



# Executive Committee

Date:	15 <sup>th</sup> September 2020	a g e n d a
Time	6.00 pm	
Venue:	<p>This is a virtual meeting of the Executive Committee to be held using Zoom and live-streamed via YouTube</p> <p><i>To watch the live meeting on YouTube, please follow the instructions below:-</i></p> <ol style="list-style-type: none"> <li>1. Click or visit the following link <a href="http://www.kettering.gov.uk/youtube">www.kettering.gov.uk/youtube</a></li> <li>2. Select the following video (located at the top of the list) – “Executive Committee 15/09/2020”</li> </ol> <p>Committee Members, officers and previously-notified speakers will be sent Zoom meeting joining instructions separately.</p>	
Committee Administrator:	<p> Anne Ireson (01536) 534398</p> <p> <a href="mailto:anneireson@kettering.gov.uk">anneireson@kettering.gov.uk</a></p>	
<p><b>HEADLINE ITEM:</b> <b>UPDATE ON ART GALLERY, LIBRARY AND MUSEUM</b></p>		
<p>Occasionally, committees may have to consider some business in private and if this is the case the reason is indicated on the Order of Business.</p>		

Members of the Executive Committee:-

*Councillor Russell Roberts (Chair); Councillor Lesley Thurland (Deputy Chair), Lloyd Bunday, Mark Dearing, Scott Edwards, David Howes, Ian Jelley and Mark Rowley*

## Executive Committee

Working with and on behalf of local people

## Order of Business

Item	Item/ Report Title
1.	Apologies
2.	Declarations of Interest <i>(Members are asked to make any declarations of financial or other interests they may have in relation to items on this agenda. Members are reminded to make a declaration at any stage throughout the meeting if it becomes apparent that this may be required when a particular item or issue is considered.)</i>  (a) Disclosable Pecuniary Interests (b) Personal Interests
3.	The minutes of the meeting of the Executive Committee held on 8 <sup>th</sup> July 2020 to be approved as a correct record and signed by the Chair
4.	Any matters of urgency the Chair of the Committee decides should be considered
5.	<b><u>Issues referred from Scrutiny Committees</u></b> None.
6.	<b><u>Issues referred from Forums</u></b> None.
7.	<b><u>Issues referred from Council</u></b> None.
8.	<b><u>The Council's Draft Work Programme</u></b> <i>This plan gives at least 28 days' notice of any key decisions to be made. It also contains information on any meeting, or part of a meeting, that is likely to be held in private at least 28 days before the meeting is due to take place.</i>

Item	🔑	Work Prog Reference Number	Report Title	Officer Presenting Report
9.		A20/014	KBC Budget Update – September 2020	Mark Dickenson
10.		A20/010	Gypsy and Traveller Provision	James Wilson
11.		A20/019	Land to South East of Stoke Albany Road, Desborough – Compulsory Purchase Order	James Wilson / Lisa Hyde
12.		A20/016	Local Cycling And Walking Infrastructure Plans (LCWIP)	James Wilson
13.		A20/007	Countywide Antisocial Behaviour Policy	Martin Hammond
14.		A20/017	Alfred East Art Gallery, Library and Manor House Museum – GLaM	Rochelle Mathieson
15.		A20/020	a. Housing New Build Programme Appointment of Contractors and Revised Budget Forecasts for Scott Road and Albert Street b. Appointment of Contractors for Refurbishment Projects	John Conway

### **Private and Confidential Items**

The press and members of the public can be excluded from business of the meeting on the grounds that it involves items of business which include the likely disclosure of exempt information as defined by Paragraphs 1-7 of the Local Government (Access to Information) (Variation) Order 2006 in respect of Schedule 12A to the Local Government Act 1972. The reason for discussing the issue in private is indicated on the Order of Business and was advertised by way of a Public Notice in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

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**BOROUGH OF KETTERING**

**EXECUTIVE COMMITTEE**

**8<sup>th</sup> July 2020**

**(Meeting held virtually)**

**Present:-**

Councillor Lesley Thurland (Chair)  
Councillors Lloyd Bunday, Mark Dearing, Scott Edwards,  
David Howes, Ian Jelley and Mark Rowley

**20.EX.14 APOLOGIES**

Apologies for absence were received from Councillor Russell Roberts.

**20.EX.15 DECLARATIONS OF INTEREST**

Councillors Mark Dearing and David Howes both declared a Disclosable Pecuniary Interest in Item 10 on the agenda and indicated they would leave the meeting during discussion and voting thereon.

**20.EX.16 MINUTES**

**RESOLVED** that the minutes of the meeting of the Executive Committee held on 16<sup>th</sup> June 2020 be approved as a correct record and signed by the Chair.

**20.EX.17 URGENT BUSINESS**

The Chair indicated that Item 14 had been added to the agenda in order to respond to government legislation regarding pavement licensing.

**20.EX.18 ISSUES REFERRED FROM SCRUTINY COMMITTEES**

None.

**20.EX.19 ISSUES REFERRED FROM FORUMS**

None.

**20.EX.20 ISSUES REFERRED FROM COUNCIL**

None.

**20.EX.21 THE COUNCIL'S DRAFT WORK PROGRAMME**

The draft Work Programme to be published on 16<sup>th</sup> July 2020 was noted, having been previously circulated by email.

**20.EX.22 KBC BUDGET UPDATE – JULY 2020**

A report was submitted which:

- (a) provided an update to the budget monitoring figures that were presented to the Executive Committee last month;
- (b) provided draft outturn figures for last financial year (ie 2019/20) in relation to the General Fund/Housing Revenue Account/Capital Programme/Treasury Management; and
- (c) sought approval for a number of Capital Programme carry forwards from 2019/20.

It was noted that a further £500m to support Covid-19 activities at a local level had been announced by the government on 2<sup>nd</sup> July.

Councillor Jim Hakewill addressed the Committee under the Council's Right to Speak policy, requesting information on the following:

- Commercial returns for the first quarter of 20/21
- Production and distribution of pollinator cards
- Provision in the budget for traveller site preparation

The Portfolio Holder for Finance indicated that budget monitoring updates would be included in future reports. However, indications were that commercial returns were currently well ahead of the curve for 2020/21.

Updates on government funding in respect of Covid19 and caveats associated with such funding were given. Members noted that loss of car parking charges was considered to be a permanent loss, with a report being brought to the Executive Committee at a future meeting.

Information on the availability of pollinator cards and traveller site preparation would be provided separately to Councillor Hakewill.

**RESOLVED** that:-

- (i) the draft out-turn position for 2019/20 for the General Fund, Housing Revenue Account, Capital Programme and Treasury Management be noted; and
- (ii) the Capital Programme carry forwards from 2019/20 (as detailed in Appendix 1) be approved.

(Voting: Unanimous)

*Having declared disclosable pecuniary interests, Cllrs Howes and Dearing left the virtual meeting room during debate and voting on the following item.*

*Councillor Burton declared an interest in the following item.*

**20.EX.23 PRIVATE RENTED SECTOR ACCESS SCHEME**

A report was submitted which sought approval for the new Private Rented Sector Access scheme and accompanying Private Rented Sector Offer (PRSO) policy which set out how and when the Council would work alongside private landlords to prevent and relieve homelessness.

Councillor Burton addressed the Committee under the Right to Speak policy. Councillor Mick Scrimshaw submitted a written statement, which was read out by Councillor Mitchell.

Assurance was sought, and given, that the two posts created would continue until 31<sup>st</sup> March 2021.

It was noted that officers would be monitoring outcomes and gathering performance information in terms of 36 pilot properties.

Landlord Improvement grants would only be paid on issue of a tenancy, which meant there was no scenario where grants were made without a tenancy being offered.

**RESOLVED** that the Private Rented Sector Access Scheme and accompanying PRSO policy statement be adopted with immediate effect.

*(Voting: Unanimous)*

*Councillors Howes and Dearing rejoined the meeting.*

**20.EX.24     MARKING KETTERING'S CONTRIBUTION TO THE ANTI-SLAVERY MOVEMENT**

A report was submitted which sought approval to the commissioning of public art, marking the involvement of Kettering people to the anti-slavery movement in the early nineteenth century.

Councillors James Burton, Anne Lee, Clark Mitchell and Jim Hakewill addressed the Committee under the Right to Speak policy. Councillor Scrimshaw submitted a written statement, which was read out by Councillor Mitchell. Members and speakers all welcomed the report and hoped to generate a long-term legacy from its proposals. Involvement of a wide spectrum of stakeholders was advocated and supported, and also that wider public consultation should take place once ideas were formulated.

It was noted that the Civic Society was raising funds to reinstate the mosaic from the former Grammar School onto Tresham College

Members noted the need to align these proposals with the Heritage Action Zone development plan, and supported proposals to engage local BAME community groups in the thinking about the form public art and exhibitions might take.

**RESOLVED** that:-

- (i) the proposals from the community that some form of public art be commissioned to mark this area's historic contribution to the anti-slavery movement and to feature those local people who worked to abolish slavery be supported;
- (ii) public/cultural art be commissioned through a design competition, jointly determined with local stakeholders, and funds of up to £10,000 be provided to support the design competition process;
- (iii) with Historic England, consider how this project can best sit alongside the High Street Heritage Action Zone planning and delivery, and how the work could be funded; and
- (iv) Black History Month be celebrated via a newly developed interactive digital presence which aligned to local history

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through different 'lenses' leading to a full exhibition and launch of the public art commission in Spring 2021, at an estimated cost of £30,000.

*(Voting: Unanimous)*

## **20.EX.25 WELLAND WANDERER BUS SERVICE**

A report was submitted which sought the Committee's views on continuing support for the "Welland Wanderer" community bus service.

It was noted that member approval was required to fund the service for a second year. Additionally, other areas of the Borough had been seeking support for community transport provision, and the budget provision was sufficient to fund one or two other schemes in 2020/21. Consideration of schemes would fall to the unitary authority after this financial year.

Councillors Burton, Mitchell and Hakewill addressed the Committee under the Right to Speak Policy.

Councillor Nick Richards of Wilbarston Parish Council was commended for his work in connection with the Welland Wanderer Service.

During debate, it was noted that Market Harborough or Corby were the closest town centres and were of preference for some rural residents, and some travelled to Market Harborough to attend medical appointments. The Welland Wanderer Scheme had been considered by the Rural Forum last year and a few other parishes had expressed an interest in setting up their own schemes. It was agreed that services that brought people into Kettering town centre would be considered where an opportunity existed.

It was agreed that the relevant ward councillors would be invited to be involved in any discussions with parishes on rural bus services.

**RESOLVED** that:-

- (i) the budgetary provision for bus subsidies be redefined to enable the co-funding, with parish and other councils, of bus services linking otherwise isolated communities to nearby towns and service centres, alongside the existing purpose of enabling access to work; and
- (ii) a grant of £2,660 be provided to the Welland Wanderer service for 2020/21.

*(Voting: Unanimous)*

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## **20.EX.26 COUNTYWIDE ANTI-SOCIAL BEHAVIOUR STRATEGY**

This report was withdrawn prior to the meeting.

*(Councillor James Burton declared an interest in the following item)*

## **20.EX.27 SEATS ON STREETS – PAVEMENT LICENCES**

A report was submitted which sought approval to a change to the scheme of delegation to enable officers to progress the issue of pavement licences by the Council, and which sought agreement to the terms on which licences would be issued.

It was noted that the council needed to act quickly in order to respond to legislation. As such, timescales were very short, with little information at the present time.

Councillors James Burton and Clark Mitchell addressed the Committee under the Council's Right to Speak policy to support the proposals, the £0 fee recommendation and other aspects of the scheme, asking that applications should be processed as quickly as possible, especially as a large number of premises did not have private beer gardens

In discussion, members welcomed the proposals as pavement licensing would allow businesses to recoup some of the trade lost during lockdown. The scheme would also apply to A6 towns and parishes.

In regard to enforcement action, it was noted that this was currently NCC's responsibility as highway authority, and therefore discussions should be held with NCC on any individual cases where a business had pre-empted the legislation.

**RESOLVED** that:-

- (i) authority to determine and issue pavement licences be delegated to the Head of Public Services;
- (ii) a fee of £0 be applied to licence applications made in the 2020/21 financial year;
- (iii) a licence issued during 2020 be valid for 12 months from the date of issue or until September 2021, whichever was the longer;
- (iv) a licence approval include the Council's agreement to the proposed layout, the means of marking the boundary of the

allocated space, associated signage, and the exact dimensions of the allocated space; and

- (v) it be noted that revocation of a licence by the Head of Public Services could occur if the premises were not adhering to licensing conditions, including those relating to social distancing, littering or anti-social behaviour.

*(Voting: Unanimous)*

*(The meeting started at 6.00 pm and ended at 7.35 pm)*

Signed .....  
Chair

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<b>Report Originator</b>	Strategic Management Team	<i>Fwd Plan Ref No: A20/014</i>	
<b>Wards Affected</b>	All	15 <sup>th</sup> September 2020	
<b>Title</b>	<b>KBC BUDGET UPDATE – SEPTEMBER 2020</b>		

Portfolio Holder: Cllr Lloyd Bunday

**1 PURPOSE OF REPORT**

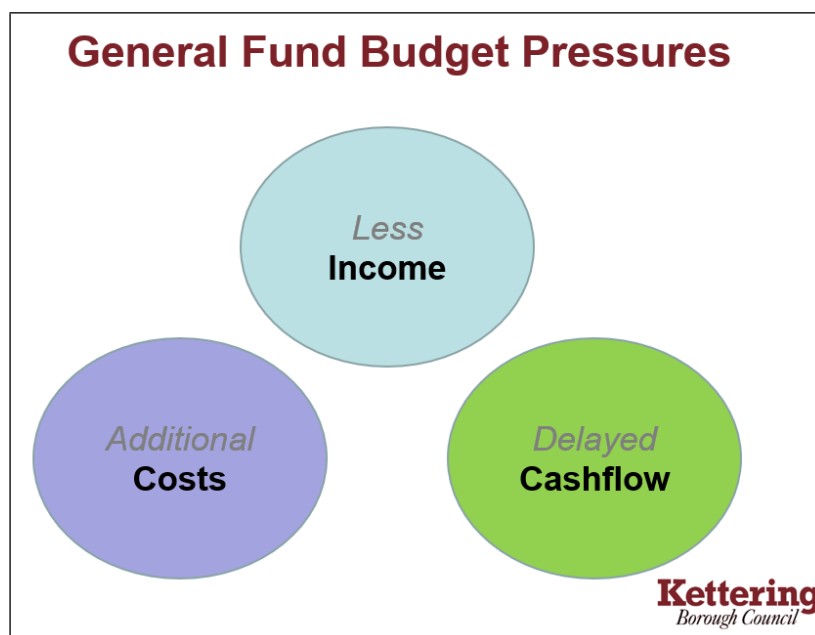
The purpose of the report is to:

- a) Provide an update to the budget monitoring figures that were presented to the previous Executive Committee;
- b) Provide an update on the government grants scheme for small businesses, businesses in the retail, hospitality and leisure sectors and grants paid to businesses via the Discretionary Grants scheme.
- c) Provide an update on Government Funding for 2021/22.

