

## Minutes of a meeting of the Executive

At 10.00 am on Thursday 8th June, 2023 in the Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

### Present:-

#### Members

Councillor Jason Smithers (Leader of the Council) (Chair)	Councillor Helen Howell (Deputy Leader of the Council)
Councillor Matt Binley	Councillor Helen Harrison
Councillor David Brackenbury	Councillor David Howes
Councillor Lloyd Bunday	Councillor Graham Lawman
Councillor Scott Edwards	Councillor Harriet Pentland

Also in attendance – Councillors Lyn Buckingham, Anne Lee, Jim Hakewill, William Colquhoun, Dorothy Maxwell and Matt Keane

#### 440 Apologies for absence

Apologies for absence were received on behalf of the Executive Director of Children's Services, AnnMarie Dodds.

#### 441 Minutes of the Meetings Held on 20th April 2023 and 11th May 2023

**RESOLVED** that the Executive agreed the minutes of the meetings held on 20<sup>th</sup> April 2023 and 11<sup>th</sup> May 2023 as true and accurate records of the meetings.

#### 442 Members' Declarations of Interest

A personal and prejudicial interest was declared by Cllr Scott Edwards in Agenda Item 11 – South-West Kettering (Headlands Community) Neighbourhood Plan. Cllr Edwards left the meeting for the duration of the debate and voting on this item.

#### 443 Notifications of requests to address the meeting

The Chair, Councillor Jason Smithers reported that there were requests to address the meeting as set out below:

Agenda Item	Speakers
Item 6 - Corporate Parenting Board	Cllrs Dorothy Maxwell and Lyn Buckingham
Item 7 – NNC Public Spaces Protection Order for Dog Control	Cllrs Anne Lee, Ross Armour, Dorothy Maxwell and Lyn Buckingham

Item 12 - Primary Education Provision at the Glenvale Park Development	Cllrs Dorothy Maxwell and Lyn Buckingham
Item 13 – Start Well Research Project	Cllrs Anne Lee, Dorothy Maxwell and Lyn Buckingham
Item 14 - Treasury Management Outturn Report – 2022-23	Cllr Dorothy Maxwell
Item 15 – Budget Forecast Outturn 2022-23 at Period 12	Cllrs Anne Lee, Dorothy Maxwell and Lyn Buckingham
Item 16 - Capital Outturn 2022/23 – Provisional Outturn as at Period 12	Cllr Dorothy Maxwell

Cllr Ross Armour had provided his apologies for the meeting and consequently did not speak on Agenda Item 7.

Cllr Dorothy Maxwell opted not to speak in relation to Agenda Items 13, 14, 15 and 16.

#### **444 Performance Indicator Report 2023/24 - Period 1**

The Leader invited the Executive Member for Finance and Transformation, Cllr Lloyd Bunday to introduce a report that sought to provide an update on the performance of the Council across a range of services as measured by performance indicators (PIs), as well as setting out the progress that was being made in the development of the Council’s performance monitoring arrangements.

Cllr Bunday reported that following the agreed changes to performance reporting arrangements at the meeting of Executive on 16<sup>th</sup> March 2023, the PI set had been revised for the 2023/24 financial year, streamlining the report and concentrating on areas that were not performing as well as expected.

The Period 1 report indicated a mixed picture for performance, with 32% of indicators performing above target, with 13% within tolerance levels and 36% below target. The remaining 19% of indicators were missing data to allow for reporting. Of the 58 PIs reported for the period, 17 had shown improvement, with 17 deteriorating since the previous reporting period.

The meeting heard that revenues and benefits collection rates had seen a positive start to the financial year, surpassing monthly targets as well as figures for April 2022, whilst Environmental Information Regulation, Freedom of Information and Individual Rights Requests completed within set timescales had all shown marked improvements.

Cllr David Brackenbury noted the positive improvements to PIs relating to Planning Services which reflected great credit on the team involved.

Cllr Helen Harrison spoke to welcome the progress made in regard to deprivation of liberty safeguarding cases, the result of hard work from the team involved. Cllr Harrison also referenced two indicators (AFL07 & AFL08) relating to care and support needs that were currently showing as below target, noting that it was early in the reporting year and performance was anticipated to improve in both these areas.

