



**Minutes of a meeting of the Executive** held at 2.00 pm on Thursday 26th August, 2021 in the Council Chamber, Swanspool House, Doddington Road, Wellingborough, NN8 1BP

**Present:-**

Members

Councillor Jason Smithers (Leader of the Council) (Chair)      Councillor Helen Howell (Deputy Leader of the Council)

Councillor Lloyd Bunday  
Councillor Scott Edwards  
Councillor Helen Harrison  
Councillor Graham Lawman

Councillor Andy Mercer  
Councillor Steven North  
Councillor Harriet Pentland

Also in attendance – Councillors Mark Pengelly (minutes 47, 49, 58 and 59) and Anne Lee (minutes 54, 55 and 58)

**42 Apologies for absence**

Apologies for absence were received on behalf of Councillor David Howes.

**43 Minutes of the meeting held on 5 August 2021**

The minutes of the meeting held on 5 August 2021 were approved as a correct record, subject to minute 37, resolution b) ending with the additional words ‘...be approved.’

**44 Notification of Urgent Items for Consideration.**

The Chair, Councillor Jason Smithers, reported that he had accepted three urgent items for consideration at the meeting, which required decisions to be made prior to the next scheduled meeting of the Executive, as follows:-

- Draft 2020/21 Outturn Positions – Kettering Borough Council and Borough Council of Wellingborough;
- Procurement of the Leisure Management Service; and
- A43/A6116 Steel Road Roundabout Project.

It was noted that the items had been previously circulated to members and were published on the website.

**45 Notifications of requests to address the meeting**

The Chair, Councillor Jason Smithers, reported that there were two requests to address the meeting; from Cllr Mark Pengelly under items 5, 7, 16 and 17 of the agenda, and from Cllr Anne Lee under agenda items 12, 13 and 16."

**46 Members' Declarations of Interest**

The Chair invited those who wished to do so to declare interests in respect of items on the agenda.

No declarations were received.

**47 Budget Forecast 2021/22 as at Period 4**

The Chair welcomed Councillor Mark Pengelly to the meeting to address the Executive. Cllr Pengelly wished to be provided with additional detail on the budget forecast, to which Councillor Lloyd Bunday said he would be happy to discuss outside of the meeting.

Councillor Lloyd Bunday, Executive Member for Finance and Transformation, then introduced a report of the Executive Director for Finance setting out the forecast outturn position for the Council based on the period 4 monitoring forecasts for the General Fund and the Housing Revenue Account.

It was noted that this was the third monitoring report for the new Council, which recognised the forecast outturn position was based on early indications of spend. Overall, the forecast position had improved since period 3, with the current outturn forecast for the general fund an underspend of £266k, and for the Housing Revenue Account, a pressure of £74k.

Members wished to particularly note and welcome ongoing support for local bus services and the maintenance of concessionary bus fare reimbursements to bus operators at pre-Covid levels, for the remainder of the current financial year.

**RESOLVED:-**

**(KEY DECISION)**

- a) That the Council's forecast outturn position for 2021/22 and the associated risks and other considerations be noted;
- b) That the assessment of the current deliverability of the 2021/22 saving proposals in Appendix A to the report be noted;
- c) That a virement of £690k from contingency to enabling and support services be approved to allow budget realignment within overall available resources, as set out in paragraph 6.54 and 6.58 of the report;
- d) That support for local bus services be continued, to maintain concessionary bus fare reimbursements to bus operators at pre-Covid levels for the remainder of

the current financial year (2021/22), which accords with the request from the Department for Transport.

*(Reason for Decisions - To note the forecast financial position for 2021/22 as at Period 4 and consider the impact on this year and future years budgets.)*

## 48 Capital Programme Update 2021/22

Councillor Lloyd Bunday, Executive member for Finance and Transformation, introduced a report of the Executive Director for Finance, which requested approval for capital schemes that had come forward for inclusion in the Council's Capital Programme. Approval of the funding would allow the schemes to move forward to procurement and delivery.