**2. BACKGROUND**

- 2.1. Members do not need reminding of the unprecedented nature of events that have gripped the country (and indeed the world) over the past six months.
- 2.2. There is still much uncertainty facing the local government sector as a whole and this report seeks to identify the potential financial impact of these events, through considering a range of possible outcomes. The report outlines what the key issues are – and what a range of possible outcomes could be.
- 2.3. This report reflects the current circumstances and we continue to model the following three scenarios which generally assumes the following periods of economic downturn;
  - **Model A** – 6 months
  - **Model B** – 9 months
  - **Model C** – 12 months
- 2.4. The following diagram categorises the pressures that the General Fund is experiencing as a result of COVID.

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**3. FINANCIAL MODELLING**

- 3.1 This section of the report brings together the expenditure, income, and cashflow pressures and considers them against the three modelling scenarios that were outlined earlier in Section 2.3.
- 3.2 Table 1 provides a summary of the possible financial implications from the Covid-19 Pandemic. The detailed workings behind this summary are included in Appendix 1.

<b>Table 1 - General Fund Summary of Pressures (as a result of COVID-19)</b>			
Summary of Pressures	Full Year Forecast (2020/21)		
	Model A	Model B	Model C
	£'000	£'000	£'000
Income Lost - Not Recoverable	636	766	884
Income Lost - Some Potentially Recoverable	541	1,114	1,833
Expenditure Pressures	370	782	1,303
<b>TOTAL</b>	<b>1,547</b>	<b>2,662</b>	<b>4,020</b>
Covid-19 Govt Grant Received	(1,240)	(1,240)	(1,240)
<b>Potential Deficit</b>	<b>307</b>	<b>1,422</b>	<b>2,780</b>

To clarify the contents of Table 1, reflect the main pressures arising from COVID-19 in the full Year Forecast (2020/21) shows the potential scale based on the three scenarios – outlined in Section 2.3.

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- 3.3 From the figures in Table 1, it can be seen that the total range of budget pressures is shown to be between £1.5m and £4m. At this stage it is too early to tell what the final figures will be. This is because of the levels of uncertainty across the sector as a whole – especially those relating to income and cash flow. The figures will also be impacted by the recovery phase of the Pandemic.
- 3.4 The Government have to date provided three tranches of additional funding for local authorities to help them respond and to recover from the COVID-19 pressures across all the services they deliver. Table 2 summarises the funding that Kettering Borough Council has received.

<b>Table 2 – COVID 19 Funding</b>			
First Tranche of Covid-19 Funding	Second Tranche of Covid-19 Funding	Third Tranche of Covid-19 Funding	Total Covid-19 Funding
£44,458	£1,024,078	£171,060	£1,239,596

- 3.5 After taking account of Government funding that has been received of £1.240m the potential COVID 19 pressures could range between £0.3m and £2.8m.
- 3.6 The Government will also be providing financial support to local authorities via the '**income compensation scheme for lost sales, fees and charges**'. The funding is to compensate authorities where COVID-19 has impacted on their ability to generate revenues as a result of lockdown, government restrictions and social distancing measures, related to the pandemic in the 2020/21 financial year.
- 3.7 The scheme will involve a 5% deductible rate for those fees and charges impacted by COVID 19, whereby authorities will have to absorb the first 5% loss – this loss is calculated based on their planned 2020/21 income for eligible sales, fees and charges income, with the Government compensating them for 75p in every pound of relevant loss thereafter.
- 3.8 The scheme will compensate authorities for irrecoverable losses compared to budgets that have been set for the period from 1 April 2020 to 31 March 2021. The Government have not given any indication whether this scheme would be extended to 2021/22. There a number of potential COVID 19 issues which could impact on authorities in 2021/22 these are considered in Section 4.
- 3.9 The guidance issued by the Government sets out the data collection periods and payment schedule for the income compensation scheme. This is summarised in Table 3.

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<b>Table 3 Schedule of Payments</b>	
<b>Release of data collection and payment</b>	<b>Period of loss covered</b>
September 2020 data return (intended payment October 2020)	1 April 20 - 31 July 20
December 2020 data return (intended payment January 2020)	1 Aug 20 - 30 Nov 20
April 2021 data return (intended payment May 2021)	1 Dec 20 - 31 Mar 21

- 3.10 Updates will be provided to future Executive meetings regarding the amount claimed under this scheme – however the actual full year figures will not be known until 2021.
- 3.11 After taking account of the financial challenges resulting from COVID-19 and the additional funding provided by Government, the Council’s budget is better placed than most and this is a result of the strategies used for many year’s whereby savings are identified in full ahead of the financial year.
- 3.12 There are a number of non COVID-19 variations and these are currently projected to result in a favourable variance of around £400,000. The main variations relate to lower borrowing costs and additional income. After taking account of these variations the estimated outturn for the General Fund could range from a surplus of £100k to a deficit of around £2.4m.
- 3.13 It should be noted that a projected favourable variance of around £1m is projected from the Business Rates Retention Scheme during 2020/21. Due to the technical nature and the accounting arrangements for Business Rates this will be spread over a three-year period.

**4. FUTURE YEARS**

- 4.1 It is important that Members are aware of the Financial challenges that COVID 19 could have on the new Unitary from 2021/22. The main pressures in addition to those outlined in Section 3 could include the following
- Reduced Council Tax Yield
  - Reduced Business Rates Yield
  - Impact of the delay to the Fair Funding Review
  - Impact of Business Rates Baseline Reset
- 4.2 Whilst the mechanisms for how we account for Council Tax means that what is actually collected in 2020/21 will not impact on the 2020/21 budget as the precepts and demands have been set for the year. Any changes in collection rates will instead be accounted for in 2021/22 – this could have a significant



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impact for the new Unitary authority and is an area that continues to be closely monitored.

4.3 The Council Tax yield could be significantly lower in 2021/22 to that being modelled by authorities, each of the following factors could all have an adverse impact on an authorities taxbase;

- Increase in Council Tax Support Caseloads
- Slowdown in housing growth
- Reduction in Collection Rate

4.4 The Business Rates yield could also be significantly lower in 2021/22 and this will be dependent on the following factors

- number of businesses that continue to trade
- Reduction in Collection Rate

## **5. HOUSING REVENUE ACCOUNT**

5.1 The Council's Housing Revenue Account (HRA) budget for 2020/21 is £15.4m – the main income source is housing rents. The income levels continue to be monitored closely and whilst collection rates are broadly in line to those of previous years – the void levels have been higher than those budgeted. The reduction in income is currently being offset by a lower use of sub-contractors.

5.2 The HRA expenditure budgets tend to be less volatile than that of the General Fund – largely as a result of the most significant budgets such as loan and interest repayments being fixed.

5.3 Table 4 provides an update on the 2020/21 financial position for the HRA.

<b>Table 4 - HRA</b>	<b>Current Budget</b>	<b>Projected Outturn</b>	<b>Variance</b>
	£'000	£'000	£'000
Gross Expenditure	15,438	15,388	(50)
Gross Income	(15,438)	(15,388)	50
Net Expenditure	0	0	0

## **6. CAPITAL PROGRAMME**

6.1 It was reported to the June meeting that the Council's ability to deliver the Housing Revenue Account capital programme as previously planned had been severely impacted as result of COVID-19. Therefore, a 'Plan B' capital programme was created and subsequently approved in order to maintain investment in the housing stock at planned levels in 2020/21. The Council continues to make good progress following these changes and the HRA Capital Programme remains on target to be delivered on budget.

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- 6.2 The Council has bid for external funding of £3m for transformational improvements to the Alfred East Art Gallery, Library and Manor House Museum (GLaM) from the Government's 'Get Building Fund'. This is the subject of a separate report (Item 14) to this Committee meeting. Changes to the capital programme arising from this report will be reflected in the next budget update report.
- 6.3 There is also a separate report to amend the HRA Capital Programme resulting from New Build Schemes at Scott Road and Albert Street, changes to the capital programme arising from this report will be reflected in the next budget update report.
- 6.4 Table 5 provides a summary of the Capital Programme.

<b>Table 5 - Capital Programme 2020/21</b>	<b>Working Budget</b>	<b>Projected Outturn</b>	<b>Variance</b>
	£000	£000	£000
<b>Expenditure</b>			
Council Home Improvement Programme	8,845	8,845	0
Town Centres Delivery Plan	4,352	4,352	0
Community Facilities	1,982	1,982	0
Supporting Service Delivery	6,208	6,208	0
Commercial Strategy	20,331	20,331	0
Private Sector Housing Improvement	796	796	0
<b>Total Capital Expenditure</b>	<b>42,514</b>	<b>42,514</b>	<b>0</b>

### 7. GRANTS TO BUSINESSES

#### **Small Business Grant Fund (SBGF) and the Retail, Hospitality and Leisure Grant Fund (RHLGF).**

- 7.1 The Government in response to COVID-19 provided support for small businesses, and businesses in the retail, hospitality and leisure sectors. This support was provided through two grant funding schemes, the Small Business Grant Fund (SBGF) and the Retail, Hospitality and Leisure Grant Fund (RHLGF).
- 7.2 Under the SBGF all eligible businesses were to receive a payment of £10,000 and under the RHLGF all eligible businesses would receive a payment of £10,000 where the property had a rateable value of up to £15,000. Eligible

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businesses that had a rateable value of over £15,000 and less than £51,000 received a grant of £25,000.

- 7.3 Local Authorities were responsible for making payments to businesses and the scheme was fully funded by the Government. This Council's has paid out over £16m to over 1,350 businesses.

**Discretionary Grant Scheme**

- 7.4 The Government through the Discretionary Grant Scheme provided further support to those businesses who were not eligible for a grant under either the SBGF or RHLGF schemes. The SBGF and RHLGF parameters and funding levels were defined by Government whereas the parameters for the Discretionary Grant Scheme were designed at a local level – this was reported to and approved by the Executive at the June meeting.

- 7.5 Local Authorities were again responsible for making payments to businesses and the scheme was fully funded by the Government. This Council's has paid out over £720,000 to 97 businesses.

- 7.6 The government announced an end date of 28th August 2020 for local authorities administering all grant schemes relating to COVID-19. However, any outstanding queries held by the council after this date will be reviewed and notification of any decisions will be sent out to customers by 30th September 2020, which is in line with the government guidance.

**8. GOVERNMENT FUNDING**

**Spending Review**

- 8.1 The Government on 21<sup>st</sup> July announced the 2020 Comprehensive Spending Review (CSR) which will set out the Government's revenue spending plans for 2021/22 to 2023/24 (and capital plans to 2024/25). The Review, which will be published in the autumn will allocate funding to Government departments over this period.

**Fair Funding Review**

- 8.4 The government had previously confirmed a further delay to the Fair Funding Review for councils, due to the disruption caused by COVID-19. The review would have set new baseline funding allocations for local authorities based on up-to-date needs and resources assessments – this was initially delayed in September 2019 and Government had planned to undertake a consultation this summer
- 8.5 The focus of the review is about how the quantum of local authority funding will be allocated between different tiers of local government. In effect, the review will

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allocate priority spending (based upon things like population, need etc.) alongside government spending priorities.

- 8.6 It has been widely anticipated in local government that this review is likely to allocate more funding towards national priority areas such as adult social care, and children’s services rather than be beneficial to the services that borough and district councils provide.
- 8.7 The government will continue to work with councils to determine the level of government funding that is to be provided to individual authorities in 2021/22.

**Business rate review**

- 8.8 The Government have previously announced that the move to 75% business rates retention will not now go-ahead next year.
- 8.9 The way that the business rate retention scheme operates in future years could have major financial implications for Councils. Members will recall that this Council along with all the Northamptonshire authorities were a Pilot for 75% Business Rates Retention in 2019/20. The financial benefit of being a Pilot for all the Northamptonshire authorities amounted to around £18m.
- 8.10 Northamptonshire has benefitted well under the present system due to the above average increase in business growth across the County. Which has benefited the Northamptonshire authorities significantly over the past few years.
- 8.11 There has been no announcement regarding whether the Government will reset the Business Rates Baselines being the point from which growth is measured. Since 2013/14 the baselines have remained unchanged – there is a risk that these gains could be lost, either through a reduction in business rates receipts due to COVID 19 or because of a reset of the scheme or both.
- 8.12 Any gains that are not lost through the economic slowdown could be lost following a reset. A reset could result in a significant proportion of our increased business rates funding being taken away and effectively re-allocated to other areas as part of this and the Fair Funding Review. This is a very significant funding risk and the outcome of this will be determined by the methodology used to redistribute any remaining growth in the system.
- 8.12 To avoid any shocks transitional measures could be put in place following any reforms to local government funding, including any resets, to avoid the associated cliff edges – any announcements regarding this will not be made until later in the year.
- 8.13 The three key variables in any changes to the Business Rates System are as follows:

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- The resetting of the Business Rates Baselines – the point from which growth is measured
- Funding Levels
- Business Rates Yield

## **Business Rates Revaluations**

- 8.14 The Government announced that the business rates revaluation which is a review of the rateable values of all non-domestic property would be postponed and has confirmed that the next business rates revaluation will take place in 2023 this is to better reflect the impact of COVID-19. It is intended that this revaluation will be based on property values as of April 1, 2021 and this will be the basis for calculating what Businesses pay in rates.

## **9 CONSULTATION AND CUSTOMER IMPACT**

- 9.1 As outlined in the report.

## **10 POLICY IMPLICATIONS**

- 10.1 As outlined in the report.

## **11 USE OF RESOURCES**

- 11.1 As outlined in the report.

## **12. CLIMATE CHANGE**

- 12.1 The Council remains committed to the climate change agenda as approved by Council in July and this remain a key consideration in any future decisions.

## **13. RECOMMENDATIONS**

That the Executive notes

- 13.1 The budget position for 2020/21 and the potential financial challenges in 2021/22.
- 13.2 The financial support provided by this Council to Businesses through the government grant schemes for small businesses and businesses in the retail, hospitality.
- 13.3 The uncertainty around Government Funding levels for 2021/22.