Cllr Bunday concluded debate by stating that work was ongoing to further refine performance indicators and their presentation, and members could expect improvements to future iterations of the report in the coming months.

## **RESOLVED**

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.

Reason for Recommendations: To better understand the Council's performance as measured by performance indicators as at Period 1 (April) 2023/24.

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.

### **445 Corporate Parenting Board**

The Chair welcomed Cllr Dorothy Maxwell to the meeting and invited her to address the Executive in relation to the Corporate Parenting Board report. Cllr Maxwell spoke to welcome the proposal to form a separate board for North Northamptonshire and noted the importance of allowing children to provide their views on the social care they received. Cllr Maxwell queried the number of children placed outside the North Northamptonshire area and the cost to the Council for these placements.

The Chair thanked Cllr Maxwell for her comments before inviting Cllr Lyn Buckingham to address the meeting. Cllr Buckingham noted that there was the opportunity to have a better insight into the lives and experiences of the looked after community, despite little time for planning for a transitioned service. The authority could now focus attention on children in its own area and target intervention where needed. Cllr Buckingham stated that the board needed a strong reporting mechanism to allow all Councillors to understand their roles and responsibilities in relation to Corporate Parenting.

The Chair thanked Cllr Buckingham for her comments before inviting the Executive Member for Children, Families, Education and Skills, Cllr Scott Edwards to introduce a report that sought to update Executive on new arrangements for a North Northamptonshire Corporate Parenting Board.

Cllr Edwards reported that the statutory Corporate Parenting Board had formerly operated as a joint function with West Northamptonshire Council until April 2023. The new board, to be chaired by Cllr Edwards, would allow members and officers to offer the best possible support to looked after children in North Northamptonshire. A strong reporting mechanism was vital to the work of the board and partner organisations had already been invited onboard.

Cllr Edwards noted that the terms of reference for the board were attached as an appendix to the report, and that membership would consist of representatives from the Council's Children's Services, seven elected members from across the political

spectrum, health services, education, the police, voluntary sector and care leavers. The board would meet bi-monthly and would report to the Executive on an annual basis.

Cllr Helen Howell spoke to welcome the report as an opportunity for the Council to take control of its own services and allow more access for members to be involved in Corporate Parenting.

The Chair concluded debate by noting that a North Northamptonshire Corporate Parenting Board focussed on children within the area was something that was crucial to giving the best outcomes for all those involved.

## **RESOLVED**

That the Executive:

- i) Established a Corporate Parenting Board with seven elected members for North Northamptonshire
- ii) Noted the Terms of Reference at Appendix A of the report and agreed the membership as set out therein

Reason for Recommendation – to ensure that statutory obligations are effectively discharged.

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.

### **446 NNC Public Space Protection Order for Dog Control**

The Chair welcomed Cllr Anne Lee to the meeting and invited her to address the Executive regarding the Public Space Protection Order (PSPO) for Dog Control. Cllr Lee welcomed the well-written and comprehensive report, stating her support for the exclusion of dogs from school and sports fields, but noting the need for specific locations for dogs to be exercised off-lead. Cllr Lee also queried a perceived lack of enforcement regarding dog-related offences. Cllr Lee also referenced resourcing of enforcement and stated that this should not be at the expense of other important areas of Council work.

The Chair thanked Cllr Lee for her comments and invited Cllr Dorothy Maxwell to address the meeting. Cllr Maxwell spoke to note the issue of dog fouling and the possibility of having fenced-off areas specifically for dogs to be exercised off-lead. Cllr Maxwell queried the cost of wardens to carry out enforcement activities.

The Chair thanked Cllr Maxwell for her contribution before inviting Cllr Lyn Buckingham to speak. Cllr Buckingham also raised the issue of enforcement, querying the point of introducing PSPOs if they were not enforced and noting the need to positively change the behaviour of certain dog owners.

The Chair thanked the speakers for their comments before inviting the Executive Member for Housing, Communities and Levelling Up, Cllr Matt Binley to introduce a report that sought approval from the Executive to commence the first stage public consultation on the proposed North Northamptonshire Public Spaces Protection Order for Dog Control.

Cllr Binley stated that there were currently orders in place across three of the legacy council areas of Kettering, Wellingborough and East Northants. The Kettering order had originally been due to expire in August 2023 but had been extended until November in line with the remaining two orders to allow for the process before members to be completed. The meeting heard that there was no dog control order currently in place for Corby.