In reference to a query regarding paragraph 5.16 of the report, it was confirmed that progressing the A43 Northampton – Kettering Phase 3 project to outline business case and planning remained a priority, alongside joint project sponsor, West Northamptonshire Council. This additional funding would amount to £80k.

**RESOLVED:-**

**(KEY DECISION)**

1. That the following changes into the capital programme totalling £2.295m be approved: -
  - a) A43/A6116 Steel Road Roundabout – increase in budget of £1.020m to £3.973m funded from external grant;
  - b) Isebrook SEND College – Connected offer expansion of the school – approval for additional £482k funded from Special Educational Needs and Disabilities (SEND) Capital Grant, taking the total of the scheme to £0.532m;
  - c) Improvement of Facilities at Montsaye Academy, Rothwell – Council contribution of £0.606m to school improvements funded through S106 external contributions;
  - d) Chester House Estate restoration - £187k funded from external contributions.
2. That the following changes to the capital programme totalling £10.105m be noted: - That items e) and f) have been approved by the Executive Director of Finance in consultation with the Portfolio Holder for Finance under delegation from the Shadow Authority as part of the budget report to Council on 25 February 2021, and follows confirmation of grant funding after the budget was set, and item g) was approved as part of a separate report on the Heritage Action Zone to Executive on 5<sup>th</sup> August 2021:
  - e) Allocation of Department for Transport Capital Maintenance Funding 2021/22 - £8.404m funded from external grant;

- f) LTP Integrated Transport Block Funding 2021/22 - £1.551m funded from external grant;
- g) Kettering High Street Heritage Action Zone - £0.150m approved budget increase as a result of additional Historic England funding.

(*Reasons for Decisions –*

- *The local authority has a legal obligation to deliver S106 related works in accordance with the signed S106 agreement;*
- *Utilisation of government grant to support the Council's Highways infrastructure and transport network;*
- *Utilisation of grant and other external funding to improve and expand Education provision and facilities;*
- *Utilisation of grant for specific key projects to support of the North Northamptonshire economy and housing developments.)*

#### **49 Chester House Estate Programme and Business Plan Update**

The Chair invited Cllr Mark Pengelly to address the meeting. Cllr Pengelly commented that it would be useful for councillors to be able to visit Chester House in the near future, and also queried whether the additional funding of £90k sought from Public Health for a children's outdoor play area would be from both North Northamptonshire and West Northamptonshire public health budgets.

The Chair thanked Cllr Pengelly for his contribution.

Councillor Helen Howell, Deputy Leader and Executive Member for Sport, Leisure, Culture & Tourism then delivered a presentation and report to members, the purpose of which was to bring members up to date with the current progress of the Chester House Estate restoration programme and mobilisation of the refreshed business plan, ahead of planned site opening to the public on 23<sup>rd</sup> October 2021. A copy of the presentation slides is attached to these minutes.

Arising from the presentation it was noted that as part of the refreshed business plan, the site opening would be fully handed over from the contractor to the council on 3<sup>rd</sup> October, with its opening to be held on 23<sup>rd</sup> October 2021. In response to Councillor Pengelly's comments, Councillor Howell was pleased to announce that invitations to attend the newly opened site would be forthcoming shortly and noted that no additional funds had been required to be spent by either the new North Northamptonshire or West Northamptonshire councils following 1<sup>st</sup> April 2021.

Members were very supportive of the Chester House project, inclusive of the education pod used by the Creating Tomorrow Academy Trust, connections to the Greenway and cycling and walking offer, the local area and as part of a wider tourist offering to encourage more visitors.

The knowledge, expertise and dedicated support from the Assistant Director for Housing and Communities and her team, as well as that from West Northamptonshire Councillors in fulfilling this project was also acknowledged and very much appreciated.

**RESOLVED:-**

- a) That the positive progress to date with the Chester House Estate Capital Works programme and future business development be noted;
- b) That the refreshed Business Plan July 2021 attached at Appendix B to the report be endorsed and regular updates on progress against it be received.

