

North Northamptonshire Council – Decisions taken by the Executive on Thursday 18 April 2024

Issued: 18th April 2024

The following decisions in this notice were made by the Executive on Thursday 18 April 2024.

Any decisions identified below as a **KEY DECISION** will come into force and may be implemented on 26th April 2024, 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 Scrutiny Management Board 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 11 - February 2024)	RESOLVED That the Executive noted the performance of the Council as measured by the available indicators at Period 11 (February) 2023/24, set out in Appendix A to the report.
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		<p>Reason for Recommendations – to better understand the Council’s performance as measured by Key Performance Indicators as at Period 11 (February) 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>
Item 6	The Future of Kettering Leisure Village - Options Review	<p>RESOLVED</p> <p>KEY DECISION</p> <p>That the Executive:</p> <ul style="list-style-type: none"> i) Noted the position set out in this report regarding the legal ownership of the KLV site arising from the nature of the Council’s and PLMS’s leasehold interest; ii) Noted the Options Review produced by Max Associates, and that these options are predicated on the Council having full control of the site which it currently does not have; iii) Noted the Council is not able to take control of the site and take on the day to day running of KLV under any of the options laid out in the Options Review due to the nature of its legal interest;

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		<p>iv) Noted the recommendation in the Options Review that, should the site come back into the full control of the Council, in the short term, an external contractor would be the most sustainable solution, but also notes the subsequent budgetary pressure this would create, whilst the wider management model for the Council’s entire leisure portfolio is considered.</p> <p>v) Endorsed the current proactive approach of the Leisure and Asset Management teams in working with PLMS to support the ongoing business growth and development of future plans.</p> <p>Reasons for Recommendations:</p> <ul style="list-style-type: none"> • The Council is not in control of the KLV site and legally has limited step-in rights to manage the facility and the obligations within the sub-underlease that require the sports facilities to remain open. Courts do not support keep open clauses and the only recourse they would consider if a breach occurred, is compensation to the landlord of any loss of income etc. This would not resolve the issue and it is not likely that any compensation awarded would fully compensate any loss, nor does it guarantee PLMS could pay such costs. PLMS has confirmed its commitment to the site and has made recent capital investment into it. • The Council is engaging with PLMS in its capacity as Landlord to explore ways it can continue to support the sustainability of the centre, without financial

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		<p>detriment to the Council.</p> <ul style="list-style-type: none"> • The Council is in the process of developing a Leisure Facilities Strategy and a review of Future Management Options for the whole of its leisure estate which will report in early 2025. Any future decision regarding KLV needs to be considered in this wider strategic context. • There are no management options as a result of the legal interests in the site. It is therefore not an option for the Council to take on the running of KLV. <p>Alternative Options Considered:</p> <ul style="list-style-type: none"> • The Council could approach PLMS and ask that they voluntarily relinquish their lease and all rights to the site, at no cost to the Council. Alternatively, the Council could open negotiations with PLMS to surrender their lease at a premium to the Council. Either of these two options could give the Council control of the site. These options are not recommended as the options appraisal confirms that the Council operating the site is not financially viable. • PLMS have not shown any indication that they would wish to relinquish the lease without payment. The cost of a negotiated surrender is currently unknown as it would be dependent on PMLS bringing this option forward, a condition survey of the building and on business growth and profitability at the point of sale. For KLV, this is continuously changing and currently improving,

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		<p>from almost a restart position, following the threat of closure in the summer of 2023. Market value does not reflect worth to the Council, nor necessarily does the price Phoenix would accept to surrender the lease.</p> <ul style="list-style-type: none"> • Notwithstanding that the option to negotiate a surrender of the lease is a matter for PMLS to bring forward, to do so at any cost to the Council, is not recommended at this stage. However, dialogue will continue to be held with PLMS on their future plans for the site, in particular how the tenant will ensure investment in the asset is secured to safeguard any financial risk to the Council of dilapidations and ensure the preservation of the asset. • Whilst both of the above represent the conditions under which the Council could have control of the site, neither are viable options for the Council.
Item 7	North Northamptonshire Council All Age Carers Strategy 2024-2029	<p>RESOLVED</p> <p>KEY DECISION</p> <p>That the Executive approved the North Northamptonshire Council All Age Carers Strategy 2024-2029.</p>