It was reported that the proposed PSPO would cover the whole authority area and by aligning conditions would make enforcement simpler and restrictions easier for residents to understand. Details of the proposed restrictions were highlighted, including dog exclusion from all fenced children's play areas, authority-wide controls on dog fouling, dogs on lead orders in designated places and the ability for authorised officers to require dogs to be placed on leads when requested. The order in Kettering currently stated that a person could not be in control of more than six dogs; however, it was proposed to remove this from any new PSPO as DEFRA was currently reviewing this position and could issue national requirements.

It was heard that enforcement of the proposed PSPO would be carried out within existing resources, with the Council keeping the revenue from any fines. However, the PSPO was aimed at changing behaviours of a minority of dog owners so that everyone could enjoy open spaces in the Council area.

It was noted that, if approved, the first stage consultation would be carried out over a six-week period. Recommendations would then be made based on consultation feedback and a revised order drafted followed by a further four-week consultation period. This process required public engagement and statutory consultees to be involved to seek views from as many people as possible. Initial views from Town and Parish councils had been sought during a pre-consultation, and the list of councils to respond was highlighted in the report. In addition, the proposals had been discussed with members of the Sustainable Communities and Prosperous Communities EAPs, with both supporting the proposed consultation process.

The Chair welcomed the report as a tool in the Council's armoury to hold to account the very few dog owners that did not properly control their dogs.

Cllr Harriet Pentland spoke to support the proposal going to consultation, noting that a broad range of views was important to the process. Cllr Pentland also noted that owning a dog came with significant responsibilities and having a Dog Control PSPO in place was important from that perspective.

Cllrs Helen Howell and David Brackenbury also spoke to welcome the proposal, noting the importance of educating the few dog owners who currently caused issues that the order was designed to prevent.

## **RESOLVED**

That the Executive approved the commencement of the Public Spaces Protection Order Consultation for Dog Control for North Northamptonshire Council.

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.

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.

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.

### **447 Adoption of the NNC Contaminated Land Strategy and the Contaminated Land Cost Recovery and Hardship Policy**

The Chair invited the Executive Member for Growth and Regeneration, Cllr David Brackenbury to introduce a report that sought approval of the proposed Contaminated Land Strategy and Cost Recovery and Hardship Policy.

Cllr Brackenbury reported that the documents before members combined existing strategies held by former legacy authorities and were a statutory requirement regarding the operation of inspections of potentially contaminated land within the Council area and the methods to address any contaminated land identified. The Cost Recovery and Hardship Policy detailed the decision-making process when determining how to recover costs associated with the clean-up of contaminated land.

Cllr Brackenbury reported that statutory consultation had been undertaken with appropriate public authorities and responses received had been taken into account in the production of the strategy. The strategy had also been considered by the Sustainable Communities EAP.

## **RESOLVED**

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.

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.

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.

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.

#### **448 Braybrooke Neighbourhood Plan**

The Chair invited Cllr David Brackenbury, Executive Member for Growth and Regeneration to introduce a report that sought approval to formally make the Braybrooke Neighbourhood Plan as part of the statutory development plan, following an independent examination and positive referendum result.

Cllr Brackenbury offered congratulations to all those involved in the process of getting the neighbourhood plan to this stage, and commended the work involved in its production. Cllr Brackenbury noted that North Northamptonshire now benefitted from a suite of such plans across the area, and this was to be welcomed.

Cllrs Scott Edwards and David Howes welcomed the adoption of the Neighbourhood Plan for Braybrooke and praised the work of those involved in its production.

#### **RESOLVED**

That the Executive made the Braybrooke Neighbourhood Plan, so that it became part of the statutory development plan for the area.

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).

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 or human rights obligation. Failure to make the Plan would prevent it being adopted.

#### **449 Harrington Neighbourhood Plan**

The Chair invited Cllr David Brackenbury, Executive Member for Growth and Regeneration to introduce a report that sought approval to formally make the Harrington Neighbourhood Plan as part of the statutory development plan, following an independent examination and positive referendum result.

Cllr Brackenbury again offered congratulations to all those involved in the process of getting the neighbourhood plan to this stage, and commended the work involved in its production.