Background Papers:

Previous Reports/Minutes:

Contact Officers: M Dickenson

Monthly Durable Budget Reports

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## Appendix A

Area	COVID Pressures (Model A) £'000	COVID Pressures (Model B) £'000	COVID Pressures (Model C) £'000
Car Parking - On Street	216	290	324
Car Parking - Off Street	420	476	560
<b>Income Lost - Not Recoverable</b>	<b>636</b>	<b>766</b>	<b>884</b>
Treasury Management (exc Borrowing)	96	160	256
Commercial Investments	194	427	758
Trade Waste	(78)	(26)	27
Planning & Building Control Fees	5	137	283
Council Tax Court Costs	324	416	509
<b>Income Lost - Potentially Recoverable</b>	<b>541</b>	<b>1,114</b>	<b>1,833</b>
Domestic Recycling / Waste	142	242	391
Homelessness	(165)	(93)	14
Leisure	100	150	200
Other Items	293	483	698
<b>Expenditure Pressures</b>	<b>370</b>	<b>782</b>	<b>1,303</b>
<b>Gross Covid19 Impact</b>	<b>1,547</b>	<b>2,662</b>	<b>4,020</b>
<b>Covid19 Grant</b>	<b>(1,240)</b>	<b>(1,240)</b>	<b>(1,240)</b>
<b>Net Covid19 Impact</b>	<b>307</b>	<b>1,422</b>	<b>2,780</b>

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<b>Report Originator</b>	Interim Head of Development Services	<i>Fwd Plan Ref No:</i> A20/010	
<b>Wards Affected</b>	ALL	15 <sup>th</sup> September 2020	
<b>Title</b>	<b>Gypsy and Traveller Provision</b>		

**1. PURPOSE OF REPORT**

- 1.1 To set out the Council’s approach to providing Gypsy and Traveller accommodation within the Borough in appropriate locations and maintaining a 5 year supply of pitches.

**2. INFORMATION**

**Background**

- 2.1 The Housing and Planning Act 2016 removed the statutory requirement under s225 of the Housing Act 2004 for Housing Authorities to carry out a specific assessment of the accommodation needs of Gypsy and Travellers, replacing it with a requirement to assess need from caravan and boat dwellers under the 2004 Housing Act. However, the Housing and Planning Act 2016 does not change requirements on Councils, as a Local Planning Authority, as set out in the Planning Policy for Traveller Sites (PPTS). One of the Government’s aims in the PPTS in respect of Traveller sites is that Councils should “make their own assessment of need for the purposes of planning”. Therefore, the Council as a Local Planning Authority must continue to undertake an assessment of the accommodation needs of travellers.
- 2.2 The PPTS further requires that Local Planning Authorities identify a supply of specific deliverable sites to provide five years’ worth of sites against local targets. It also requires that authorities identify a supply of specific developable sites, or broad locations for years 6-10, and where possible for years 11-15.
- 2.3 The Council is producing a Gypsy and Traveller Site Accommodation Policy which will form part of the Development Plan for the local area. This is at an early stage of production. This will set out whatever allocations are necessary to meet the needs of Gypsy and Traveller community within the Borough over the plan period. In July 2017 the Planning Policy Committee decided to remove this matter from the Site-Specific Part 2 Local Plan, and prepare for this topic to be considered through a standalone Development Plan Document.
- 2.4 At planning appeals from 2017 onwards the Council was not able to rely upon its Gypsy and Traveller Accommodation Assessment (GTAA), which identifies the need for pitches, and a new one was commissioned in 2018 with the final report being published in March 2019. This provides the evidence and underpinning for

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the Gypsy and Traveller Site Allocations Plan which is in the process of being prepared and is scheduled to be adopted by the new Unitary Authority in 2022. The GTAA concludes that the need within Kettering for pitches to 2033 requires 24 pitches for Gypsy and Traveller households that met the PPTS planning definition, and a further 24 pitches for Gypsy and Travellers that did not meet the PPTS planning definition. The need for the first 5 years of the GTAA period (2020-21 and 2024-25) is identified as being 15 pitches for households that met the PPTS planning definition.

- 2.5 There have been several unauthorised intentional occupations and development of land for Gypsy and Traveller sites within the Borough over the last 12 months. These include sites at Loddington and Stoke Albany Road (north of Desborough) which are the subject of planning appeals yet to be held and an extension to the Old Willows Gypsy and Traveller site for which a planning application has been submitted retrospectively.
- 2.6 The Council needs to proactively develop the Gypsy and Traveller Site Allocations Policy to enable it to determine applications on this matters through plan led decision making rather than through planning by appeal.
- 2.7 During the pandemic lockdown Government advice has been to allow Gypsy and Traveller families to remain in the locations that they were in when the lockdown occurred and to work up solutions to enable them to adhere to the Government’s regulations. The Council has complied with this and it has resulted in a temporary water connection being provided to those travellers on the Loddington site. Moving forward the Council will seek to work with all parties to identify appropriate locations to meet the needs and demand for Gypsy and Traveller pitches within the Borough and in future as part of North Northamptonshire.
- 2.8 The Council’s suggested approach to the provision of sufficient Gypsy and Traveller pitches to meet the need identified in the 2019 GTAA is set out below.

**Gypsy and Traveller Site Allocations Policy**

- 2.9 Policy 31 of the North Northamptonshire Joint Core Strategy (NNJCS) requires that  
*‘Local Planning Authorities will protect existing lawful sites, plots and pitches for Gypsies and Travellers. Sufficient sites for gypsy and traveller, and travelling show people accommodation will be identified in line with a robust evidence base. Where necessary, part 2 Local Plans will allocate further sites for accommodation for gypsies, travellers and travelling show people.’*

The policy also requires that new site allocations and applications for planning permission should satisfy a variety of criteria if they are to be found acceptable.

- 2.10 As stated above, the Gypsy and Traveller Site Allocations Policy will identify what provision is required for Gypsy and Traveller pitches. The robust evidence base underpinning this policy is the GTAA. This document had to be updated on a North Northamptonshire area basis and this has resulted in the decoupling of this

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issue from the Local Plan Part 2 in order that it should not unnecessarily delay the rest of the plan.

- 2.11 The Gypsy and Traveller Site Allocation Policy will be produced and consulted on and then adopted by the new Unitary Authority in early 2022. In the meantime, Policy 31 of the NNJCS and other policies within the Development Plan provide sufficient guidance in order that any applications can be adequately and consistently assessed.

**Gypsy and Traveller Pitch Supply**

- 2.12 As stated above the PPTS requires that Councils *‘identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against their locally set targets’*. Where the Council cannot demonstrate an up to date 5 year supply, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.
- 2.13 The Council’s position, through the submitted Statements of Case for both the Loddington and Stoke Albany Road, Desborough appeals, is that it does have a 5-year supply of pitches. The number of pitches required for households that met the PPTS planning definition is 15 and based on sites that have been granted planning permission, that have not yet been delivered, there is currently a 5-year supply of 18 pitches.
- 2.14 Furthermore, if pitches on developed sites that have been granted planning permission but are not currently occupied by Travellers are taken into consideration, there is a 5-year supply of 39 pitches. (This will be discussed further below under ‘Pitches occupied by non-Gypsy and Travellers’)
- 2.15 In terms of the 18 pitches in the Borough that have been identified in the 5-year supply calculation, these derive from 3 applications which have been consented but have not yet been completed. One site comprising 10 pitches makes up the largest part of this number. This site was consented in 2009 and was implemented by way of discharge of conditions and small scale groundworks on the site. To date there has been no further development of the site, or clearly apparent intent to develop for the consented purpose.

**Compulsory Purchase Order**

- 2.16 The potential Compulsory Purchase Order (CPO) of this site is the subject of a separate report to be considered by this Committee. It sets out the process and need for a CPO due to the non-development of the site by the owner since 2009 and their indication that they will not negotiate a sale of the land to the Council.
- 2.17 If a CPO is confirmed in principle and is then ultimately successful this will enable the delivery of the site within a reasonable timeframe as set out below.
- 2.18 The broad stages for the CPO would firstly be to land reference the site. This should be relatively straight forward as it is anticipated that there would be one

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registered landowner. Secondly, the making of the CPO would take place which would need to be confirmed by the Secretary of State for Housing, Communities and Local Government. Thirdly an Inquiry will typically take place to hear any objections to the CPO. In all the timescale from start to finish could take between 12-14 months dependent on the number of objections and length and complexity of the Inquiry. However, this would fit within the first 5 year period for the GTAA.

- 2.19 Footnote 4 (Page 3) in the PPTS states that *'sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within 5 years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.'* The site has an implemented consent as stated above and therefore should be considered deliverable.
- 2.20 On completion of the purchase, either by CPO or by mutual agreement, the Council would need to take on the responsibility of developing the site and provide the infrastructure necessary to create the access, provide utilities and create the pitches on the site. It would then need to operate and manage the site.
- 2.21 The Council would need to make clear its budgetary provision for these works which would become the responsibility of the new Unitary Authority. Preliminary discussions have been had with Homes England regarding grant funding which could help to offset the expenditure the Authority would need make. It is estimated that the costs of capital works would be in the region of c.£0.5 – 1m. The Council already has capital funds available within its housing needs allocation for this eventuality.

**Pitches occupied by non-Gypsy and Travellers**

- 2.22 The GTAA was authored by Opinion Research Services (ORS) who have completed many similar reports around the Country. In undertaking the GTAA the evidence collated is underpinned by a series of interviews with residents on the Gypsy and Traveller sites within the Borough.
- 2.23 In 2015 the Government changed the definition of Gypsy and Travellers for planning purposes and this is set out in Annex 1 of the PPTS. For planning policy 'gypsies and travellers' means;  
*'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'*  
*In determining whether persons are "gypsies and travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*
- a) whether they previously led a nomadic habit of life*
  - b) the reasons for ceasing their nomadic habit of life*
  - c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.*

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- 2.24 In consenting planning permissions for Gypsy and Traveller pitches the Council does so on the basis that occupants of the site will need to provide evidence to demonstrate that they meet the current planning definition of a Traveller and the consent is conditioned on this basis.
- 2.25 Through the GTAA household interview process it was identified that approximately 21 of the current consented pitches for Gypsy and Traveller use were occupied by non-Gypsy and Traveller families. This would be a breach of the planning consents which have been issued and is providing housing for individuals and families which would more appropriately be accommodated through social housing options which the Council is able to offer and provide. This use of the pitches is also creating a false picture in respect of the supply and demand of pitches within the Borough and will impact on the Council's 5-year supply of pitches. This amount of pitches dwarfs the actual 5 year supply and could result in further pitches being permitted, particularly on appeal, since the unauthorised use of gypsy pitches by persons who do not satisfy the restrictive conditions may give a false impression that all pitches are occupied by persons complying with the condition. It is therefore considered essential that the Council immediately adopt a pro-active approach and actively monitor continued compliance with gypsy and traveller occupancy planning conditions taking swift enforcement action so that these pitches can be occupied by Gypsy and Travellers in genuine need.
- 2.26 With the support of ORS the Council will undertake more in-depth interviews with those residents identified as potentially not being Gypsies and Travellers and to work with the Housing Team to consider alternative options for these people. In doing so this may release pitches for those Gypsy and Traveller families that are in need. If necessary the Council will consider the issue of enforcement powers and eviction orders (while seeking to work with vulnerable families to consider alternative accommodation options) in order to secure compliance with occupancy conditions on gypsy and traveller sites, with officers again working with the Housing Team.

### **Intensification or Extensions of Existing Sites**

- 2.27 Alongside the CPO action to bring forward a site with planning permission which has been stalled for a significant amount of time, officers are considering, with expert consultant support, if any of the existing sites within the Borough could accommodate any further pitches or extensions. The assessment process that is being used by the consultants has been found robust by Planning Inspectors at Local Plan Examinations in other local authorities.
- 2.28 Within any consideration of site extensions or intensification officers and consultants would, at all times, need to take account of criteria in Policy 31 of the NNJCS and the PPTS such that sites do not increase to a size which would dominate the nearest settled community, create management issues or adverse environmental impacts.

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- 2.29 This work naturally forms part of the evidence base and will help to inform the Gypsy and Traveller Site Allocations Policy. It will help to identify whether any further pitches can reasonably be developed on existing sites which could provide further supply for future 5-year periods.
- 2.30 Further reports on the outcome of these assessments would be brought back to this Committee and the Planning Policy Committee through progress reports on Gypsy and Traveller Site Allocations Policy.

**Licencing of Gypsy and Traveller Sites**

- 2.31 The Mobile Homes Act 2013 provides for a site licensing regime for relevant protected sites and came into force on 1st April 2014. The site licensing regime gives local authorities more effective control of conditions on relevant protected sites. In appropriate cases, it provides local authorities with the tools required to take action including the power to serve compliance notices in relation to breaches of site licence conditions, emergency action powers, and the ability to carry out works in default and recover expenses. The Council's Environmental Protection team administers these licences.
- 2.32 In terms of 'protected sites' and what comes with that definition it includes an owner occupied gypsy and traveller site with relevant planning consent and a rented gypsy and traveller with relevant consent. These sites require licences to ensure standards and conditions are maintained, however, land occupied by a county council for accommodating gypsies and travellers and land occupied by a local authority on which caravans are stationed do not.
- 2.33 The licensing regime is an on-going process to ensure that sites have the relevant permits. A piece of work is underway within the Environmental Protection team to review all relevant protected sites within the Borough to check that sites have a license and to issue one where appropriate. This will help to ensure that minimum standards are enforced for services and amenities, spacing, footpaths, health and safety, etc. for residents of these sites. Further resources may be required to accelerate this programme of work. This licensing regime does not affect the planning requirements and conditions applied to these sites or planning enforcement action and operates independently.

**Gypsy and Traveller Strategy**

- 2.34 Initial discussions are taking place with other officers in neighbouring authorities which will form the North Northamptonshire Unitary Authority on the practicalities of developing a Gypsy and Traveller Strategy early in the lifetime of the new Authority.
- 2.35 A Gypsy and Traveller Strategy is not a statutory requirement, however, they can help to set out a comprehensive and coordinated approach to Gypsy and Traveller issues including planning, housing, education, health and welfare, access to services and a range of other issues for the Gypsy and Traveller community. They can identify the approach of the Council to sites run by the Local Authority, unauthorised encampments, private sites and transit sites. It would

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also provide clear guidance for the Council, the Gypsy and Traveller community and the settled community. As a Unitary Authority covering all local government services it may be beneficial to capture all of the Council's responsibilities to this community under one strategy.

- 2.36 It is proposed that these initial discussions are developed, and agreement sought for any background work to collate information from each authority such that any Strategy work that might be proposed through the new Authority could be rapidly progressed.

### **Way Forward**

- 2.37 There are numerous streams of work that need to be pursued in parallel, led from different parts of the Authority in order to ensure that adequate Gypsy and Traveller pitches are provided and that these sites are properly licensed and managed in the best interests of the residents.
- 2.38 It is proposed that these work streams are continued and reports are brought back to relevant committees to update members on progress and for discussions to continue with partner authorities within North Northamptonshire to see how this might be pursued after March 2021 as a shared undertaking.

