their views heard and considered as part of the decision-making process.</li> <li>• Will evidence that appropriate steps are taken in line with statutory guidelines and within appropriate timescales.</li> <li>• Allows Executive to be further updated on the outcome of the expressions of interest ahead of any further decision making.</li> <li>• Is in accordance with the DfE legislation and policy on making significant changes to an academy or maintained school.</li> <li>• Demonstrates to the governing bodies/trustees of any schools wishing to make an application that the council are progressing a shared solution in line with their expression of interest.</li> </ul>



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		<p>Alternative Options Considered:</p> <ul style="list-style-type: none"> <li>• Establishing a new Primary School at Glenvale Park – Pupil place planning data does not support the creation of a new Primary School in the Glenvale area at this time. Over provision of places would have a detrimental impact on surrounding schools leading to financial viability concerns. In addition, DfE would not fund a school where the need for additional places is not supported through the place planning process.</li> <li>• Identify an alternative use for the school site. There is need for additional SEND places in the North Northamptonshire area. However, repurposing the school buildings would be costly and would not be in line with the development agreement.</li> <li>• Leave the site vacant until demand for places increases. Based on available Pupil Place Planning data, the need for places is unlikely to grow for some years. Even at that time, this may not justify a new 2 Form of Entry school on this site. Leaving the site unused for an extended period of time is a poor use of resources and creates additional costs in areas such a security and maintenance.</li> </ul>
<b>Item 13</b>	Start Well Research Project	<p><b>RESOLVED</b></p> <p>KEY DECISION</p>

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		<p>That the Executive:</p> <ul style="list-style-type: none"> <li>a) Noted the research project; and</li> <li>b) Approved dissemination of research outcomes with partners</li> </ul> <p>Reason for Recommendation: To support children and young people and their families to access high quality sustainable education that facilitates the achievement of best outcomes.</p> <p>Alternative Options Considered: Not undertaking the Start Well Research project. This would have been a missed opportunity to gather valuable data in relation to Early Years provision in North Northamptonshire.</p>
<b>Item 14</b>	Treasury Management Outturn Report - 2022-23	<p><b>RESOLVED</b></p> <p>That the Executive:</p> <ul style="list-style-type: none"> <li>a) Noted the treasury management outturn report detailing the activity undertaken during the financial year ended 31<sup>st</sup> March 2023 and the performance achieved set out in <b>Appendix A</b> to this report; and</li> <li>b) Noted the Council’s treasury management activities and performance for the</li> </ul>

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		<p align="center">financial year ended 31<sup>st</sup> March 2023.</p> <p>Reasons for Recommendations: The Council’s TMSS is underpinned by the CIPFA Code of Practice on Treasury Management (“the Code”) which requires that members are informed of treasury management activities at least twice a year. Full Council has delegated the formulation and monitoring of the Council’s treasury management strategy, policy, and activity to the Executive Committee.</p> <p>Alternative Options Considered: There are no alternative options to be considered for this report, which is for noting only.</p>
<b>Item 15</b>	Budget Forecast Update 2022/23 - Period 12	<p><b>RESOLVED</b></p> <p>That the Executive:</p> <ol style="list-style-type: none"> <li>a) Noted the Council’s draft outturn position for the General Fund 2022/23 which is an overspend of £965km and the Housing Revenue Account 2022/23 which is an underspend of £473k as summarised in section 4, alongside the further analysis which is set out in Section 5 and Section 6 of this report.</li> <li>b) Approved the following transfers to reserves which are reflected in the draft outturn position.</li> </ol> <p>Transfer to reserves included within individual Directorates:</p> <ul style="list-style-type: none"> <li>• Place &amp; Economy Grants (Section 5.45) - £287k</li> </ul>