#### **RESOLVED**

That the Executive made the Harrington Neighbourhood Plan, so that it became part of the statutory development plan for the area.

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).

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 or human rights obligation. Failure to make the Plan would prevent it being adopted.

#### **450 South-West Kettering (Headlands Community) Neighbourhood Plan**

*(Cllr Scott Edwards left the room prior to consideration and voting on this item)*

The Chair invited Cllr David Brackenbury, Executive Member for Growth and Regeneration to introduce a report that sought approval to formally make the South-West Kettering (Headlands Community) Neighbourhood Plan as part of the statutory development plan, following an independent examination and positive referendum result.



Cllr Brackenbury again offered congratulations to all those involved in the process of getting the neighbourhood plan to this stage, and commended the work involved in its production.

## **RESOLVED**

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.

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).

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 or human rights obligation. Failure to make the Plan would prevent it being adopted.

### **451 Primary Education Provision at the Glenvale Park Development, Wellingborough North**

The Chair invited Cllr Dorothy Maxwell to speak. Cllr Maxwell noted that many school buildings locally were outdated and over-subscribed, with reference made to the school at Rowan Gate and noted the potential for the site to possibly become a specialist school.

The Chair then invited Cllr Lyn Buckingham to address the meeting. Cllr Buckingham suggested utilising the school building to create new SEND provision which could be used to remedy an existing shortfall.

The Chair then invited Cllr Scott Edwards, Executive Member for Children, Families, Education and Skills to introduce a report that sought approval of a proposal to seek expressions of interest in relocating an existing local school to the Glenvale Park school given that there would be insufficient current demand to support the school opening until September 2025 or beyond.

Cllr Edwards confirmed that the site could not be used for SEND provision and had to be utilised for primary education as part of the s106 agreement. Cllr Edwards provided details of four brand new SEND units previously approved by the Executive that would increase provision in North Northamptonshire.

The meeting heard that creating additional school places through opening the new school could have a detrimental impact on surrounding schools. In addition, the Department for Education would not provide funding unless demand for places could be clearly evidenced, and this would not be the case for a new school at Glenvale Park at the current time. Consequently, work had been undertaken to assess the options for the new school to ensure there was access to sufficient school places, that no schools were disadvantaged and that available assets were used as effectively as possible. The conclusion drawn as a result of this work was that offering local schools the opportunity to express an interest in moving to the new site would deliver the best outcomes for the community.

It was reported that a further report would be brought to Executive setting out the outcome of the expression of interest process and seeking a formal decision about whether to proceed on this basis. It was heard that should there be an expression of interest from an existing school to move to the site at Glenvale Park, the former school location could be repurposed, with reference made to a hospital school that North Northamptonshire did not currently have.

The Chair sought explanation for all attendees and meeting viewers regarding hospital schools and noted that the Council had invested £34m in local school infrastructure during 2022/23.

Cllr Graham Lawman spoke to note that Glenvale Park already had over 400 residents, with 3000 dwellings planned and welcomed the innovative way of looking at the issue of usage of the newly built school building.

Cllr Helen Harrison welcomed the report stating the importance of using Council facilities in the best possible way. It was noted that it was of importance that any decision made took into account the future expansion of the Glenvale Park development.

## **RESOLVED**

### **KEY DECISION**

That the Executive:

- i) Approved the proposal to seek expressions of interest in relocating an existing local school to the Glenvale Park school.
- ii) Approved the commencement of the preparation for the statutory process relating to making a significant change to an academy or a maintained school.
- 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.

#### Reasons for Recommendation:

- Ensure the delivery of sufficient suitable school places that meet the needs of the community now and in the future.
- Ensure pupils have access to high quality facilities that support their education.
- Making effective and efficient use of the education estate to meet the needs of all pupils.
- Ensure full transparency of the process being followed.
- Allows for all interested parties to have their views heard and considered as part of the decision-making process.
- Will evidence that appropriate steps are taken in line with statutory guidelines and within appropriate timescales.
- Allows Executive to be further updated on the outcome of the expressions of interest ahead of any further decision making.
- Is in accordance with the DfE legislation and policy on making significant changes to an academy or maintained school.
- 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.