## **3. CONSULTATION AND CUSTOMER IMPACT**

- 3.1 There are no direct consultation issues arising from the report at this juncture. Should a Gypsy and Traveller Strategy be produced early in the lifetime of the the new North Northamptonshire Unitary Authority than all relevant stakeholders would be consulted. Contact and dialogue will be made with other customer groups and individuals as necessary facilitated by ORS, The Housing Team and other partners.

## **4. POLICY AND RESOURCE IMPLICATIONS**

- 4.1 The Council will need to allocate funds for the acquisition and eventual development of the travellers' site being requested to be acquired through CPO, should approval be granted to proceed. Detailed development costs are not available at the present time and these would be prepared ahead of further reports to Committee. The estimate of £0.5 -1m costs to develop the site when purchased would need to be firmed up, Resources would be available through the Council's capital budget and it is understood Government funding may also be available to support the development of the site.
- 4.2 Other funding to carry out the activities set out in the report can be resourced from existing budgets.

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**5. LEGAL AND EQUALITY IMPLICATIONS**

- 5.1 In undertaking any of above actions the Council will need to fully consider and comply with planning, equalities, human rights and property legislation and any other legal implications arising from the report.

**6. CLIMATE CHANGE IMPLICATIONS**

- 6.1 Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

The emerging Site Specific Part 2 Local Plan is being prepared within the context of climate change and policies contained within it will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change. The Gypsy and Traveller Site Allocations Policy will also need to be framed within this context.



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**7. RECOMMENDATION**

7.1 That members

- i) Support the continued development by officer of the Gypsy and Traveller Site Allocations Policy and note the Council's stated 5 year land supply of pitches.
- ii) Note the potential use of compulsory purchase powers to bring forward a stalled site (a separate report recommending the endorsement of this action)
- iii) Note the work to consider intensification or extensions to existing sites, if necessary, which will form part of the evidence base for the Gypsy and Traveller Site Allocations Policy and support on-going work to identify pitches with non-defined Gypsy and Traveller residents and to offer them alternative accommodation.
- iv) Support the on-going Environmental Protection work of licencing 'protected sites' through the Mobile Homes Act and
- v) Endorse initial discussions with officers of partner authorities in the new Unitary Authority on early considerations of a Gypsy and Traveller Strategy for North Northamptonshire.

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Background Papers:

Title

Date

Contact Officer

Previous Minutes/Reports:

Ref:

Date:

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<b>Report Originator</b>	Jonathan Waterworth Head of Property Services	<i>Fwd Plan Ref No:</i> A20/019	
<b>Wards Affected</b>	All	15 <sup>th</sup> September 2020	
<b>Title</b>	<b>Land to South East of Stoke Albany Road, Desborough – Compulsory Purchase Order</b>		

Portfolio Holder: Cllr David Howes

**1. PURPOSE OF REPORT**

- 1.1 This report requests Committee approval for an ‘in principle’ decision to promote a Compulsory Purchase Order (CPO) to facilitate the acquisition and then development of a gypsy & traveller site at Stoke Albany Road, Desborough.

**2. BACKGROUND CONTEXT**

- 2.1 The subject site is shown on the attached CPO plan in Appendix 1. The site has planning consent under KET/2009/0155, for a change of use from paddock to travellers’ site, with community building, utility facilities and vehicular access.
- 2.2 The planning consent was granted on 1<sup>st</sup> July 2009, and was implemented by way of discharge of conditions and small scale groundworks on the site. To date there has been no further development of the site, or apparent intent to develop for the consented purpose.
- 2.3 The Gypsy and Traveller Accommodation Assessment (GTAA) for North Northamptonshire published in March 2019 indicated that Kettering has a need for 24 pitches for households that meet the Gypsy & Traveller definition over the plan period to 2033. The availability and delivery of the site at Stoke Albany Road, Desborough makes a significant contribution to the Council’s ability to demonstrate a five year land supply of gypsy and traveller pitches. Once delivered it would contribute to the provision of over 40% of the required supply for families who meet the Gypsy and Traveller definition. In addition, the Council also has a requirement to meet the needs of families who fall outside of the definition, providing culturally appropriate housing for these households, some of which are likely to be through the provision of pitches.
- 2.4 In terms of the supply side, there are potentially 18 pitches in the Borough from 3 applications which have been consented but have not yet been completed. The subject site comprises 10 consented pitches and makes up the largest part of this number. The Council has a duty to allocate sufficient land for Gypsy and Traveller accommodation needs, and whilst this duty does not extend to its delivery, the lack of progress in further developing this site is impairing the Council’s duty as the Local Planning Authority, and its ability to enforce unauthorised traveller developments.

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- 2.5 This report seeks approval to begin preparatory and planning work for the Council's use of its CPO powers to acquire the subject site to facilitate its consented use. Subject to that approval being granted a further report will be brought to Committee seeking further approval to make the CPO.

### 3. **REPORT**

#### **Land subject to the CPO**

- 3.1 The subject site is situated on the south eastern side of Stoke Albany Road, off the Stoke Road (B669) in Desborough, Kettering. The site comprises vacant paddock land with consent to construct 10 traveller pitches together with associated utility buildings and an additional community building.
- 3.2 The site as a whole extends to approximately 7.17 acres, with the consented traveller pitch area forming approximately 3.14 acres of the total area. Due to the site access arrangements, shape and proximity of the consented scheme, it is proposed, at present, to acquire the whole site by way of a CPO, however the area the subject of the CPO may be reduced following further investigation.
- 3.3 Interests to be acquired include leaseholders, freeholders, and any private express or implied rights granted over the subject site. All such interests will be formally identified during the preparatory work for making the CPO.
- 3.4 Officers have sought to discuss voluntary acquisition of the site from the current site owner. However, the owner has now confirmed, as of 4<sup>th</sup> August 2020, that they will not enter negotiations to sell the site to the Council. As a result, compulsory purchase of the site is considered reasonable and proportionate to ensure that development of the site for its consented purpose proceeds, given the importance of that use for the Council's wider planning policy purposes.

#### **Use of CPO Powers**

- 3.5 The Council has powers under section 226 Town & Country Planning Act 1990 permitting it to acquire land compulsorily where it thinks the development, redevelopment or improvement of the land will bring about the economic, social and/or environmental well-being of its area. In particular, this power is intended to provide a positive tool for assembling land to implement proposals contained within the Local Plan or where a strong planning justification exists.
- 3.6 The use of CPO powers requires that the Council is satisfied that there is a compelling case in the public interest for their use which requires, amongst other things, that the Council is able to demonstrate that:
- the land to be acquired fits in with the adopted Local Plan;

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- the proposed scheme contributes to the promotion or improvement of the economic, social or environmental wellbeing of the area;
  - there is no other means by which the Council's objective in promoting the CPO could be achieved;
  - the development arising from the use of the CPO powers is viable and the development of the land as a travellers' site comprising 10 pitches will take place;
  - it has taken reasonable steps to acquire the land for the scheme, by agreement, and that the exercise of CPO powers is by way of a last resort;
  - it has taken into account the human rights of those with an interest in the land the subject of the CPO; and
  - it has a clear idea of how the land will be used and can demonstrate that it has the resources necessary to deliver the scheme.
- 3.7 The Council is confident that it will be able to demonstrate that there is a compelling case in the public interest to both make and secure the confirmation of a CPO. The site has the benefit of planning permission for use as a Travellers' site and there are strong planning policy reasons to support that use. Following the grant of planning permission for the consented use in 2009, although the permission has been implemented, little further progress has been made and the site remains undeveloped. Efforts by the Council to acquire the land by agreement have been ongoing for a number of years and have proven to have been unsuccessful as the site owners refuse to enter negotiations to sell the site to the Council on reasonable terms.

### **Process & Timescales**

- 3.8 Should 'in-principle' approval be granted by the Council, Officers will undertake a land referencing exercise and serve statutory notices, as well as produce the statement of reasons and project delivery plans, including preparation of a financial appraisal. A further report will be brought back to Committee to consider whether to give final approval to proceed with making the CPO.
- 3.9 Following the making of the CPO it must then be confirmed by the Secretary of State for the Ministry of Housing, Communities and Local Government (MHCLG). This involves a statutory process of advertising the making of the CPO and submitting the same to the Secretary of State for confirmation. If there are objections to the confirmation of the CPO an inquiry into those objections will be held and then, following on, a decision taken as to whether to confirm the CPO. In total, the process typically can take between 12-14 months, but that is dependent on the objections received and length of any CPO inquiry.
- 3.10 Compensation to the landowner is agreed following the vesting of the land in the Council's ownership following on from CPO confirmation. The settlement of such compensation can take a significant length of time, but once the CPO is confirmed this would not prevent the Council moving ahead with the proposed development.

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- 3.11 Therefore, to enable all options to be explored fully before making the CPO, in principle agreement to the use of compulsory purchase powers is sought, to enable the preliminary process leading up to the making of the CPO to commence, whilst at the same time enabling negotiations with the site owners to progress in parallel.
- 3.12 Following such a process does not undermine due process of negotiation with landowners for acquisition by private treaty, and is in line with guidance on the use of compulsory purchase powers issued by the MHCLG:

*“Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects. However, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Therefore, depending on when the land is required, it may often be sensible, given the amount of time required to complete the compulsory purchase process, for the acquiring authority to:*

- *plan a compulsory purchase timetable as a contingency measure; and*
- *initiate formal procedures*

*This will also help to make the seriousness of the authority’s intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.”*

- 3.13 Notwithstanding the site owners’ confirmation that they will not enter negotiations with the Council for disposal of the site, it is important the Officers continue to seek a voluntary agreement from the site owner, if possible.

#### **4. POLICY IMPLICATIONS**

- 4.1 The Planning Policy for Travellers Sites (August 2015) sets out national policy and the Government’s aims in respect of traveller sites. This includes to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites; and to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply.
- 4.2 Strategic planning policy is provided through Policy 31: *Gypsies and Travellers and Travelling Show People* of the North Northamptonshire Joint Core Strategy. Policy 31 sets out a series of criteria for assessing applications for gypsy and traveller and travelling show people sites. The site the subject of this report already benefits from planning permission, but Policy 31 also says that sufficient sites for gypsy and traveller, and travelling show people accommodation will be identified in line with a robust evidence base, and where necessary part 2 Local Plans will allocate further sites for accommodation for gypsies, travellers and travelling show people.

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4.3 In July 2017, the Borough Council agreed to remove the gypsy and traveller site allocation policy from the Site Specific Part 2 Local Plan, and that it be progressed as a standalone Development Plan Document. Evidence gathering is progressing in this area, and a GTAA for North Northamptonshire was published in March 2019. Consultants ORS have also been appointed to prepare a Site Deliverability Assessment for Kettering Borough. The availability of this site, and its potential for it making significant inroads in to ensuring the Council can demonstrate a supply of deliverable sites, and meet its five year land supply for gypsy and traveller accommodation is being reviewed, the findings and a recommended strategy to meet supply will be available in the next few months.

### **5. FINANCE IMPLICATIONS**

5.1 The Council will need to allocate funds to the acquisition and eventual development of the travellers' site, should approval be granted to proceed.

5.2 The CPO process will incur legal fees, including our own professional advice to progress the CPO, costs associated if an inquiry is held, along with a contribution to any impacted parties legal and professional fees. Such legal costs could be in the order of £40-£50k plus VAT.

5.3 Detailed development costs are not available at present, and will be prepared ahead of a further report to Committee.

5.4 It is understood Government funding may be available to support the development of the site, if it was in the Council's ownership.

### **6. LEGAL IMPLICATIONS**

6.1 The legal implications of implementing the Council's CPO powers are detailed within the main body of the report.

6.2 If approval is granted to proceed, a number of legal implications will arise, requiring specialist external legal advice be sought to supplement the in-house resource.

### **7. CLIMATE CHANGE**

7.1 None directly arising from this report, however the eventual development will present an opportunity to incorporate sustainable elements of design and operation.

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### 8. RECOMMENDATION

The Executive is recommended to:

- i. Approve 'in principle authority' of the use by the Council of its compulsory purchase order making powers pursuant to section 226 of the Town and Country Planning Act 1990 to acquire the land within the area described in the report and shown on the plan attached to this report.
- ii. Delegate Authority to the Executive Director (Lisa Hyde) to begin preparatory work to utilise the compulsory purchase power, including serving requisitions on any party with an interest in the land, and the preparation of CPO schedule along all other necessary documentation.

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Background Papers:

**Appendices:**

Appendix 1 – CPO Plan

Previous Reports/Minutes:

- None



# Appendix 1 – CPO Site Plan



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<b>Report Originator</b>	Interim Head of Development Services	Fwd Plan Ref No: A20/016	
<b>Wards Affected</b>	Kettering	15 September 2020	
<b>Title</b>	<b>LOCAL CYCLING AND WALKING INFRASTRUCTURE PLANS (LCWIP)</b>		

**1. PURPOSE OF REPORT**

For Members to agree:

- i. to the preparation of a Local Cycling and Walking Infrastructure Plan (LCWIP);
- ii. the scope of LCWIP; and
- iii. a funding contribution towards its preparation.

**2. INFORMATION**

- 2.1 In 2017 the Department for Transport published Local Cycling and Walking Infrastructure Plans: Technical Guidance for Local Authorities. It was to help deliver the Government’s Cycling and Walking Investment Strategy, which holds an ambition to make walking and cycling the natural choices for shorter journeys or as part of a longer journey. The ambition is that by 2040, to deliver: Better Safety (*a safe reliable way to travel for short journeys*) Better Mobility (*more people cycling and walking - easy, normal and enjoyable*); and Better Streets (*places that have cycling and walking at their heart*).
- 2.2 Local Cycling and Walking Infrastructure Plans (LCWIPs) are considered a strategic approach to identifying cycling and walking improvements required at the local level. They create a long-term approach to developing local cycling and walking networks, ideally over a 10 year period. Northamptonshire has already participated in pilot plans for Northampton, Northampton – Wellingborough and Rushden/Higham Ferrers, with consultancy assistance funded by the Department for Transport. Northamptonshire County Council has agreed to commit £50,000 of funding towards the preparation of an LCWIP for Kettering.
- 2.3 An adopted LCWIP and future investment in local cycling and walking infrastructure and safe routes will help to deliver the Council’s Climate Change obligations and commitment to reduce carbon emissions locally to zero by 2030.
- 2.4 LCWIP guidance sets out a recommended approach to planning networks of walking and cycling routes that connect places that people need to get to, whether for work, education, shopping or for other reasons eg. leisure. The guidance sets out a clear process including 6 stages in its preparation, as set out below:

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**Figure 1: LCWIP Process**

Stage	Name	Description
<b>1</b>	<b>Determining Scope</b>	Establish the geographical extent of the LCWIP, and arrangements for governing and preparing the plan.
<b>2</b>	<b>Gathering Information</b>	Identify existing patterns of walking and cycling and potential new journeys. Review existing conditions and identify barriers to cycling and walking. Review related transport and land use policies and programmes.
<b>3</b>	<b>Network Planning for Cycling</b>	Identify origin and destination points and cycle flows. Convert flows into a network of routes and determine the type of improvements required.
<b>4</b>	<b>Network Planning for Walking</b>	Identify key trip generators, core walking zones and routes, audit existing provision and determine the type of improvements required.
<b>5</b>	<b>Prioritising Improvements</b>	Prioritise improvements to develop a phased programme for future investment.
<b>6</b>	<b>Integration and Application</b>	Integrate outputs into local planning and transport policies, strategies, and delivery plans.