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		<p>Reasons for Recommendation:</p> <ul style="list-style-type: none"> • The recommended approach ensures compliance with NNC’s Care Act 2014 duties. • Carers in North Northamptonshire have identified 5 key priorities, implementation of the Strategy is now required to support these priorities. • The Care Quality Commission now assesses how local authorities meet their Care Act 2014 duties; the All-Age Carers Strategy provides assurance in this area. <p>Alternative Options Considered –</p> <ul style="list-style-type: none"> • Adapting the “Countywide Strategy” developed by Northamptonshire Carers Association- this option does not meet the specific needs of North Northamptonshire’s carers. • No Strategy in place - this option does not offer commitment and support to carers, it will lead to confusion, a lack of joined up approaches, and potential crisis for carers due to the lack of support and prevention. This would also not achieve value for money, as the cared for person may then need formal (paid

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		<p>for) care, and the carer may develop their own health and support needs.</p> <ul style="list-style-type: none"> • The proposed option most closely aligns with NNC’s Corporate Plan Priority of “Active and Fulfilled Lives”. • The recommended course of action supports the duties placed on NNC through the Care Act 2014.
Item 8	Northamptonshire Serious Violence Duty Strategy 2023 to 2025	<p>RESOLVED</p> <p>KEY DECISION</p> <p>That the Executive:</p> <ul style="list-style-type: none"> a) Adopted the Northamptonshire Serious Violence Duty Strategy 2023-25; and b) Delegated authority to the Executive Member for Housing, Communities and Levelling Up in consultation with the Director of Public Health and Wellbeing to ensure the strategy is implemented through the Northamptonshire Serious Violence Prevention Partnership.

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		<p>Reason for Recommendations – to ensure that the Council, as a specified partner, meets the requirements of the Serious Violence Duty.</p> <p>Alternative Options Considered – The only alternative option would be not to adopt the strategy. This would have significant negative impact on our ability to fulfil all parts of the duty and our role in ensuring equitable investment of the Home Office funding for North Northamptonshire would be compromised.</p>
Item 9	Levelling Up Fund Cultural Allocation for North Northamptonshire	<p>RESOLVED</p> <p>KEY DECISION</p> <p>That the Executive</p> <ul style="list-style-type: none"> a) Accepted the allocation of £5m of capital funding through the Levelling Up Fund and noted the funding criteria; b) Delegated authority to the Leader of the Council to establish and agree membership of a Councillor and Officer Panel to consider projects to be shortlisted for inclusion in the Councils’ Investment Plan. The Panel to include the leaders of the recognised political groups of the council and two local heritage and culture sector representatives. c) Delegated authority to the Leader in consultation with the Executive Director (Deputy Chief Executive) for Place and Economy) to approve and

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		<p>implement the Terms of Reference of the Panel as detailed in Appendix A to the report noting any prescribed requirements attached to the allocation of funding ; and</p> <p>d) Delegated authority to the Leader in consultation with the Executive Director for Place & Economy (Deputy Chief Executive) and Executive Director for Finance & Performance, to consider and accept recommendations from the Panel and submit the Investment Plan to Government.</p> <p>Reason for Recommendations: To provide a mechanism for the Investment Plan to be agreed and submitted by the deadline set by Government of 10th May 2024 and to ensure compliance with the funding requirements in respect of projects.</p> <p>Alternative Options Considered: The Council does not submit an Investment Plan. This is not recommended as the Council would lose the opportunity to access the £5m investment fund to support cultural assets.</p>
Item 10	Knights Farm Overage Legal Agreement	<p>RESOLVED</p> <p>KEY DECISION</p> <p>That the Executive:</p>