#### Alternative Options Considered:

- 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.
- 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.
- 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.

#### **452 Start Well Research Project**

The Chair invited Cllr Anne Lee to speak regarding the Start Well Research Project. Cllr Lee spoke to support the allocation of funding and the recommendations of the report. Cllr Lee noted the impact of Covid-19 on early years development and the detrimental impact of the historic scaling-down of Sure Start provision. Cllr Lee made reference to the accessibility of support services and developmental delay problems not being picked up quickly enough. Cllr Lee noted that health visitors should be more involved, as well as identifying an underspend in Public Health and

further noted the delay in publication of the latest Director of Public Health Annual report stating that councillors needed to be kept informed of developments in this area.

The Chair thanked Cllr Lee for her comments before inviting Cllr Lyn Buckingham to speak. Cllr Buckingham noted that attainment of development milestones were not being met for all children locally and voiced concerns regarding a lost opportunity to thrive for a generation of children. Additional funding was needed to finance the required resources for early years support and Family Hubs needed to establish a firm footing in local communities.

The Chair thanked Cllr Buckingham for her contribution, noting the Council's £650,000 investment in maintained nursery provision and stated that the Council would continue to lobby government for additional funding.

The Chair then invited Cllr Scott Edwards, Executive Member for Children, Families, Education and Skills to introduce a report that sought to inform the Executive of the Start Well Research Project linked to Family Hubs and detailed the initial findings from the Start Well Research Project. The report also sought approval for the dissemination of research outcomes with partners.

Cllr Edwards noted that there would be further reports on the subject brought to the Executive in future, with the long-term aim being to pilot the Start Well Research Project in the Wellingborough area, creating a successful research model that could be replicated elsewhere. Cllr Edwards stated that Early Years provision was absolutely vital for the welfare of children and families and the Council was doing everything possible to improve outcomes for those families.

Details were provided to the meeting of the initial findings gathered from the Start Well Research Project and the top four areas of need were detailed as follows:

- SEND/SENCo
- Speech and language
- Safeguarding refresher
- Communication approaches

Cllr Edwards highlighted a collaborative piece of work with Dr Tanya Richardson, Principal Investigator and Senior Lecturer in Education (Early Years) at the University of Northampton that would be funded through the Family Hub programme. The aim of the study was to ascertain how factors in play and learning environments of Early Years settings were associated with the quality of their communication and language and if so, the nature and effects of those factors.

Cllr Helen Harrison spoke to confirm that in regard to 0-19 years health visiting, the existing contract was set for re-procurement with stringent conditions to be put in place to ensure children were getting milestone health checks completed. Cllr Harrison stated that the report before members was a good piece of work, backed by a solid evidence base that would assist in the development of Children's Services across the whole of North Northamptonshire.

Cllr Matt Binley also spoke to welcome the report.

## **RESOLVED**

### **KEY DECISION**

That the Executive:

- a) Noted the research project; and
- b) Approved dissemination of research outcomes with partners

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.

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.

### **453 Treasury Management Outturn Report - 2022-23**

The Chair invited Councillor Lloyd Bunday, Executive Member for Finance and Transformation to introduce a report that updated the Executive on the Council's treasury management and prudential indicators, including the position following progress on the disaggregation of the assets and liabilities that were previously held by the former Northamptonshire County Council. The report also provided an update on the Council's treasury management activities and performance for the financial year 2022/23 in accordance with CIPFA's Code of Practice on Treasury Management which required that members be informed of treasury management activities at least twice a year.

Cllr Bunday reported that the Council continued to face a volatile financial market, with high inflation and regular interest rate rises. The meeting noted that as at 31<sup>st</sup> March 2023, the Council held loans totalling £463.4m, representing a decrease of £22.3m at the end of the previous financial year.

It was heard that the Council had a statutory duty to operate a balanced budget, achieved by ensuring cash flow was adequately planned, with any surplus money deposited in low-risk investments. It was reported that during the year, the Council's investment balances ranged between £186.6m and £314.6m due to timing differences between income and expenditure.

Cllrs David Brackenbury and Helen Howell spoke to welcome the progress in reducing in the Council's outstanding loan holdings. Cllr Brackenbury also spoke positively of the strong income return on Council investments.

The Chair thanked the Finance Team for their work in ensuring positive progress relating to treasury management.