2.5 Important to the first stage of the LCWIP process, Determining Scope, is:

1. Establishing the geographic extent
2. Identifying the best delivery model
3. Deciding governance arrangements
4. Agreeing timescales

### **Establishing the Geographic Extent**

2.6 LCWIP guidance highlights that in most cases documents are prepared to focus on a particular town or regional centre, and that the likely distance that would be travelled by cycle or on foot should be an influence. In the case of cycling, typically up to 10km is considered the norm, and for walking the distance typically is up to 2km. Based on this, and knowledge of where the greatest impact can be gained, it is considered most appropriate to set the geographic area as Kettering Town, rather than a Boroughwide analysis. This does not mean that a second LCWIP can't be considered once this one is in place, it would be worth exploring how links could be made to make two separate documents work together. It is recommended to Members that the Council focus on preparing an LCWIP for Kettering at this stage.

### **Identifying the Best Delivery Model**

2.7 The guidance promotes that the delivery model and governance arrangements should be proportionate to the scale and complexity of the LCWIP. Suggested models focus on the potential for cross boundary trips, and include single local

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authority, lead authority and joint authority. On this basis, given the suggested geographic area is Kettering, it is proposed the single local authority model is adopted. Although Kettering Borough Council will be combined, into the North Northamptonshire Unitary Council as of April 2021, this model should not need to change. In fact, bringing transport and the Borough/District Council roles together into one organisation should have the effect of further enhancing delivery of the LCWIP and projects identified within it.

### **Deciding Governance Arrangements**

- 2.8 To manage progress with the LCWIP, guidance proposes the Council identify a project manager and a small project team. The composition of the project team should involve officers from the land use planning discipline, and transport highways engineers. Other partners to consider may include from Highways England, Network Rail, or environmental or sustainability organisations. With the knowledge that NCC Highways has limited resource capacity available to lead this project, and the KBC Planning Policy team has several key commitments it is wedded to progress in the next 6+ months, it is proposed that a consultancy is appointed to develop the LCWIP. This should be overseen by a member of the KBC Planning Policy team.
- 2.9 In terms of governance, the Council already coordinates “The Kettering Transport Steering Group”, which is responsible for designing and planning for transport schemes in the Borough. Its membership includes representative from Northamptonshire County Council and the KierWSP, Kettering Borough Council, Stagecoach, and representatives from key businesses in the town. Meetings are chaired by Martin Hammond, KBC’s Executive Director. This group seems the natural fit and should be updated on progress being made and feed into the development of the LCWIP on a regular basis agreed with the Group. In terms of engagement in the preparation of the LCWIP, the public and interest groups, scheme delivery partners, and other organisations such as local politicians, major employers and landowners and the emergency services will also be invited to provide input into the document’s development. It is also recognised that the Council’s Planning Policy Committee has an important consultative role to play in influencing the content of the LCWIP.

### **Agreeing Timescales**

- 2.10 The LCWIP should set out a long-term approach to developing local walking and cycling networks, guidance suggests ideally over a 10 year period. To fall in line with the period of the current local plan, it is suggested it should extend to 2031. With regards to the timetabling for preparing the LCWIP, it is generally recognised that authorities bidding for funding towards schemes are better placed to be successful if they have a completed LCWIP forming a key piece of the evidence to support their bid. It is thereby proposed that the preparation of this document is prioritised, and 12 months be set for the document to be returned to this Committee.

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### **3. CONSULTATION AND CUSTOMER IMPACT**

- 3.1 Consultation and engagement is not necessary in agreeing the scope of the LCWIP. However, engaging with stakeholders and the public will form an important part of the development of this document in ensuring that the final document includes plans and proposals that will encourage an increase in the numbers of people using cycling and walking to get around.

### **4. POLICY AND RESOURCE IMPLICATIONS**

- 4.1 At the Northamptonshire County Council Cabinet meeting on 10 March 2020, it was agreed to direct £50,000 of funding towards the preparation of a LCWIP. The Borough Council Planning Policy team has very limited capacity to be directly involved in developing and drafting an LCWIP. Also, it may prove more cost effective to appointment a Transport Planning consultancy to lead on the preparation, with their specialist knowledge of transport planning, travel patterns and trip generators. It is therefore proposed the Council commit up to £30,000 of funding to progress this work. This could be funded from existing budgets.

### **5. LEGAL AND EQUALITY IMPLICATIONS**

- 5.1 There is no legal obligation on the Council to prepare an LCWIP however, the findings based on evidence gathered will ensure the Council is well placed to not only secure and direct funding to implement schemes, but also ensure that those schemes optimise the investment, and encourage the best increase in cycling and walking trips possible.

### **6. CLIMATE CHANGE IMPLICATIONS**

- 6.1 The LCWIP will contribute to identifying the measures necessary to improve cycling and walking routes and encourage more people to use them on a more regular basis. The effect will be to reduce the numbers of journeys taken using the private car, improve air quality and make a positive contribution toward climate change. The LCWIP will make a significant contribution to the Council's commitment to reduce local carbon emissions to zero by 2030.

### **7. RECOMMENDATION**

That Members agree to the preparation of a Local Cycling and Walking Infrastructure Plan (LCWIP) for Kettering; agree the scope for that Plan as detailed at paragraphs 2.5 to 2.9 above; and agree up to £30,000 of funding to be used in appointing consultants to the project.

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Previous Reports/Minutes:

Ref: Department for Transport, Local Cycling and Walking Infrastructure Plans:  
Technical Guidance for Local Authorities April 2019

Contact Officer: Simon Richardson – Development Manager

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<b>Report Originator</b>	Martin Hammond	<i>Fwd Plan Ref No: A20/007</i>	
<b>Wards Affected</b>	All	15 <sup>th</sup> September 2020	
<b>Title</b>	<b>COUNTYWIDE ANTI-SOCIAL BEHAVIOUR STRATEGY</b>		

**Portfolio Holder: Cllr Scott Edwards**

**1. PURPOSE OF REPORT**

- 1.1 To seek approval to adopt the Countywide strategy to tackle anti-social behaviour

**2. INFORMATION**

- 2.1. The Borough Council has previously been a signatory to countywide strategies aiming to tackle various types of crime and incidents. This strategy deals with anti-social behaviour (ASB) and replaces an earlier strategy first adopted in 2015/16. It is a sister document to the strategies on hate crime and domestic abuse which were agreed by this committee in October 2019.
- 2.2. The attached strategy has been drawn up and adopted by the Northamptonshire Community Safety Board (CSB) which is the community safety partnership for Northamptonshire and on which the Council is represented by an Executive Director. Each agency member of the CSB has been asked to adopt the strategy. Normally, this would have been submitted to this committee in March 2020, but the cancellation of meetings has delayed its submission until now. Whilst the Borough Council has less than a year to go, it was still felt important to adopt the strategy so that all the component parts of the new unitary council would be working to a common platform, with non-local government partners, up to and beyond the transition next April.
- 2.3. The attached strategy (Appendix 1) represents more than a refresh of the old strategy and in particular, looks at:
- early intervention and prevention
  - victim and witness support
  - dealing with offenders
  - community engagement and problem solving
  - intelligence gathering and understanding local problems
- 2.5 ASB is one of the four priority areas that the CSB partnership has agreed. The CSB regular monitors and manages the strategy and a delivery group reporting to the CSB is accountable for identifying areas which need further work and for implementing agreed interventions where these are needed on a cross county basis.

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The strategy also informs the nature and spread of police initiatives in communities around the county at a neighbourhood level.

- 2.4. This Council makes use already of a range of powers and interventions to deal with ASB, ranging from a suite of public space protection orders, through to targeted community protection notices, Criminal behaviour notices and closure orders. There is a dedicated ASB team within housing and a resource within public services dealing with complaints, incidents and preventative work, and they have a strong working relationship with the police and other agencies. ASB shades into criminal activity on a number of fronts and the relationship of this strategy and the action plans underpinning it with other crime strategies is key.

### **3. CONSULTATION AND CUSTOMER IMPACT**

- 3.1. Partners and stakeholder groups have been fully engaged in the development of the strategy.

### **4. POLICY AND RESOURCE IMPLICATIONS**

- 4.1. The new strategy will influence and guide both this Council's and the new council's operational community safety work and affect most service units, especially public services and housing.

### **5. LEGAL AND EQUALITY IMPLICATIONS**

- 5.1. The strategy aims to combat social harm which disproportionately affects minority groups, less prosperous communities and vulnerable individuals.

### **6. CLIMATE CHANGE IMPLICATIONS**

- 6.1. There are no direct climate change implications.

### **7. RECOMMENDATION**

- 7.1 The Committee is recommended to adopt the strategy.

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Background Papers:

1. Attached;
2. Minutes and reports to the CSB

Date: 10<sup>th</sup> March 2020

Contact Officer: M Hammond

# Northamptonshire Tackling Anti-Social Behaviour 2019-2022

Working Together to Make Northamptonshire Safer



## Who is this document for?

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This strategy sets out our shared ambitions for Northamptonshire and our commitment to doing everything we can to prevent, tackle and reduce anti-social behaviour and the impact it has on the individuals and communities in our county.

Developed at the request of Northamptonshire's Community Safety Board, this Strategy reflects the Board's priorities of improving support to vulnerable people and ensuring that, wherever possible, people receive early help and support in order to prevent any escalation of harm.

This Strategy is designed to improve the co-ordination of local services that prevent and respond to anti-social behaviour, to enable everyone to understand the contribution that they can make as individuals and organisations, and to improve how we work together to keep people safe and improve the life chances of children, young people, adults and communities who are affected by anti-social behaviour.

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# 1. Foreword

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*Northamptonshire County Community Safety Partnership recognises tackling Anti-Social Behaviour as a priority for our County. Anti-social behaviour takes many forms, it is often repetitive and can have lasting effects on victims. To impact on Anti-Social Behaviour requires a partnership approach, working closely with local communities.*

*Partnership working has been a key ethos of Northamptonshire for many years, through this strategy we seek to work even closer as a partnership to gather a clearer picture of Anti-Social Behaviour across the County. The intended changes in local government structures in the county provides an opportunity to explore the best ways to address anti-social behaviour at the earliest opportunity through efficient use of resources across the partnership.*

*The ‘tool kit’ to tackle ASB provides statutory partners many options to tackle offending, and where appropriate we will utilise the enforcement powers available to us.*

*With a focus on community engagement, and by putting victims at the heart of what we do, we will work closely with local communities to understand the problems affecting them, and will adopt a problem solving approach to tackling Anti-Social Behaviour occurring and escalating.*

*Martin Hammond*

*Executive Director*

*Kettering Borough Council*

*Chair Community Safety Board*

## 2. Mission Statement

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*We will take a problem solving approach to anti-social behaviour across the County. Through early intervention and education we will divert offenders away from ASB, building a sense of responsibility and community. Where ASB occurs we will provide an excellent service to victim and witnesses.*

### 3. What do we mean by ‘Anti-Social Behaviour’

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#### What is Anti-Social Behaviour?

s.2 (1) of the Anti-Social Behaviour, Crime and Policing Act (2014) defines anti-social behaviour as:

- a) ‘conduct has caused, or is likely to cause, harassment, alarm or distress to any person’
- b) Conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or
- c) Conduct capable of causing housing-related<sup>1</sup> nuisance or annoyance to any person’

Anti-Social Behaviour is linked to perception of the victim, and what one person perceives to be anti-social another person may not. However, the impact of a person’s behaviour on another is key to understanding the harm caused, and the need for intervention from services.

The line between ASB and crime is at times very close, and criminal offending may have an anti-social impact on victims or communities.

ASB is categorised into 3 broad themes personal, nuisance or environmental..

#### **ASB – Personal (targeted)**

Incidents perceived as either deliberately targeting or impacting on individual(s) or group rather than the community at large.

#### **ASB – Nuisance (community)**

Incidents where an act, condition, thing or person causes trouble, inconvenience, offence or suffering to the local community in general rather than to individuals

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<sup>1</sup> . ‘Housing-related’ means ‘directly or indirectly relating to the housing management’ of either a housing provider or local authority. The ‘housing management’ functions of a ‘housing provider or local authority’ include ‘functions conferred by or under an enactment’ and ‘the powers and duties of the housing provider or local authority as the holder of an estate or interest in housing accommodation.’



## ASB - Environmental

Incidents where individuals or groups have an impact on their surroundings including natural, built & social environments i.e. although it may not directly impact on people, it has an effect on the local environment that lowers people's quality of life, such as graffiti, litter, abandoned vehicles.

ASB can take many forms including:

- Noise – including loud music, banging, DIY at unsocial hours, loud parties, frequent visitors at unsocial hours
- Shouting, swearing and fighting
- Intimidation, verbal abuse
- Driving in an inconsiderate or careless way, for example, drivers congregating in an area for racing/car cruising
- Dumping rubbish
- Animal nuisance, including dog fouling, dog barking
- Vandalism, property damage and graffiti
- Deliberate fire setting
- Drinking alcohol / substance misuse and associated anti-social behaviour and litter

*Please note the above list demonstrates some of the circumstances where behaviour may be deemed anti-social, and is not intended to be an exhaustive list.*

## 4. Who are the victims of Anti-Social Behaviour

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Anyone can be a victim of Anti-Social Behaviour and anyone can perpetrate it.

Anti-social behaviour can be seen as an individual incident or as a collection of often persistent and relentless events targeted at individuals or communities. As a partnership we will focus on the harm and impact caused, and problem solve the underlying causes of ASB.

It is frequently seen as the precursor to criminal behaviour described as low level crime, and the impact of ASB on victims can be as serious or even more so than to victims of crime.

Research recently conducted by the Victims Commissioner for England and Wales titled 'Anti-social behaviour: Living Nightmare' highlights the experiences of victims in the UK as sustained and remorseless bullying and harassment. With victims feeling distressed and unsafe in their own homes, which should be their place of sanctuary."<sup>2</sup> The research does also include information on those who are more likely to fall victim of ASB.