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		<ul style="list-style-type: none"> <li>• Planning Reserve (Section 5.45) - £143k</li> <li>• Capital General Fund (MRP – Section 5.62) - £3.043m</li> <li>• Members Empowerment Fund (Section 5.83) - £104k</li> </ul> <p>Transfer to Earmarked Reserves from Available Resources:</p> <ul style="list-style-type: none"> <li>• Business Rates Risk Reserve (Section 5.86) - £2.728m</li> </ul> <p>c) Noted the assessment of the 2022/23 savings as shown in Appendix A to the report.</p> <p>Reason for Recommendations – to note the draft outturn position for 2022/23, approve the transfer to reserves and consider the impact on this year and future years budgets.</p> <p>Alternative Options Considered: The report focuses on the forecast revenue outturn against budget for 2022/23 and makes recommendations for the Executive to note the current budgetary position as such there are no specific choices within the report.</p>
<b>Item 16</b>	Capital Outturn 2022-23	<p><b>RESOLVED</b></p> <p>KEY DECISION</p> <p>That the Executive:</p> <ul style="list-style-type: none"> <li>a. Noted the update to the provisional capital outturn for the General Fund (GF) Capital Programme and Housing Revenue Account (HRA) Capital Programme for 2021/22.</li> </ul>

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		<p>b. Noted the provisional capital outturn position for the General Fund (GF) Capital Programme and Housing Revenue Account (HRA) Capital Programme for 2022/23.</p> <p>c. Approved the proposed capital carry forwards 2022/23 into 2023/24 for the GF and HRA capital programmes as detailed in Appendices A and B.</p> <p>d. Approved year end budget adjustments for the GF as shown in Appendix A to the report.</p> <p>Reasons for Recommendations: This is in line with the Council's constitution and financial regulations in relation to governance.</p> <p>Alternative Options Considered: By not approving these recommendations there would be an adverse impact on service provision in North Northamptonshire.</p>
<b>Part B – Items considered in exempt</b>		
<b>Item 17</b>	Surplus Asset Disposals	<p><b>RESOLVED</b></p> <p>KEY DECISION</p>

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		<p>That the Executive:</p> <ul style="list-style-type: none"> <li>i) Determined the sites detailed in the appendices to the report as surplus</li> <li>ii) Delegated authority to the Executive Member for Highways, Travel and Assets, in consultation with the Assistant Director for Assets and Environment to progress the sale, and agree the market terms of: <ul style="list-style-type: none"> <li>a) Parcel 1, former agricultural land, A14 Jct9, Kettering</li> <li>b) Vacant commercial premises, Thrapston</li> <li>c) Land adjacent Phoenix Parkway, Corby</li> <li>d) Land adjacent A14</li> <li>e) Land &amp; Buildings, Gladstone Road, Desborough</li> </ul> </li> </ul> <p>Reasons for Recommendations:</p> <ul style="list-style-type: none"> <li>• The suggested way forward will bring the sites forward for redevelopment, providing wider economic development benefits in a reasonable time scale.</li> <li>• It provides a value for money outcome for the Council, whilst supporting its Council's Corporate Plan commitments.</li> <li>• There are controls through the planning process, including consultation associated with that process, for the community to be engaged in the outcome of the development.</li> <li>• Bringing sites forward for development contributes to North Northants area housing supply and to regeneration of their respective areas.</li> <li>• Progressing these sites will result in the Council reducing the revenue holding costs.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Any developments will also be regulated with building regulations including those supporting accessibility and the requirement for adherence to energy and sustainability requirements.</li> <li>• The disposal of the sites will generate a capital receipt, supporting the Council's financial position</li> </ul> <p>Alternative Options Considered:</p> <ul style="list-style-type: none"> <li>• The sites have had an extensive review of alternative options. Many have been vacant for some time and incur holding costs.</li> <li>• Alternative uses have been considered through the AMRG, which includes service area representatives, who confirmed the sites will not meet their needs and/or are not financially viable for their requirements.</li> <li>• A review of the markets including land values and planning policy shows that there are viable options for development of these sites and, once developed, these uses will contribute to employment opportunities for North Northamptonshire</li> </ul>