## RESOLVED

That the Executive:

- 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 **Appendix A** to this report; and
- b) Noted the Council's treasury management activities and performance for the financial year ended 31<sup>st</sup> March 2023.

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.

Alternative Options Considered: There are no alternative options to be considered for this report, which is for noting only.

### 454 **Budget Forecast Update 2022/23 - Period 12**

The Chair invited Cllr Anne Lee to address the Executive. Cllr Lee raised an issue regarding an underspend of £482,000 in relation to the Climate Change budget and hoped that this funding would be carried forward into the new financial year for the same purpose. Cllr Lee also raised the issue of an underspend in relation to Public Health and suggested it could be used toward a feasibility study for the future of Kettering Leisure Village.

The Chair then invited Cllr Lyn Buckingham to address the meeting. Cllr Buckingham offered her thanks to staff for their hard work in stepping up into unfilled roles across the Council and referenced the financing of Home to School Transport. Cllr Buckingham also suggested that vitamin deficiency in certain localities was a real issue to be considered and addressed by Public Health going forward.

The Chair thanked both speakers for their comments before inviting Cllr Lloyd Bunday, Executive Member for Finance and Transformation to introduce a report that set out the forecast outturn position for the Council based on the Period 12 monitoring forecasts for the General Fund and the Housing Revenue Account (HRA), noting that this was a forecast only and still required auditing and official sign-off. Cllr Bunday commended both members and officers for strong financial management and in-year prudence, noting that a number of areas could impact the forecast outturn, including inter-authority charging arrangements with West Northamptonshire Council.

The meeting heard that the overall outturn forecast for the General Fund for 2022/23, as at Period 12, was a forecast overspend of £965,000, a favourable movement of £2.897m since the last report to Executive. It was reported that there were a number of budgetary variances, however, the main pressure still came from

within the Children's Trust where the forecast overspend was £21.38m. The cost to the Council of this overspend was £9.444m.

The forecast outturn for 2022/23 for the specific service areas was as follows:

- Children's and Education - £8.254m overspend
- Adults, Communities and Wellbeing – £426k overspend
- Place & Economy - £480k underspend
- Enabling and Support - £7.717m underspend

Cllr Bunday noted that the report also sought approval to transfer to capital reserves of £3.043m to cover MRP and £2.728m to the Business Rates reserve. It was reported that as at the end of March 2023, 96.8% of Council Tax had been collected, with 97.05% of Business Rates collected. The contingency budget for 2022/23 of £4.75m had been fully utilised as at Period 7, presenting a risk for the remaining five months of the year.

The meeting noted that the two separate Housing Revenue Account neighbourhood accounts would eventually merge into a single HRA. The account for Corby was forecasting an underspend of £521,000 and that for Kettering an underspend of £180,000.

Cllr Harriet Pentland spoke to confirm that Climate Change funding would be rolled over to the new financial year and set out the context behind that position, referencing the Carbon Management Plan and forthcoming spending against the fund that was based on careful planning.

Cllr Helen Harrison noted that any Public Health underspend was ringfenced for spending in that area only. Regarding the vitamin deficiency query raised by Cllr Buckingham, it was noted that distribution of vitamin tablets was the responsibility of primary health, although Public Health could potentially raise awareness of the issue. Cllr Harrison praised the work of the Executive Director of Adults, Health Partnerships and Housing and his team for departmental underspend in relation to the Adult Social Care budget given its volatile nature as a demand-led service.

Cllr Graham Lawman made reference to the ongoing Home to School Transport consultation, the future provision of this service and associated budgetary impact.

## **RESOLVED**

That the Executive:

- 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.
- b) Approved the following transfers to reserves which are reflected in the draft outturn position.

Transfer to reserves included within individual Directorates:

- Place & Economy Grants (Section 5.45) - £287k
- Planning Reserve (Section 5.45) - £143k
- Capital General Fund (MRP – Section 5.62) - £3.043m
- Members Empowerment Fund (Section 5.83) - £104k

Transfer to Earmarked Reserves from Available Resources:

- Business Rates Risk Reserve (Section 5.86) - £2.728m

- c) Noted the assessment of the 2022/23 savings as shown in Appendix A to the report.

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.

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.