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<sup>2</sup> <https://victimscommissioner.org.uk/published-reviews/anti-social-behaviour-living-a-nightmare/>

## 5. Understanding the national and local context

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According to national statistics ASB is on the increase. Latest figures from the Crime Survey for England and Wales<sup>3</sup> show 37% of people have personally experienced or witnessed anti-social behaviour in their community, the highest percentage recorded since this data was first collected.’ – *Baroness Newlove – Victim’s Commissioner*<sup>4</sup>

ASB is often the precursor to more serious offending and therefore focus and attention must be given to ASB locally.

According to the latest Crime Survey for England and Wales<sup>5</sup>, nationally around 1.4 million incidents of Anti-social behaviour were recorded by the police in 2018.

### Key statistics – Anti-social behaviour

The Crime Survey England and Wales estimated that 37% of adult respondents experienced or witnessed anti-social behaviour (ASB) in their local area in the latest survey year, an increase from the previous year (32%). This is the highest percentage since the data were first collected in the year ending March 2012. (1)

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3

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/adhocs/008726estimatesofexperiencesandperceptionsfantisocialbehaviourinenglandyearendingmarch2018andselectedyearsfromtheyearendingdecember1996>

<sup>4</sup> <https://victimscommissioner.org.uk/published-reviews/anti-social-behaviour-living-a-nightmare/>

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<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/adhocs/008726estimatesofexperiencesandperceptionsfantisocialbehaviourinenglandyearendingmarch2018andselectedyearsfromtheyearendingdecember1996>

Around 1.4 million incidents of ASB were recorded by the police (including the British Transport Police) in the latest year, a decrease of 16% from the previous year. (2)

ASB types most likely to be experienced/witnessed were: street drinking/drunken behaviour (this ASB type accounted for 11.5% of those who reported experiencing/witnessing some form of ASB); groups hanging around (9.5%); inconsiderate behaviour (7.1%); and vehicle-related ASB (5.1%). (3)

Certain types of ASB are more prone to repetition, namely: environmental (e.g. litter, fly tipping, dog fouling) (71.8% of those who witnessed this ASB type did so at least once a fortnight); vehicle-related ASB (67.8%); begging (67.2%); people using or dealing drugs (57.3%); and groups hanging around (53.2%).

1. The Crime Survey England and Wales <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingdecember2018#latest-figures>
2. The Crime Survey England and Wales <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingdecember2018#latest-figures>
3. Victims Commissioner – Anti Social Behaviour: Living Nightmare, April 2019 <https://s3-eu-west-2.amazonaws.com/victcomm2-prod-storage-119w3o4kq2z48/uploads/2019/04/ASB-report.pdf>
4. Victims Commissioner – Anti Social Behaviour: Living Nightmare, April 2019 <https://s3-eu-west-2.amazonaws.com/victcomm2-prod-storage-119w3o4kq2z48/uploads/2019/04/ASB-report.pdf>

Anti-Social Behaviour is a priority for the Northamptonshire Community Safety Partnership. Despite national increases in ASB, Northamptonshire police statistics have shown a decline in ASB for the last 8 years, volumes based on initial categorisation of ASB have fallen 37% with the most notable reductions in 2017/18 and 2018/19. Northamptonshire Police statistics do however show an increase in repeat victims of ASB.

Although police statistics are showing a decline in ASB, anecdotal evidence from local authority partners indicates that incidents of ASB reported to local councils are increasing.

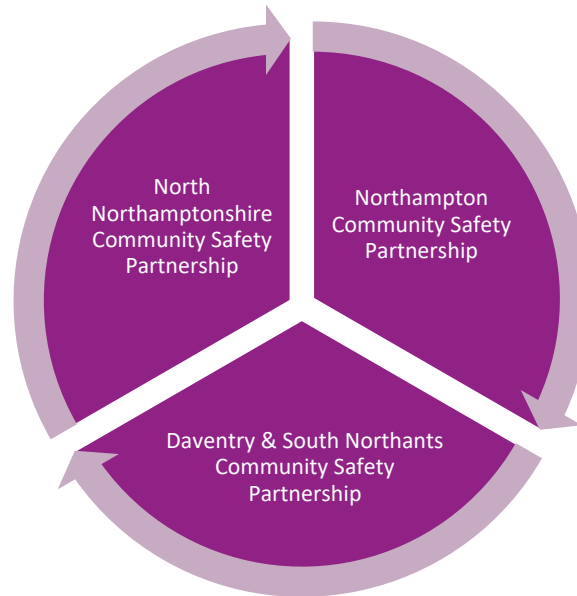
In relation to noise complaints, the average number of noise complaints received to local and district council during 1 April 2018 – 31 March 2019 was 9 per 1000 population.

Data from Corby, provided as an example shows that the number of complaints to Corby community safety rose from 97 complaints in 2017/2018 to 314 complaints in 2018/2019.<sup>6</sup>

To understand the full picture of ASB in Northamptonshire a review of data collection and visibility of data across the partnership is required.

Northamptonshire is currently a two tier authority, made up of seven District and Borough Councils and the County Council, but is due to move to two unitary authorities in April 2021, which we expect to require a change in alignment of

The countywide Community Safety Board is made up of senior management from the Districts, Borough and County Councils and sets the



community safety priorities.

There are three Community Safety Partnerships (CSPs) (South Northants and Daventry District Councils CSP, Northampton Borough Council CSP and the North Northamptonshire CSP incorporating Corby, Wellingborough, Kettering and East Northamptonshire Councils) which through

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<sup>6</sup> NB due to internal policy and system changes, the statistics in Corby are not wholly comparable. Pre October 2018 not all ASB incidents were reporting via Community Safety.

the development of local CSP plans address these strategic aims enabling locality focussed responses. Anti-social behaviour activity is brought to the hate and anti-social behaviour action groups (HASBAG) at district/borough level.

However, the landscape around local authorities will shift significantly in the next two years with the creation of two unitary authorities for Northamptonshire which will require a change in working practises across the county for anti-social behaviour.

Working together and sharing information going forward will help us to identify a true picture of need and enable the allocation of resources accordingly

## 6. ASB legislation, tools and powers

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A range of powers are available to support local agencies and communities to address instances of anti-social behaviour from the Anti-Social Behaviour, Crime and Policing Act 2014.

Within the Act there is a focus on putting victims at the heart of the response to persistent anti-social behaviour and we know that, where left unchecked, anti-social behaviour can have an overwhelming impact on its victims and in some cases, on the wider community.

The Act provides a suite of tools that can be utilised to address varying levels and types of anti-social behaviour from early and informal resolutions to more formal interventions.

Early and informal interventions may often be all that is necessary to stop incidents of anti-social behaviour, and prevent poor behaviour from escalating. In many cases, awareness of the impact of the behaviour on victims, and the threat of more formal enforcement, may be sufficient to encourage an individual to change their behaviour and protect communities.

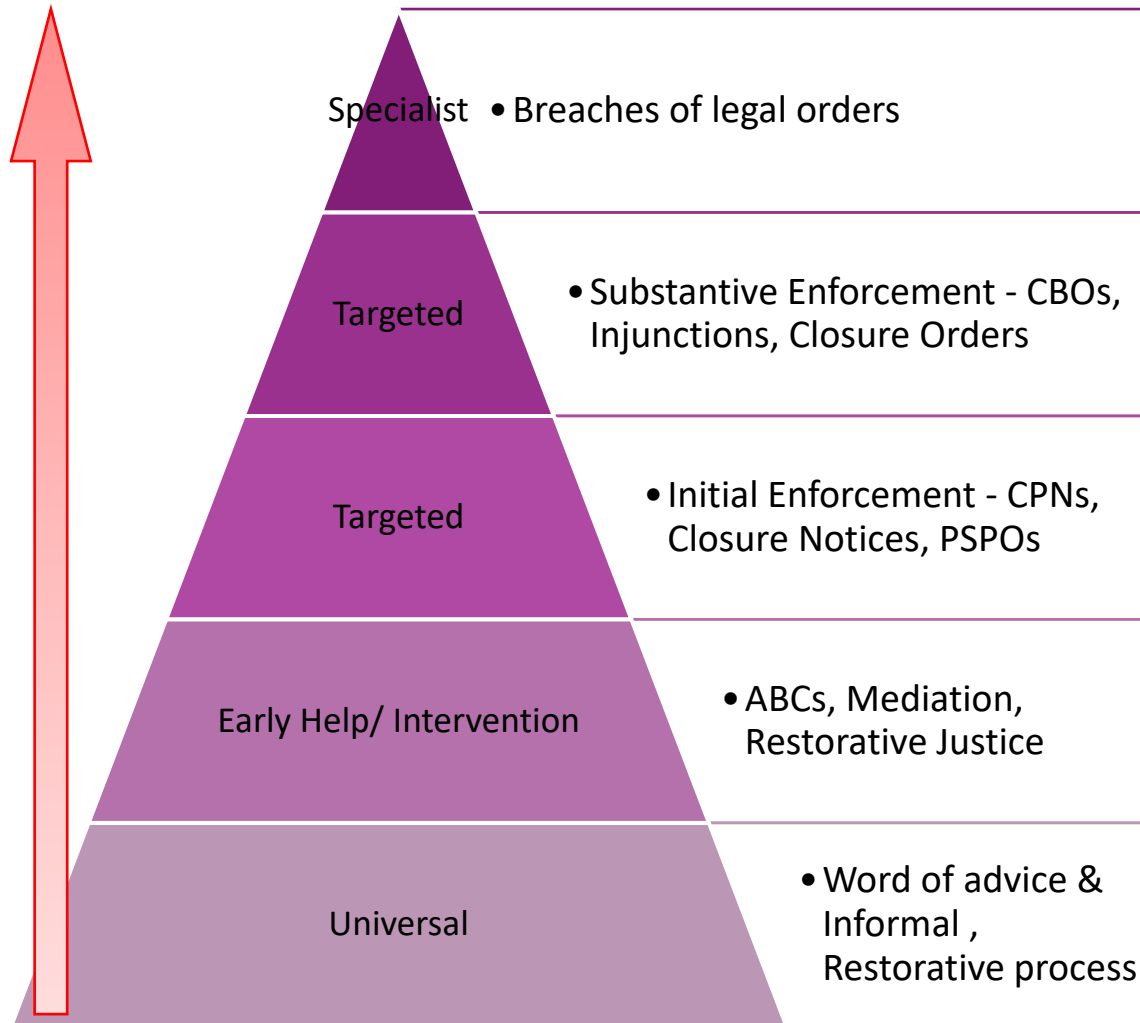
### Early and Informal Interventions

- Verbal or written warning
- Community resolution
- Mediation
- Restorative justice / Restorative practice
- Acceptable Behaviour Agreements (ABC)
- Parenting Contracts
- Support and counselling

### Formal Interventions

- Civil Injunction
- Criminal Behaviour Order
- Dispersal Power
- Community Protection Notice
- Public Spaces Protection Order
- Closure Notice / Order
- Possession or demotion
- Absolute Ground for Possession





From 1 April 2018 – 31 March 2019 Northamptonshire’s local and district council’s issued 646 Community Protection Warnings and 67 Community Protection Notices.

The Anti-Social Behaviour, Crime and Policing Act 2014 includes two specific measures designed to give victims and communities a say in the way that complaints of anti-social behaviour are dealt with and help ensure that victim’s voices are heard.

### Community Trigger (ASB Case Review)

- Gives victims and communities the right to request a review of their case where a local threshold is met, and to bring agencies together to take a joined up, problem-solving approach to find a solution for the victim.

### Community Remedy

- The Community Remedy is designed to introduce a simpler and more effective out-of-court solution to anti-social behaviour and low level crime, using locally available resources and gives victims a say in the punishment of offenders of less serious crime and anti-social behaviour.

In Northamptonshire the local threshold for the community trigger is 3 complaints of ASB in the previous 3 months. The victim’s commissioner report outlines from its research a number of issues relating to the current application and lack of public awareness around the Community Trigger, the report says that ‘the key entitlement of victims of ASB is the community trigger’<sup>7</sup>.

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<sup>7</sup> <https://victimscommissioner.org.uk/published-reviews/anti-social-behaviour-living-a-nightmare/>

In Northamptonshire the Office of the Police, Fire and Crime Commissioner has responsibility for the production of the Community Remedy document, which was last reviewed and consulted on in 2019.<sup>8</sup>



Within Northamptonshire victims of crime and anti-social behaviour are at the heart of the Police and Crime Plan<sup>9</sup>. The Office of the Police, Fire and Crime Commissioner has commissioned 'Voice'<sup>10</sup> to deliver a free, confidential practical and emotional support service.

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<sup>8</sup> <http://www.northantspfcc.org.uk/wp-content/uploads/2019/06/Community-Remedy-Consultation-Final-Report-Jan-2019.pdf>

<sup>9</sup> <https://www.northantspfcc.org.uk/>

<sup>10</sup> <http://voicenorthants.org/>

## 7. Our strategic objectives.

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### Strategic Aim

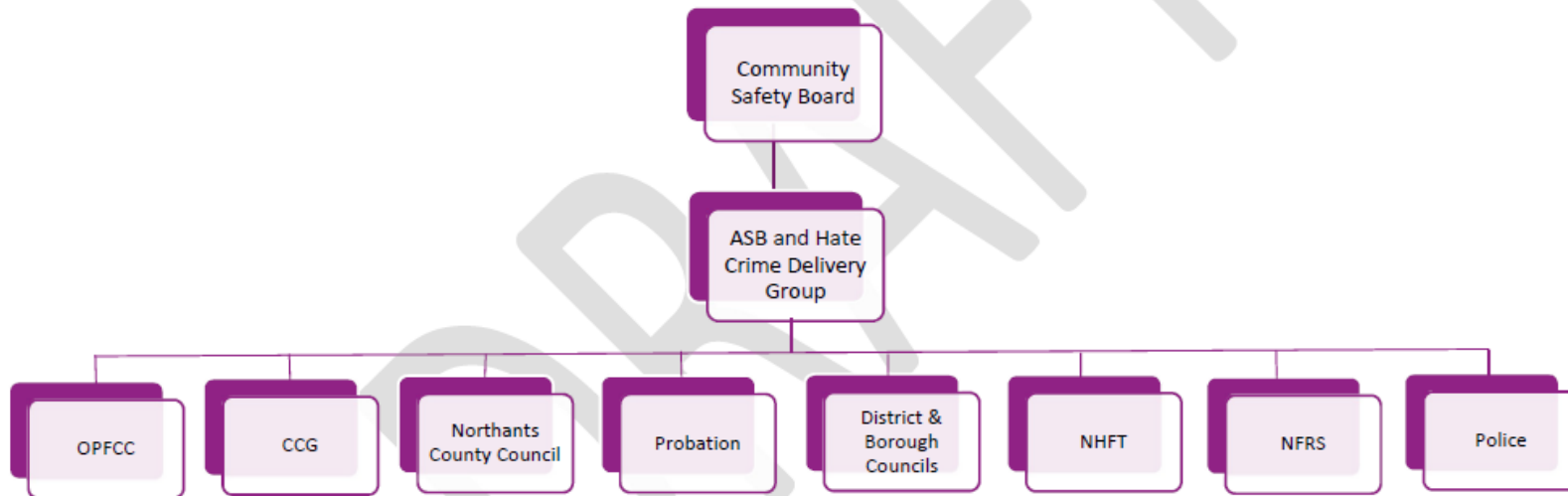
- **Early Intervention and Prevention** – Through assessing the risk and harm to victims and communities, as a partnership we will work together to tackle ASB at the earliest opportunity to avoid escalation of behaviour and increased risks. We will adopt a problem solving approach to ASB and utilise opportunities to educate potential offenders.
- **Victim and witnesses support** – We will review and adopt a local victim and witness service level standard for application across the partnership, in which we will focus on the reduction of repeat ASB occurrences. We will ensure partnership case management processes are adopted across the whole County, with specific focus on the most vulnerable and high risk victims.
- **Dealing with offenders** – through the application of early intervention and engagement with the victim, all appropriate powers and tools will be utilised to solve the underlying causes of the behaviour. The objective is not to criminalise ASB offenders, but to robustly deal with offending using the right tools and powers, or pathways for support for individual circumstances.
- **Community Engagement and Problem Solving** – as a partnership we will adopt a recognised problem solving approach, and together with local communities tackle ASB and the root causes at a local level.
- **Understanding ASB locally** – as a partnership we will work collectively be able to identify recorded ASB across the County in order to appropriately inform service design and delivery, and commissioning of relevant services.