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		<p>a) Delegated authority to the Executive Member for Highways, Travel and Assets, in consultation with the Assistant Director of Assets and Environment to authorise the variation of the long stop date to 30th April 2025.</p> <p>Reasons for Recommendation: The extension of the new Deed of Variation shall:</p> <ul style="list-style-type: none"> • Provide a sufficient timeframe for Planning to be resolved as the current long stop date in April 2024 appears to be unachievable. • It will provide the Council with the most certainty that the scheme will be brought forward for housing. • It is in support of the corporate plan and the Rushden East Sustainable Urban Extension (SUE). <p>Alternative Options Considered: The Council could choose not to extend the long stop date, but this is not supportive of the Council’s strategic direction as documented in the Executive report of April 2023 and may result in the landowner not bringing the site forward for development.</p>
Item 11	Department for Transport Funding Allocation	RESOLVED

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		<p>KEY DECISION</p> <p>That the Executive:</p> <ul style="list-style-type: none"> a) Noted and accepted the allocation of Bus Service Improvement Plan Phase 3 funding totalling £2.045m and agreed to spend the grant in accordance with the grant conditions. b) Delegated authority to the Executive Member for Highways, Travel & Assets in consultation with the Executive Director of Place & Economy to award any individual local bus contracts exceeding £500,000. c) Noted and accepted the receipt of Safer Roads Safety Funding totalling £2.2m for works on the A6 and agreed to spend the grant in accordance with the grant conditions. d) Noted and welcomed the allocation of Local Transport Funding totalling £149.208m over the seven-year period 2025/26-31/32. <p>Reason for Recommendation: To spend the external funding in accordance with the terms and conditions of the grants.</p> <p>Alternative Options Considered – Options would include not spending the money and allowing DfT to recoup it. Alternatively, the Council could choose to spend the money on schemes that are not a priority in line with their Northamptonshire Transportation Plan. Neither option is recommended as they do not represent the</p>

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		best interests of the authority or those who rely on the highways and transport network.									
Item 12	Annual Inflationary Uplifts Contracted Adult Social Care Providers	<p>RESOLVED</p> <p>KEY DECISION</p> <p>That the Executive approved Option 3 – “Uplift including National Living Wage for frontline carers and recognising inflationary pressures” and the following increases in fee levels for 2024/25, with the proposals to come into effect from 1st April 2024. The table at paragraph below, summarises the proposed uplifts for the recommended Option 3 and further detail is set out in detail throughout section 3 of the report.</p> <p align="center">Table 1</p> <table border="1"> <thead> <tr> <th data-bbox="857 1112 1223 1187">Provision Type</th> <th data-bbox="1223 1112 1666 1187">Recommendation</th> <th data-bbox="1666 1112 2009 1187">Net increase in cost £'s</th> </tr> </thead> <tbody> <tr> <td data-bbox="857 1187 1223 1302">Home Care framework 6.85%</td> <td data-bbox="1223 1187 1666 1302">Uplift the minimum hourly rate for domiciliary care by 6.85%.</td> <td data-bbox="1666 1187 2009 1302">1,227,824</td> </tr> <tr> <td data-bbox="857 1302 1223 1417">Older Persons Residential Care</td> <td data-bbox="1223 1302 1666 1417">Increase the expected to pay rate by 8.68% to £712 per week NLW only would be</td> <td data-bbox="1666 1302 2009 1417"></td> </tr> </tbody> </table>	Provision Type	Recommendation	Net increase in cost £'s	Home Care framework 6.85%	Uplift the minimum hourly rate for domiciliary care by 6.85%.	1,227,824	Older Persons Residential Care	Increase the expected to pay rate by 8.68% to £712 per week NLW only would be	
Provision Type	Recommendation	Net increase in cost £'s									
Home Care framework 6.85%	Uplift the minimum hourly rate for domiciliary care by 6.85%.	1,227,824									
Older Persons Residential Care	Increase the expected to pay rate by 8.68% to £712 per week NLW only would be										