*(Reason for Decisions: - To mobilise the refreshed Chester House Estate restoration business plan ahead of planned site opening to the public on 23<sup>rd</sup> October 2021.)*

**50 Adoption of the Part 2 Local Plan for Corby**

Cllr Steven North, Executive Member for Growth and Regeneration, introduced a report of the Director of Place and Economy, which sought to progress the Part 2 Local Plan for Corby to adoption, and recommend its approval to full Council.

It was noted that the joint core strategy for North Northamptonshire had been adopted in 2016, and that this part 2 plan was set at the more local level, focussing on the less strategic sites in the area.

It was further noted that the part 2 plan contained modifications suggested after a public enquiry by a Planning Inspector during September and October 2020, with further public consultation having been undertaken during February to April 2021, and the Inspector concluding that the plans were sound, in June 2021.

**RESOLVED:-**

**That Council be recommended: -**

- a) that the Part 2 Local Plan for Corby (set out in Appendix A to the report) be adopted;
- b) to delegate authority to the Executive Member for Growth and Regeneration in consultation with the Assistant Director for Growth and Regeneration, to make any further Additional Modifications to the Part 2 Local Plan for Corby or its accompanying Policies Map that relate exclusively to factual updates, grammatical corrections, and formatting for the purposes of publishing the plan to presentation standard;
- c) to delegate authority to the Executive Member for Growth and Regeneration in consultation with the Assistant Director for Growth and Regeneration, to prepare and publish the Adoption Statement (draft as Appendix E) and the Sustainability Appraisal Statement and fulfil any other duties required under Regulation 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

*(Reasons for Decisions –*

- *The NPPF states that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area and a framework for addressing housing needs and other economic, social, and environmental priorities.*

- *The Plan drawn up by Corby Borough Council was subject to thorough examination and has been modified as a result of recommendations made by the Inspector, as set out at Appendix C to this report. The Council also made non-substantive modifications to the plan during the course of the examination, which are set out at Appendix D to this report.*
- *In the event that the Plan is adopted for the Corby area of North Northamptonshire, it will supersede all of the existing saved policies and allocations in the 1997 Corby Borough Local Plan.)*

**51 Local Transport Plan – Integrated Transport Plan 2021/22 Funding Allocation and Capital Funding 2021/22**

Councillor Graham Lawman, Executive Member for Highways, Travel and Assets, introduced a report of the Executive Director for Place and Economy, which informed of the grants received from the Department of Transport (DfT) for infrastructure improvements and the intention to spend these amounts on the highways network.

Arising from discussion, the grants received were welcomed as more good news for North Northants, with capital maintenance funding of £8.404m and Integrated Transport Block Funding of £1.551m having been received for 2021/22.

It was also pleasing to see such funding would include cycling and walking infrastructure, which had been highlighted at Executive Advisory Panel for Climate Change as encouraging lower carbon ways of transport.

It was further commented that the Council would look to co-ordinate with the Loading Up Fund to provide even more opportunities for walking and cycling schemes therein.

**RESOLVED:-**

**(KEY DECISION)**

1. That the receipt of the government grants totalling £9.955m be noted and accepted, made up of the following:
  - a) Allocation of Department for Transport Capital Maintenance Funding 2021/22 - £8.404m
  - b) Local Transport Plan Integrated Transport Block Funding 2021/22 - £1.551m
2. That it be agreed to spend the grants on maintaining and upgrading the highways network in line with the Northamptonshire Transport Plan.

*(Reason for Decisions - Utilisation of government grant to support and maintain the Council's Highways infrastructure and transport network.)*

**52 Strategy for Tackling Litter and Fly-tipping**

Councillor Graham Lawman, Executive Member for Highways, Travel and Assets introduced a report of the Executive Director for Place and Economy which provided a strategy to ensure there was a comprehensive approach to tackling litter and fly-

tipping, and which would use a number of different intervention actions to tackle the issue.

It was noted that subject to agreement of the Strategy, an action plan would be developed to detail the key actions that would be taken under the different intervention areas. The action plan would be regularly reviewed and updated to ensure that it was responsive to the issues in the council area and any changes that may occur due to national legislative changes.