## 8. Governance

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Northamptonshire Community Safety Board currently identifies Anti-Social Behaviour as being one of its three priorities. There is an expectation that the Community Safety Board will take lead on the governance for the Tackling Anti-Social Behaviour Strategy for Northamptonshire 2019-2022.

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<b>Report Originator</b>	Rochelle Mathieson	<i>Fwd Plan Ref No:</i> A20/017	
<b>Wards Affected</b>	ALL	15 <sup>th</sup> September 2020	
<b>Title</b>	<b>ALFRED EAST ART GALLERY, LIBRARY AND MANOR HOUSE MUSEUM – GLaM</b>		

**Portfolio Holder: Cllr Scott Edwards**

<p><b>1. <u>PURPOSE OF REPORT</u></b></p> <p>1.1 To update members on the progress of the project GLaM</p> <p>1.2 To outline the anticipated funding for the programme</p> <p>1.3 To confirm next steps and governance process required</p>
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**2. BACKGROUND INFORMATION**

- 2.1. The vision for Kettering Town Centre, as set out within the Town Centre Delivery Plan 2018 – 2025, is for it to be a vibrant place at the heart of the community that is characterful, distinctive and fun.
- 2.2 Kettering benefits from having a cluster of heritage assets located within the town centre – Alfred East Art Gallery, Library and Manor House Museum (GLaM) these assets hold a huge amount of opportunity and potential to deliver on this vision and support our changing town centre.
- 2.3 Noting the uniqueness of the cluster of facilities, the changing environment of our town centre, the opportunity for diversification of service delivery and the wider social and economic benefits that come from investing in cultural and creative sectors; together with representatives from Northamptonshire County Council and key stakeholders, we have dedicated resource to proactively seeking opportunities to support cultural-led regeneration within Kettering town centre, and GLaM is considered as a cornerstone to achieving this.
- 2.4 Our collective ambition for GLaM is to become a Cultural Anchor for North Northamptonshire. Whilst the facilities are valued and well used, there are key physical constraints which prevent them from elevating and transforming into a visitor destination. The aim of this project is to improve these assets and diversify their uses in order to change the way communities access and engage with culture and creative industries, unlock economic growth through skills development, job creation and boosting the visitor economy.

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- 2.5 In 2018 we began working collaboratively with NCC and key stakeholders to articulate the project beyond merely concept, and to explore external funding opportunities which would realise capital investment to support our ambition. A feasibility study conducted in 2019 identified options to significantly improve and transform the physical assets. This included a proposal to reconfigure and improve the internal usage of the sites, the construction of a two-storey extension to the rear of the Gallery and improvements to external landscaping. It is important for members to note that these plans are initial feasibility to outline the opportunity and inform capital expenditure proposals, they do not represent the final design, which is subject to further technical design, consultation and planning permission.
- 2.6 Subsequently the Council submitted an expression of interest to South East Midlands LEP's (SEMLEP) Local Growth Fund, which set out a £3.9m capital project to transform the sites, this included prospective match funding of £900k which was considered to be a viable mix of S106 and contributions from both KBC and NCC, and whilst it was not successful within the final round, it was approved as a 'pipeline project'.
- 2.7 In response to the COVID19 crisis the Government in July 2020 announced plans for a £900 million Getting Building Fund (GBF), which aims to deliver jobs, skills and infrastructure across the country.
- 2.8 Working with SEMLEP and under extremely tight deadlines, SEMLEP's identified 'pipeline projects' including GLaM, were assessed and put forward as part of SEMLEP's submission to government requesting funding for a selection of projects across the region. GLaM received wide support from the Local Growth Fund Board members, with all North Northamptonshire Councils confirming their support.
- 2.9 On 4<sup>th</sup> August 2020 Government announced that SEMLEP has been allocated £27.3m from the GBF for a wide-ranging package of projects that will deliver a much-needed boost to the local economy. Of which, GLaM, subject to the final due diligence process, will have secured a £3m capital grant investment.

### **3. PROJECT NEXT STEPS**

- 3.1. The government have set an ambitious timeline for delivery of the national programme, with the expectation that capital works are completed by January 2022, which in turn means that they expect planning consent to be secured by December 2020.
- 3.2 The project has now entered the final due diligence process which on conclusion will result in final funding contracts being issued, likely to be in October 2020. It is important that members note that until such time any project activity undertaken is done so at our own risk. However, there will be no financial commitment in excess of the current budgets (As detailed in table1) until the funding contracts are



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completed. SEMLEP anticipate normal practice in relation to eligible project spend, which is to accept spend from the date of formal project commencement (1<sup>st</sup> September 2020), rather than from date of the signed funding contracts. Forthcoming advice from government is expected shortly.

- 3.3 Due to the tight timescales it is vital that the project progresses swiftly. Therefore, the Council have secured the relevant external specialists to form a technical project team who will work with the Council through to the construction phase.
- 3.4 A delivery programme has been developed which has formed a series of updates as part of the financial due diligence process with SEMLEP. Using the feasibility study as the basis for further design and consultation will help to build on the foundation of work carried out to date to ensure we can deliver within the timescales
- 3.5 The project will work closely with key stakeholders including Historic England to maximise benefit by integrating and aligning closely with the High Street Heritage Action Zone programme.
- 3.6 A summary of the indicative capital funding breakdown is set out in table 1, this is subject to further assessment and the due diligence process. A report will be taken to Full Council in September 2020 for approval.

**Table 1.**

<b>GLaM</b>	<b>£000</b>
Museum refurbishment and internal works	800
Manor House Gardens / public realm	200
Gallery Refurbishment	163
Gallery Extension and internal works	1,610
Library roof	300
Library internal refurbishment	867
<b>Total Scheme Cost</b>	<b>3,940</b>
<b>Budgets already in the Capital Programme</b>	
Town Centre Improvements and Regeneration	100
GLaM	100
<b>Additional Budget Requirement</b>	<b>3,740</b>

<b>Additional Financing</b>	<b>£000</b>
Getting Building Fund	3,000
KBC Economic Development Reserve	440
NCC Contribution	300
<b>Total Additional Financing</b>	<b>3,740</b>

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3.7 It is important to note that the figures in *Table 1* set out that the investment of £640k from Kettering Borough Council and £300k from Northamptonshire County Council will leverage a total of over £3.9m into improvements in Kettering Town Centre’s creative and cultural facilities.

**4. CONSULTATION AND CUSTOMER IMPACT**

4.1. The Project aligns with the implementation of the Kettering Town Centre Delivery Plan 2018 – 2025. This plan was developed following feedback from the Kettering Town Centre Conference 2017. The Project was also highlighted within the subsequent Town Centre Conference which took place in February 2020, and formed part of the planned future timeline for 2020 and beyond.

4.2 Through the development of the feasibility study in 2019 we were able to consult with staff and key stakeholders aligned to the three facilities, including; Friends of groups and Civic Society. Additionally, the project has been introduced to Historic England and it is recognised as a fantastic complementary project alongside the Hight Street Heritage Action Zone (HSHAZ) which will run concurrently until 2024.

4.3 As we move to the next phase of the project with the security of capital funding, the project team will develop a community engagement plan, aligned, where appropriately, to the HSHAZ activity.

4.4 Following the closure of the Gallery, Library and Museum due to the COVID19 related restrictions the project team will consider the most appropriate approach to operating the services in the immediate future. Currently the Gallery and Library are open to the public with COVID secure restrictions in place, however the Manor House Museum, due to the nature of the building has had to remain closed. It is therefore recommended that the Museum remains closed to the public until the building improvements have been concluded. Any closures impacting the Gallery and Library will be confirmed and communicated as soon as the programme allows, where possible we will look to rehouse service delivery, develop outreach / digital content and preparatory programming work for future exhibitions.

**5. POLICY AND FINANCIAL RESOURCE IMPLICATIONS**

5.1 The Kettering Town Centre Action Plan (AAP), adopted in July 2011, sets out aspirations for the town centre up to 2021. The vision for Kettering Town Centre is ‘to create a vibrant heart for Kettering; a place that is characterful, distinctive and fun’.

5.2 The process for the financial due diligence stage requires the Council to demonstrate how they can match fund the GBF capital grant and provide an indication of the delivery programme and spending profile. The Council’s additional match funding of £440,000 will be funded through the Economic Development Reserve.

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- 5.3 When reflected alongside HSHAZ programme it equates to an investment of over £8m towards cultural-led regeneration within Kettering Town Centre over through the combination of the HSHAZ £4.0 and GLaM projects of £3.9.

### **6. HUMAN RESOURCE IMPLICATIONS**

- 6.1 Additional staffing to support the project will consist of time allocated from established posts as well as, utilising salary savings to secure technical and capacity support.

### **7. LEGAL AND EQUALITY IMPLICATIONS**

- 7.1. Both the Art Gallery and Museum are assets owned and managed by Kettering Borough Council. The Library is owned and managed by Northamptonshire County Council and categorised as a statutory facility. All three assets are Grade II listed buildings and sit within the Kettering Town Centre's conservation area.
- 7.2 An appropriate partnership agreement such as a Memorandum of Understanding (MoU) will be developed between KBC and NCC, to set out the partnership arrangements, terms and financial commitment. This will be aligned to the grant award terms and conditions.
- 7.3 Any works procured would need to be done in accordance with the Council's financial procedures and Standing Orders

### **8. CLIMATE CHANGE IMPLICATIONS**

- 8.1. Implications will be considered as part of any procurement process
- 8.2 Implications will be considered within the development of the programme and delivery of physical works, and will align with Historic England's statement on Climate Change in relation to Historic built environment which recognises the importance of climate change mitigation.

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### 9. RECOMMENDATION

That the Executive;

9.1 Note the project and approach;

9.2 Endorses, the indicative funding; and

9.3 Recommend the additional Capital budget of £3,740,000 to Full Council for approval.

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Background Papers:

Getting Building Fund <https://www.gov.uk/guidance/getting-building-fund>  
Guidance

Kettering Town Centre [https://www.kettering.gov.uk/downloads/download/13782/kettering\\_town\\_centre\\_delivery\\_plan](https://www.kettering.gov.uk/downloads/download/13782/kettering_town_centre_delivery_plan)  
Delivery Plan

Date 24<sup>th</sup> August

2020

Contact Officer R Mathieson

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<b>Report Originator</b>	John Conway Head of Housing	<i>Fwd Plan Ref No:</i>	
<b>Wards Affected</b>	Avondale Grange, William Knibb	15 September 2020	
<b>Title</b>	<b>HOUSING NEW BUILD PROGRAMME - APPOINTMENT OF CONTRACTORS AND REVISED BUDGET FORECASTS FOR SCOTT ROAD AND ALBERT STREET</b>		

**Portfolio Holder: Councillor Mark Rowley**

## **1. PURPOSE OF REPORT**

- 1.1 To seek approval for the acceptance of tenders for the Scott Road and Albert Street new build schemes (subject to Full Council approval of 1.2).
- 1.2 To request that the Executive Committee recommends to Full Council an increase in the approved budget for the Scott Road and Albert Street projects following the conclusion of the tender process.

## **2. INFORMATION**

- 2.1 The Council's Housing Strategy 2015-2020 sets out three strategic priorities:
  - Increasing housing supply across all tenures
  - Ensuring decent, safe and healthy homes
  - Helping people to live independently
- 2.2 In line with the priority of increasing housing supply across all tenures, the Executive Committee has previously approved proposals to build new council housing for affordable rent.
- 2.3 The new-build programme forms part of a balanced HRA capital programme which has the following elements:
  - Construction of new homes.
  - Major estate refurbishment projects including Homes for the Future.
  - Planned maintenance schemes
  - Disabled adaptations
  - Works to improve the environment, security and safety of housing estates
- 2.4 Pre-contract work and procurement exercises have now been carried out for two new-build schemes:
  - Scott Road - Construction of 22 new flats and houses for rent.
  - Albert Street - Construction of 6 new bungalows for rent.
- 2.5 This report focuses on the tendering exercise for each of these projects and seeks the Executive Committee's approval to accept the recommended tender in each case.

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2.6 The Executive Committee is also asked to recommend to Full Council that it amends the approved capital programme to reflect the estimated costs of the Scott Road and Albert Street new-build schemes following the completion of the tender process, cost plan and risk register for the projects.

### **2.7 SCOTT ROAD - CONSTRUCTION OF 22 FLATS AND HOUSES**

2.7.1 The Scott Road scheme will provide 22 new affordable rented homes ranging in size from one to four bedrooms. The houses will be built on a brownfield site; formerly used for garages. It is an allocated housing site within the Local Plan and will contribute to overall new sustainable housing delivery for the Borough as well as providing affordable homes for rent.

2.7.2 A two-stage, open tender process was carried out by Gleeds Cost Management, acting on behalf of the Council, with the full participation of council officers from the Housing Development and Finance teams.