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			6.07% and this represents additional investment of 2.61%.	Total cost impact 2,895,539 of which 958k is over and above the uplift required to meet NLW increases.
Older persons Dementia Residential Care	Increase the expected to pay rate by 8.68% to £806 per week. Uplifting by NLW only would be 6.07% and this represents additional investment of 2.61%.			
Older Persons Nursing Care	Increase the expected to pay rate by 10.88% to £785 per week (excluding funded nursing care). NLW only would be 6.6% and this represents additional investment of 4.28%.			
Older Persons Dementia Nursing Care	Increase expected to pay rate by 10.88% to £850 per week (excluding funded nursing care). NLW only would be 6.6% and this represents additional investment of 4.28%.			
Working Age Adults Residential Care	Increase Tiered Payments by 6.16%			
Supported Living Providers	Increase tiered payment rates by an average of	1,076,451		

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		<table border="1"> <tbody> <tr> <td data-bbox="857 413 1220 525"></td> <td data-bbox="1220 413 1668 525">4.58% with a range of 5.87% to 2% aligned to individual tiers.</td> <td data-bbox="1668 413 2009 525"></td> </tr> <tr> <td data-bbox="857 525 1220 604">Day Opportunities</td> <td data-bbox="1220 525 1668 604">Increase tiered payments rates by 5.87%.</td> <td data-bbox="1668 525 2009 604">143,058</td> </tr> <tr> <td data-bbox="857 604 1220 684">Respite</td> <td data-bbox="1220 604 1668 684">Increase tiered respite payments by 6.07%</td> <td data-bbox="1668 604 2009 684">70,203</td> </tr> <tr> <td data-bbox="857 684 1220 796">Shared Lives</td> <td data-bbox="1220 684 1668 796">Increase care and support element of Shared Lives Carer Payment by 5%</td> <td data-bbox="1668 684 2009 796">30,000</td> </tr> <tr> <td data-bbox="857 796 1220 876">Independent Living Framework (Extracare)</td> <td data-bbox="1220 796 1668 876">Increase care and support tiered payments by 5.32%</td> <td data-bbox="1668 796 2009 876">24,332</td> </tr> <tr> <td data-bbox="857 876 1220 1027">Direct Payment increase where personal assistants are employed</td> <td data-bbox="1220 876 1668 1027">Increase hourly rate by 5.87% to meet National Living Wage</td> <td data-bbox="1668 876 2009 1027">575,932</td> </tr> <tr> <td data-bbox="857 1027 1220 1059">Total</td> <td data-bbox="1220 1027 1668 1059"></td> <td data-bbox="1668 1027 2009 1059">6,043,339</td> </tr> </tbody> </table> <p data-bbox="857 1139 1290 1171">Reason for Recommendations</p> <ul data-bbox="904 1214 2078 1399" style="list-style-type: none"> <li data-bbox="904 1214 2078 1326">• The National Living Wage (NLW) increase for 2024/25 is 9.8%. This compares to 9.7% in 2023/24. In addition to this we know that providers continue to face broader inflationary pressures. <li data-bbox="904 1362 2078 1399">• The care and support market in North Northamptonshire continues to 		4.58% with a range of 5.87% to 2% aligned to individual tiers.		Day Opportunities	Increase tiered payments rates by 5.87%.	143,058	Respite	Increase tiered respite payments by 6.07%	70,203	Shared Lives	Increase care and support element of Shared Lives Carer Payment by 5%	30,000	Independent Living Framework (Extracare)	Increase care and support tiered payments by 5.32%	24,332	Direct Payment increase where personal assistants are employed	Increase hourly rate by 5.87% to meet National Living Wage	575,932	Total		6,043,339
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		<p>experience difficulties with the recruitment and retention of care staff with a vacancy rate of 9.8% (2.2% lower than in 2021/22) and turnover rate of 24% for care providers (2% lower than in 2021/22).</p> <ul style="list-style-type: none"> • Whilst this is an improving trend the data continues to demonstrate that providers are facing challenges in recruiting and retaining care staff. This is caused by competition from other industries as well as the legacy of Covid-19. • The ability of providers to recruit and retain a sufficient workforce is one of the key challenges and risks for the sector. By effectively targeting our annual uplifts we support our contracted care providers ability to develop strategic responses to workforce challenges, including offering rates of pay that are competitive with other local sectors. • The position in North Northamptonshire is in keeping with the national picture. Alongside targeting our inflationary uplifts, we continue to work in partnership with our contracted providers to make social care an attractive career proposition within North Northamptonshire. • During 2022/23 we have offered fully funded training to care staff working within the independent care sector and continued our work to develop our social care workforce strategy. However, fee uplifts remain a crucial lever in ensuring providers are able to support social care as being an attractive career option for people in North Northamptonshire.