It was further noted that the Executive Advisory Panel for Climate Change, Environment and Growth in considering the strategy had desired to see the council work with fast food outlets in this regard, further to the already good work being undertaken in terms of better enforcement. Cllr Lawman agreed with this and also commented that engagement with town and parish councils would also be an important factor in the strategy's success.

**RESOLVED:-**

That the North Northamptonshire Strategy for tackling litter and fly-tipping, attached at Appendix 1 to the report, be approved.

*(Reasons for Decision –*

- *To accord with legislation and the policies of the Council;*
- *To provide a comprehensive approach to tackling litter and fly-tipping across North Northamptonshire; and*
- *To support the North Northamptonshire Street Cleansing Policy.)*

**53 Improvement of facilities at Montsaye Academy, Rothwell, using banked Section 106 funding**

Councillor Scott Edwards, Executive Member for Children, Families, Education and Skills, introduced a report of the Executive Director of Children's Services, which sought to passport banked Section 106 funding, naming Montsaye Academy as beneficiary, for use on a capital improvement scheme to improve the educational facilities at the school.

It was welcomed that the plans would improve the standard of accommodation, including the provision of a new science block, at the school and that they would facilitate a future increase in the published admission number from 240 to 270 places per year group, providing 150 new secondary school places in total.

**RESOLVED:-**

**(KEY DECISION)**

- a) That the release of £606,446 of Section 106 contributions for Montsaye Academy be approved;
- b) That the delivery of the project by Pathfinder Schools Academy Trust be approved;
- c) That authority be delegated to the Executive Member for Children, Families, Education and Skills in consultation with the Director of Children's Services to

enter into a Funding Agreement between North Northamptonshire Council and Pathfinder Schools Academy Trust for the delivery of planned improvement works.

(*Reasons for Decisions –*

- *The recommended course of action will allow the timely progression of capital improvement works at Montsaye Academy that are required to improve the educational environment for students and staff;*
- *The recommended course of action will benefit students currently being educated at Montsaye Academy;*
- *The Council (or customers) will receive the maximum benefit from the option proposed and Montsaye Academy will be able to derive the full benefit of the banked S106 contributions.)*

**54      Proposal to fund a ‘Connected Offer’ or annex site to Isebrook SEND College at the ‘Four Seasons’ building, Kettering.**

The Chair welcomed Councillor Anne Lee to the meeting to address the Executive.

Councillor Lee commented that the Creating Tomorrow Academy Trust provided an excellent facility and that the vision that the head and trustees had for the school and for the SEND pupils it educated was to be commended.

The Chair thanked Councillor Lee for her contribution.

Councillor Scott Edwards, Executive Member for Children, Families, Education and Skills, then introduced a report of the Executive Director of Children’s Services, which proposed to fund an annex site or ‘Connected Offer’ provision to Isebrook SEND College, Kettering.

It was noted that a 20-place pupil provision was planned, with an initial offer of offer 10 places ready for 2021/22 and another 10 for 2022/23.

Members welcomed the much-needed new capacity within North Northamptonshire and its assistance in mitigating against the pressure on secondary SEND places from September 2021.

**RESOLVED:-**

**(KEY DECISION)**

- a) That the proposal to establish an annex site or ‘Connected Offer’ provision to Isebrook SEND College at the ‘Four Seasons’ building, Kettering by the Creating Tomorrow Academy Trust (the Academy Trust that operates Isebrook SEND College) be noted;
- b) That the required expenditure of £481,886 to allow for the progression of the proposed scheme and to note that this scheme will be funded via SEND Capital Grant funding received directly from central government be approved;
- c) That authority be delegated to the Executive Member for Children, Families, Education and Skills, in consultation with the Executive Director of Children’s

Services, to complete all necessary documentation to ensure effective delivery of the scheme.

(Reasons for Decisions –

- *The recommended course of action is the most cost-effective manner of providing additional SEND places in the Kettering area of North Northants;*
- *The Council and its customers will receive the maximum benefit from the option proposed. The proposal will provide a bespoke specialist education provision within the area that is not currently available, that is specifically designed to meet the individual needs of the cohort of students that will attend the new provision;*
- *To proposal will assist the Council in fulfilling its statutory obligations of providing a sufficiency of SEND places by providing an additional 20 secondary SEND places in the area.)*

## 55 Enforcement Policy

The Chair invited Councillor Anne Lee to address the Executive.