#### **455 Capital Outturn 2022-23**

The Chair invited Councillor Lloyd Bunday, Executive Member for Finance and Transformation presented a report that:

- Set out the provisional capital outturn position for 2022/23 for the Council, and the subsequent carry forward requests due to the rephasing of scheme expenditure profiles.
- Included requests to approve schemes, which during the process of closing the year end for 2022/23, had been identified as capital expenditure and needed to be reclassified and included within the Council's Capital Programme.
- Detailed the latest revised capital budgets (2022/23) for the General Fund and the Housing Revenue Account Capital Programme, including new schemes which had been approved since 1<sup>st</sup> April 2022

Cllr Bunday reported that outturn in respect of the General Fund Capital Programme showed a revised capital budget position of £109.3m, including slippage and in-year approved programmes. The spend was £35.4m, which represented movement (slippage/underspend) of £73.9m against the revised budget.

The meeting noted that a report to Executive in February 2023 had detailed that £43m of budget had been reviewed and re-profiled into the 2023/24 budget, therefore the proposed carry forward request from 2022/23 was only £29.9m out of the reported underspend of £73.9m.

Cllr Bunday drew attention to schemes identified to transfer into the development pool, where there were uncertainties over the timing or scope of delivery, noting that further business cases would be required to request approval back into the capital programme.



It was reported that the outturn for the HRA Capital Programme showed a revised a budget for 2022/23 of £28.3m, including slippage from 2021/22 of £14.3m and approvals in year of £0.610m. The outturn showed a spend of £9.6m, representing an underspend of £18.7m compared to budget.

## **RESOLVED**

### **KEY DECISION**

That the Executive:

- 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.
- b. Noted the provisional capital outturn position for the General Fund (GF) Capital Programme and Housing Revenue Account (HRA) Capital Programme for 2022/23.
- 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.
- d. Approved year end budget adjustments for the GF as shown in Appendix A to the report.

Reasons for Recommendations: This is in line with the Council's constitution and financial regulations in relation to governance.

Alternative Options Considered: By not approving these recommendations there would be an adverse impact on service provision in North Northamptonshire.

## **456 Urgent Items**

It was reported that there were no urgent items of business to be transacted.

## **457 Exclusion of the Press and Public**

The Chair informed members of the press and public that the remaining business for the meeting would involve the likely disclosure of exempt information and he was therefore proposing that the press and public be excluded in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

**RESOLVED:-** That the press and public be excluded from the meeting in order that consideration could be given to the following item of business which was exempt by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972:-

- Agenda Item 17 – Surplus Asset Disposal

## 458 Surplus Asset Disposals

The Chair invited Cllr Graham Lawman to introduce a report that sought approval to dispose of five Council assets identified by the Asset Management Review Group and confirmed as not required to be retained in line with the Council's Asset Disposal Policy.

It was noted that once identified as surplus, The Housing and Planning Act set a limit of two years for disposal of any such asset.

The meeting heard that disposal of the identified assets would reduce the Council's holding costs, provide a capital receipt and benefit the local community.

### **RESOLVED**

#### KEY DECISION

That the Executive:

- i) Determined the sites detailed in the appendices to the report as surplus
- 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:
  - a) Parcel 1, former agricultural land, A14 Jct9, Kettering
  - b) Vacant commercial premises, Thrapston
  - c) Land adjacent Phoenix Parkway, Corby
  - d) Land adjacent A14
  - e) Land & Buildings, Gladstone Road, Desborough

Reasons for Recommendations:

- The suggested way forward will bring the sites forward for redevelopment, providing wider economic development benefits in a reasonable time scale.
- It provides a value for money outcome for the Council, whilst supporting its Council's Corporate Plan commitments.
- 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.
- Bringing sites forward for development contributes to North Northants area housing supply and to regeneration of their respective areas.
- Progressing these sites will result in the Council reducing the revenue holding costs.
- Any developments will also be regulated with building regulations including those supporting accessibility and the requirement for adherence to energy and sustainability requirements.
- The disposal of the sites will generate a capital receipt, supporting the Council's financial position

Alternative Options Considered:

- The sites have had an extensive review of alternative options. Many have been vacant for some time and incur holding costs.
- 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.
- 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

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Chair

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Date

The meeting closed at 11.54am