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		<ul style="list-style-type: none"> • There continues to be a need to utilise non contracted providers and to commission individual packages of care with spot providers. Whilst there has been a significant decrease in the number of spot providers commissioned, these providers continue to be comparatively more expensive on a unit (hour or week) basis. • Spot provision is costly to the Council and the proposed uplift seeks to positively influence existing contract framework supply through retention and sustainability whilst also incentivising an increase in supply through leveraging better rates of pay and reward for our contracted providers. Work continues to minimise our utilisation of spot providers and to focus our commissioning activity solely with our contracted providers. • Our strategy is to focus our development and commissioning activity specifically with our contracted providers. Alongside this fee uplift we are focused on utilising our enhanced provider offer for contracted providers that includes funded training and an enhanced quality monitoring and support function. This enables the Council to support improvement in the quality of its contracted care providers, secure a sustainable market of high-quality providers and secure value for money in our independent care spend. <p>Alternative Options Considered: The alternative options, in summary, considered included:</p> <p>Option 1: Do nothing and apply no uplifts (not recommended)</p>

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		<p>Option 2: Targeting uplifts at particular service types (not recommended)</p> <p>Option 3: Uplift including NLW for frontline carers and recognising inflationary pressures (Recommended Option)</p> <p>Option 4: Lower uplift to the whole market including spot and framework providers (Not recommended)</p> <p>The alternative options are presented in more detail in section 5 of the report.</p>
Item 13	Commissioning for a Good Life Framework Agreement for Individuals with a Learning Disability	<p>RESOLVED</p> <p>KEY DECISION</p> <p>That the Executive:</p> <ul style="list-style-type: none"> a) Approved the extension of the Learning Disabilities Framework to ensure North Northamptonshire remains compliant in its statutory responsibilities. Furthermore, that during the extension period elements of the contract be recommissioned to allow for stand-alone contracts, where appropriate; b) Delegated to the Executive Member for Adults, Health and Wellbeing, in consultation with the Executive Director of Adults, Health Partnerships and Housing (DASS), to take any decisions in relation to future call-off and mini-competitions from the contract; and

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		<p>c) Delegated to the Executive Member for Adults, Health and Wellbeing, in consultation with the Executive Director of Adults, Health Partnerships and Housing (DASS), to take any further decisions and/or actions required in relation to recommissioning within the extension period to allow for stand-alone contracts.</p> <p>Reasons for Recommendations:</p> <ul style="list-style-type: none"> • This extension will ensure the Council continues to meet its Statutory duties under the Care Act 2014. • It will build on outcomes-based commissioning and further enhance the quality of the services and outcomes for individuals in the future. • Agreeing the extension enables the Council to: <ul style="list-style-type: none"> a. Maintain a pricing framework that is driven by the defined outcomes for individuals. b. Consider future accommodation requirements based on a housing needs analysis and the wider Housing Strategy (2024/25). c. Incorporate commissioning plans that are better informed by the Adult Social Care Strategy and the vision for strength-based approaches and more specifically co-production.