Councillor Lee was pleased to see the policy in front of the Executive, hoping that the Council would ensure sufficient officers were available to maximise the benefits arising from it. She also requested that appropriate training be provided for all councillors to learn more about enforcement and how they could support the Council in this activity.

The Chair thanked Councillor Lee for her contribution.

Councillor Andy Mercer, Executive Member for Housing and Community, introduced a report of the Executive Director of Place and Economy, setting out the council's enforcement policy, which had been approved in principle by the Shadow Executive in March 2021, but which now contained a number of updates and amendments.

In terms of staffing numbers Councillor Mercer noted that additional staff would be put in place to fill the gaps in capacity previous to 1<sup>st</sup> April 2021, to ensure that residents were protected with strong enforcement.

**RESOLVED:-**

**(KEY DECISION)**

That the Enforcement Policy, attached at Appendix A to the report, be approved.

*(Reasons for Decision - The adoption of an Enforcement Policy by the Council provides clarity as to the regulatory approach which will be adopted by the Council. Adoption of the policy ensures that the Council discharges its obligations under the Regulator's Code, issued by the Better Regulation Delivery Office (BRDO) pursuant to the Legislative and Regulatory Reform Act 2006.)*

## 56 Technical Updates to Section 106 Evidence Base and Benchmark Cost Data

Councillor Steven North, Executive Member for Growth and Regeneration, introduced a report of the Executive Director of Place and Economy, which sought approval for

technical updates to the Planning Obligations Framework and Guidance Document "Creating Sustainable Communities" (2015).

It was noted that this was an interim update and that a further comprehensive review would be undertaken in the future, to ensure an appropriate policy was in place for North Northamptonshire.

**RESOLVED:-**

- a) That it be agreed that the 2021 updated baseline pupil yield figures (as set out in Table 3 of the report) and benchmark costs (as set out in Table 5) replace those set out in the Obligations Framework 2015;
- b) That authority be delegated to the Executive Member for Growth and Regeneration in consultation with the Director of Place and Economy to review and amend the pupil yield figures and benchmark costs on an annual basis.

*(Reasons for Decisions - To ensure the Section 106 contributions secured towards new infrastructure are based on latest available pupil yield data and cost benchmarks, and that these figures and costs are reviewed and updated annually where necessary.)*

**57 Additional Restrictions Grant Top-Up Funding**

Councillor Steven North, Executive Member for Growth and Regeneration, introduced a report of the Executive Director for Place and Economy, which aimed to support businesses most severely impacted by coronavirus disease (COVID-19) restrictions through discretionary Additional Restrictions Grant (ARG) funds.

The Leader wished to note that throughout the pandemic and whilst progressing local government reform, back-office teams had pulled together and provided £millions of grants to businesses which was to be commended. A further £3m grant to be made available for businesses was to be welcomed.

**RESOLVED:-**

**(KEY DECISION)**

- a) That the approach taken by the Council to allocate previous discretionary Additional Restrictions Grant be noted;
- b) That the four options outlined at Appendix A to the report for utilising Additional Restrictions Grant top-up funding to support the local economic recovery be approved;
- c) That authority be delegated to the Executive Member of Growth and Regeneration in consultation with the Executive Director of Place and Economy to allocate the Additional Restrictions Grant funding.

*(Reason for Decisions - To enable the distribution of Additional Restrictions Grant top-up funding to support the local economic recovery framework.)*

## **58 Draft 2020-21 Outturn Positions - KBC & BCW**

The Chair invited Councillor Mark Pengelly and Councillor Anne Lee to address the Executive.

Cllr Pengelly noted the Government's contribution (in paragraph 5.14 of the report) to ensure local authorities' cashflows were not disadvantaged in terms of business rates receipts during the pandemic, and also wished to echo the thanks of the hard work of officers and councillors at the former sovereign authorities in their help to businesses throughout North Northamptonshire during that time.