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		<ul style="list-style-type: none"> • The extension is in the best interest of vulnerable people who have a learning disability living in North Northamptonshire and allows further time to co-produce a future service model that is reflective of and responsive to the people drawing on support services. • There will be no adverse effect to residents currently in receipt of services; continuity of care will be maintained. • Additional changes to the contract will be needed to build on the outcomes-based commissioning to date and further enhance the quality of the offers and outcomes for individuals over the extension period. • The Review identified potential areas of improvement to enhance the contract and in doing so address current budget pressures. <p>Alternative Options Considered: Alternative options were considered as part of the Review. These included taking no further action, resulting in the contract coming to an end in January 2025; recommissioning the service with a start date of January 2025; making use of the extension facility and recommissioning the framework to start in January 2030.</p>
Item 14	Corporate Fuel Card Policy and	RESOLVED

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	<p>Procurement of a Fuel Card Provider</p>	<p>KEY DECISION</p> <p>That the Executive:</p> <ul style="list-style-type: none"> a) Authorised procurement for purchase of fuel via Fuel Cards, subject to the outcome of reviewing the use of the Council’s existing General Purchase Card system. b) Delegated authority to procure and sign the necessary contracts to the Executive Member for Highways, Travel and Assets in consultation with the Assistant Director for Assets and Environment. c) Adopted the Fuel Card Policy in Appendix A to the report. <p>Reason for Recommendation: The reason for the recommendations is that it will ensure the most cost-effective approach for the purchase of essential fuel via a fuel card provider and ensure the authority is compliant with its obligations under the Public Contracts Regulations 2015, and its own procurement rules.</p> <p>It has been a recommendation of the Council’s Internal Auditor to introduce a corporate fuel policy to provide a sound basis on which corporate fuel cards are to be used and accounted for.</p> <p>Alternative Options Considered:</p>

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		<p>The Council has limited other options but to reprocure fuel cards to operate its fleet. Whilst the Council does operate a bulk fuel supply to operate part of the fleet, this is not appropriate for all vehicles given the proximity to those supplies and the vehicles operating base. Therefore, access to forecourt supplies is vital.</p>
<p>Item 15</p>	<p>Capital Programme Update 2024-25</p>	<p>RESOLVED</p> <p>KEY DECISION</p> <p>That the Executive:</p> <ul style="list-style-type: none"> i) Approved the following changes into the capital programme: <ul style="list-style-type: none"> a. Replacement of electronic locking system and locker housing, Corby East Midlands International Pool – budget virement of £66,000 from the Leisure Minor Works approved capital scheme b. Upper Nene Valley Gravel Pits Special Protection Area (SPA) Mitigation Projects – budget approval for £37,700, £18,850 in 2024/25 and £18,850 in 2025/26 to be funded from Section 106 contributions. c. Safer Roads Fund, A6 – budget approval for £2.2m in 2024/25 to be funded from Department for Transport grant. d. Levelling Up Fund Cultural Allocation – programme budget approval for £5m in 2024/25 to be funded from Department of

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		<p align="center">Levelling Up grant.</p> <p>Reasons for Recommendations: These are set out in greater detail within section 5 of the report, but can be summarised as helping to meet the Council’s corporate plan objectives:</p> <ul style="list-style-type: none"> - Green sustainable environment - Connected Communities - Safe and thriving places - Active, fulfilled lives <p>Alternative Options Considered:</p> <ul style="list-style-type: none"> • For those schemes which are grant funded or from Section 106 contributions, they are undertaken in accordance with the requirements of the grant conditions/ legal agreement and, therefore, there is no alternative option proposed in this report. • Where individual schemes are over £0.5m, separate reports are included elsewhere on this agenda, and these set out the wider options that were considered before reaching the proposals put forward.
Item 16	Budget Forecast Update 2023-24 - Period 11	<p>RESOLVED</p> <p>That the Executive:</p> <p>a) Noted the Council’s forecast outturn position for 2023/24 as summarised in</p>

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		<p>Section 4, alongside the further analysis, risks and other considerations as set out in Section 5 to Section 7 of the report.</p> <p>b) Noted the assessment of the current deliverability of the 2023/24 savings proposals in Appendix A.</p> <p>Reason for Recommendations – to note the forecast financial position for 2023/24 as at Period 11 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 2023/24 and makes recommendations for the Executive to note the current budgetary position as such there are no specific choices within the report.</p>