Councillor Anne Lee raised queries relating to sections 5.11 and 5.18 of the report, to which the Assistant Director of Finance and Strategy undertook to respond to outside of the meeting.

Councillor Lee also commented on the reserve positions of the former sovereign authorities listed in Appendix A to the report, enquiring whether they would be held for spending within the former sovereign areas.

The Chair thanked Councillors Pengelly and Lee for their contributions, noting that regardless of former authority outturn positions, North Northamptonshire was now one authority and its funds were now combined for the benefit of the whole area.

Councillor Lloyd Bunday then introduced a report of the Executive Director for Finance, which set out the draft outturn position for Kettering Borough Council and the Borough Council of Wellingborough for 2020/21 and compared this to the approved budget.

### **RESOLVED:-**

That the forecast outturn position for 2020/21 for Kettering Borough Council and the Borough Council of Wellingborough be noted.

*(Reason for Decision – To inform Members of the outturn position for 2020/21 for both Kettering Borough Council and the Borough Council of Wellingborough as the outturn will form part of the Statutory Statement of Accounts.)*

## **59 Procurement of the Leisure Management Service**

The Chair invited Councillor Mark Pengelly to address the Executive.

Councillor Pengelly said that he was disappointed that the report did not contain trading figures or options to bring the service back in house.

The Chair thanked Cllr Pengelly for his contribution.

Councillor Helen Howell, Executive Member for Sport, Leisure, Culture and Tourism, introduced a report of the Executive Director for Adults, Communities and Wellbeing, which sought to progress the procurement of the Leisure Management Service in the Kettering locality.

It was noted that the procurement was an interim process and a legacy issue from Kettering BC which had initiated the procurement exercise prior to 1 April 2021. A

short contract was sought in order to tie in with existing arrangements across North Northamptonshire, allowing for a wider strategic look across all leisure facilities in the future.

**RESOLVED:-**

**(KEY DECISION)**

- a) That it be agreed to commence a procurement process for a Leisure Management Contract for the management of Kettering Swimming Pool, Kettering Athletics Track and Synthetic Pitch, Corn Market Hall, and Desborough Leisure Centre for a contract as set out in paragraph 4.11 of the report;
- b) That authority be delegated to the Executive member for Sport, Leisure, Culture and Tourism in consultation with the Assistant Director, Housing & Communities, to take any further decisions and/or actions required to conclude this procurement and deliver this service, without the need to return to the Executive.

*(Reasons for Decision - To fit within similar timeframes to existing leisure management arrangements in North Northamptonshire. This will also afford the opportunity for the Council to consider the options for future management of its wider leisure service.)*

**60 A43/A6116 Steel Road Roundabout Project**

Councillor Steven North, Executive Member for Growth and Regeneration, introduced a report of the Executive Director for Place and Economy, in order to proceed to the delivery stage of the A43 /A6116 Steel Road Roundabout project, to continue the draw-down of funding related to it from Homes England, and to increase the notional funding for the project within the delivery programme from £2,950,000 to £3,973,252.

It was noted that the proposals were completely funded from the Homes England Fund and would enable the part of the road network to be fit for the future and able to support the urban extension to deliver over 5,500 dwellings.

**RESOLVED:-**

**(KEY DECISION)**

- a) That the work undertaken to date to get the project to the delivery Stage be endorsed;
- b) That it be agreed to increase the project cost within the Delivery Plan from £2,950,000 to £3,973,252.

*(Reasons for Decisions –*

- *The Council and general public will receive the maximum benefit from the option proposed;*
- *To re-affirm the Council's ambitious plans for growth and regeneration;*

- *Consistency with previous decisions made by Corby Borough Council; Northamptonshire County Council, the North Northamptonshire Shadow Authority and North Northamptonshire Council.)*

## **61 Close of Meeting**

There being no exempt items for consideration, the Chair thanked all members and officers who were in attendance and closed the meeting.

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Chair

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Date

The meeting closed at 3.45 pm