2.7.3 The first stage of the process was to issue a Pre-Qualification Questionnaire (PQQ) to potential tenderers. The Invitation to Tender and PQQ were advertised on the Government's procurement portal, Contracts Finder. Ten submissions were received from interested parties as a result of the notice.

2.7.4 Following submission of the completed questionnaires, a financial assessment was carried out by the Council's Finance team and initial health and safety assessments were carried out by the Health and Safety Advisor for Gleeds. This resulted in six contractors being excluded from the second stage of the process. The four remaining contractors were sent the stage two tender documents for completion.

2.7.5 Tenders were evaluated on cost and quality, with 60% of the scoring being allocated to cost and 40% to quality. Post-tender interviews were held with all contractors following which the tender documents submitted by each contractor were scored by the interviewing panel. In addition, the health and safety information submitted was independently assessed by the Health and Safety Advisor at Gleeds. The scores were then combined to arrive at the final quality scores for each contractor.

2.7.6 The combined results of the tender scoring process can be seen in Table 1, overleaf. Contractor A was assessed as being financially viable and scored the highest on both cost and quality criteria. It is therefore recommended that contractor A be awarded the contract for the Scott Road scheme.

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**Table 1: Scott Road: Overall Tender Results**

<b>Contractor</b>	<b>Tender Sum £</b>	<b>Quality Score</b>	<b>Price Score</b>	<b>Overall Score (100% max)</b>	<b>Rank</b>
A	2,529,791.39	34%	60%	94%	1
B	2,553,651.00	24%	59%	83%	2
C	3,012,130.00	23%	50%	73%	3
D	3,117,370.65	20%	49%	69%	4

2.7.7 After concluding the competitive tender process, undertaking additional site surveys and obtaining quotes from statutory utility providers for connections to the site, a detailed cost plan and a risk register were produced.

2.7.8 A risk register is a tool used to identify, manage and quantify the costs of project risks. Whilst not all risk will become reality, until a risk is mitigated or removed it is prudent to assume that it will be realised and have plans in place to manage that risk. This includes identifying the financial provision that may be required to mitigate specific risks. In the case of Scott Road, if all the risks in the risk register were to be realised it is estimated this would require additional expenditure of around £287,000.

2.7.9 Table 2 below shows the breakdown of project costs, assuming that Contractor A is awarded the contract.

**Table 2: Scott Road Overall Project Costs and Budget Position**

<b>Project Costs</b>	<b>£000</b>
Contract sum (based on contractor A)	2,530
Service connections and Building Control and Section 106	160
Professional fees	325
Contingency	287
<b>Total</b>	<b>3,302</b>
Prior year expenditure	119
<b>Remaining Expenditure</b>	<b>3,183</b>

<b>Budget</b>	<b>£000</b>
<b>Budget 2020/21</b>	<b>2,785</b>
Additional Budget Required	398
<b>Proposed Budget 2020/21</b>	<b>3,183</b>
<b>Financing</b>	<b>£000</b>

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Borrowing	2,228
141 Receipts	955
<b>Total Financing</b>	<b>3,183</b>

Cost Per Unit	£147,727
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<b>Revenue Implications</b>	<b>£000</b>
Income from Rents	113
Expenditure	56
<b>Net Income to the HRA</b>	<b>57</b>

2.7.10 The total additional budget, which is required to deliver the scheme is £398,000. This would be funded through the use of one for one receipts of £119,000 (30%) and additional borrowing of £279,000 (70%).

### 2.8 ALBERT STREET - CONSTRUCTION OF SIX BUNGALOWS

2.8.1 The Albert Street scheme will provide six new affordable one-bedroom bungalows for rent. Currently, this brownfield site comprises vacant garages set within an existing residential street close to the town centre.

2.8.2 A two-stage, open tender process was carried out by Gleeds Cost Management, acting on behalf of the Council, with the full participation of council officers from the Housing Development and Finance teams.

2.8.3 The first stage of the process was to issue a Pre-Qualification Questionnaire to potential tenderers. The Invitation to Tender and PQQ were advertised via a notice on the Government's procurement portal, Contracts Finder. Nine submissions were received from interested parties as a result of the notice.

2.8.4 Following the submission of the completed questionnaires, a financial assessment was carried out by the Council's Finance team and initial health and safety assessments were carried out by the Health and Safety Advisor for Gleeds. This resulted in three contractors being excluded from the second stage of the process. The six remaining contractors were sent the stage two tender documents. One of the contractors withdrew from the process due to resourcing issues, leaving five contractors.

2.8.5 Tenders were evaluated on cost and quality, with 60% of the scoring being allocated to cost and 40% to quality. Post-tender interviews were held with all contractors following which the tender documents submitted by each contractor were scored by the interviewing panel. In addition, the health and safety information submitted was independently assessed by the Health and Safety Advisor at Gleeds. The scores were then combined to arrive at the final quality scores for each contractor.



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2.8.6 The combined results of the tender scoring process can be seen in Table 3, below. Contractor A was assessed as being financially viable and scored the highest on both cost and quality. It is therefore recommended that contractor A is awarded the contract for constructing the Albert Street scheme.

**Table 3: Albert Street Overall Tender Results**

<b>Contractor</b>	<b>Tender Sum £</b>	<b>Quality Score</b>	<b>Price Score</b>	<b>Overall Score (100% max)</b>	<b>Rank</b>
A	£716,736	33%	60%	93%	1
B	£807,189	32%	53%	85%	2
C	£910,128	23%	47%	70%	3
D	£906,500	22%	47%	69%	4
E	£839,793	0%	51%	51%	5

N.B. Contractor E submitted a non-compliant tender and therefore scored zero for quality.

2.8.7 Contractor A is also recommended for approval in respect of the Scott Road new-build contract and the Kitchen and Bathroom refurbishment scheme. In the light of this, officers have assessed the contractor's turnover and have concluded that Contractor A has the financial standing and capacity to undertake all three schemes.

2.8.8 As with the Scott Road project, a detailed cost plan and a risk register have been produced for the project. It is recommended that the overall budget for this project be increased to reflect the risk register. The breakdown of costs for the project and the additional budget required are provided in Table 4, overleaf.

**Table 4: Albert Street: Overall Project Costs and Budget Position**

<b>Project Costs</b>	<b>£000</b>
Contract sum (based on contractor A)	717
Service connections, Building Control and site clearance	72

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Professional fees	191
Contingency	135
<b>Total</b>	<b>1,115</b>
Prior year expenditure	76
<b>Remaining Expenditure</b>	<b>1,039</b>

<b>Budget</b>	<b>£000</b>
<b>Budget 2020/21</b>	<b>786</b>
Additional Budget Required	253
<b>Proposed Budget 2020/21</b>	<b>1,039</b>

<b>Financing</b>	<b>£000</b>
Borrowing	727
141 Receipts	312
<b>Total Financing</b>	<b>1,039</b>

Cost Per Unit	£185,881
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<b>Revenue Implications</b>	<b>£000</b>
Income from Rents	26
Expenditure	18
<b>Net Income to the HRA</b>	<b>8</b>

2.8.9 The total additional budget, which is required to deliver the scheme is £253,000. This would be funded through the use of one for one receipts of £76,000 (30%) and additional borrowing of £177,000 (70%).

### **3. CONSULTATION AND CUSTOMER IMPACT**

- 3.1 These two projects will provide 28 new affordable rented homes, which will be allocated using a local lettings policy to households registered on the Council's choice-based lettings system, Keyways.
- 3.2 The homes will contribute towards meeting identified housing need in the Borough and will also contribute to overall housing completions. Both schemes

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make use of redundant, brownfield land which is currently unsightly and has the potential to attract crime and anti-social behaviour.

- 3.3 Consultation was carried out with local residents as part of the planning process for each site and community engagement days were held during that time.

#### **4. POLICY AND RESOURCE IMPLICATIONS**

- 4.1 The HRA Capital Programme is based on the strategic priorities set out in the Council's Housing Strategy 2015/20.

- Increasing housing supply across all tenures
- Ensuring decent, safe and healthy homes
- Helping people to live independently

- 4.2 There are no human resources implications arising from this project, which is being managed within existing staff resources.

#### **5. LEGAL AND EQUALITY IMPLICATIONS**

- 5.1 Procurement activity must comply with the law relating to procurement by public authorities and the Council's own contract regulations. It will be necessary to enter into contracts with the successful tenderers.
- 5.2 Full planning consent has been obtained for the new build projects at Scott Road and Albert Street.

#### **6. CLIMATE CHANGE IMPLICATIONS**

- 6.1 In order to increase the energy efficiency of the new homes on these schemes a SAP assessment has been carried out and all homes on both sites will achieve an EPC B rating.

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**7. RECOMMENDATION**

7.1 The Executive Committee is asked to:

- a) accept the tender from contractor A in the sum of £2,529,791.39 to undertake the construction of 22 flats and houses at Scott Road, Kettering, subject to Council approval of the additional budget.
- b) accept the tender from contractor A in the sum of £716,736 to undertake the construction of six bungalows at Albert Street, Kettering, subject to Council approval of the additional budget.
- c) delegate authority to the Chief Legal Officer and Deputy Monitoring Officer in consultation with the Head of Housing to conclude and sign the contracts with the successful contractor for each project.
- d) recommend that Full Council approve the additional capital budget of £398,000 for the Scott Road project.
- e) recommend that Full Council approve the additional capital budget of £253,000 for the Albert Street project.

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Background Papers:

Title

Date

Contact Officer

Previous Minutes/Reports:

Ref:

Date:

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<b>Report Originator</b>	John Conway Head of Housing	<i>Fwd Plan Ref No:</i>	
<b>Wards Affected</b>	Desborough Loatland and Rothwell	15 <sup>th</sup> September 2020	
<b>Title</b>	<b>HOUSING CAPITAL PROGRAMME 2020/21 – APPOINTMENT OF CONTRACTOR FOR THE ‘HOMES FOR THE FUTURE’ REFURBISHMENT PROJECT</b>		

**Portfolio Holder: Councillor Mark Rowley**

**1. PURPOSE OF REPORT**

- 1.1 To seek approval for the acceptance of a tender for the next phase of the Homes for the Future project which forms part of the Housing Revenue Account (HRA) Capital Programme for 2020/21

**2. INFORMATION**

2.1 The HRA capital programme is the vehicle for delivering planned investment and improvements to the Council’s housing stock. We aim to deliver a balanced programme in order to meet several strategic objectives. These are:

- To ensure that council housing remains fit for purpose over the long term and continues to fulfil a key role in the local housing market.
- To ensure that the housing stock meets the decent homes standard and is safe, healthy and secure
- To enhance energy efficiency and reduce fuel poverty.
- To create and maintain thriving communities by improving the environment of housing estates and minimising opportunities for crime and anti-social behaviour.

2.2 The main elements of our balanced capital programme are:

- Construction of new homes.
- Major estate refurbishment projects including Homes for the Future.
- Planned maintenance schemes.
- Disabled adaptations.
- Works to improve the environment, security and safety of housing estates.

2.3 The HRA Capital Programme 2020/21 was approved by Full Council at its meeting on 26 February 2020. It was subsequently amended by Executive Committee at its meeting on 16 June to take account of constraints arising from the Covid-19 pandemic.

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- 2.4 Pre-contract work and a procurement exercise have been undertaken for the latest phase of the Homes for the Future project which involves the refurbishment of 12 pre-war properties in Rothwell and Desborough.
- 2.5 Homes for the Future aims to improve older council housing so that it continues to be fit-for-purpose, easy-to-let and have low maintenance costs over the long term. For tenants, Homes for the Future offers warm, safe and energy-efficient homes. Works include the remodelling of internal layouts, replacement of kitchens and bathrooms, electrical rewiring, new heating, redecoration and installation of external wall insulation. This phase of Homes for the Future focuses on Harrington Rd and Alexandra Rd in Desborough, and Cambridge St and Spencer St in Rothwell
- 2.6 Efficiency East Midlands used a mini competition to select a suitable contractor from their framework of approved contractors. The successful contractor was chosen using scoring based on 70% quality and 30% cost. An evaluation process was undertaken which resulted in each contractor being marked on their submission. The contractor with the highest mark was awarded the maximum score, all other contractors were then awarded a score relative to this based on the marks they received in the evaluation process.
- 2.7 The price submitted by each contractor comprised a percentage variation from the M3NHF Planned Maintenance and Investment Works Schedule of Rates (Version 7) The results of the competition are set out in Table 1:

**Table 1: Homes for the Future - Procurement Exercise Results**

<b>Contractor</b>	<b>Tender price</b>	<b>Price Score</b>	<b>Quality Score</b>	<b>Total Score</b>	<b>Rank</b>
A	£779,180.74	29.88	70	99.88	1
B	£776,136.79	30	42.44	72.44	2

- 2.8 Contractor A was assessed as being financially viable and having the highest score overall for cost and quality. Accordingly, it is recommended that the contract for this phase of the Homes for the Future project be awarded to contractor A. Subject to acceptance of the recommended tender, the projected costs of this project are set out in Table 2 overleaf:

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**Table2: Homes for the Future – Breakdown of Project Costs**

	<b>£000</b>
Works	779
Contingency	59
Structural works	10
Salaries	43
Professional fees	5
<b>Total estimated cost</b>	<b>896</b>
<b>Budget provision</b>	<b>896</b>

2.9 The Homes for the Future contract is planned to commence on site in October 2020 and it is anticipated that works will be complete by the end of June 2021.

### **3. CONSULTATION AND CUSTOMER IMPACT**

3.1 The Tenants Forum was consulted on the HRA Capital Programme prior to its approval by Full Council in February. Members of the Forum fully supported the inclusion of Homes for the Future in the programme for 2020/21.

3.2 The Homes for the Future project will have a positive impact on the lives of residents by upgrading their homes so that they are warmer, safer and more energy efficient.

### **4. POLICY AND RESOURCE IMPLICATIONS**

4.1 The HRA Capital Programme is based on the strategic priorities set out in the Council's Housing Strategy 2015-2020

- Increasing housing supply across all tenures
- Ensuring decent, safe and healthy homes
- Helping people to live independently

4.2 The HRA Capital Programme 2020/21 contains budget provision for the project covered by this report.

4.3 There are no human resources implications arising from the project, which is being managed within existing staff resources.

### **5. LEGAL AND EQUALITY IMPLICATIONS**

5.1 Procurement activity must comply with the law relating to procurement by public authorities and the Council's own contract regulations. It will be necessary to enter into a contract with the successful tenderer.

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### 6. CLIMATE CHANGE IMPLICATIONS

- 6.1 It is a strategic objective of the HRA Capital Programme to enhance energy efficiency. Not only does this have environmental benefits but it also helps to reduce fuel poverty. The Homes for the Future project, in particular, aims to extend the useful life of existing older housing by more than thirty years and to upgrade properties so that they offer levels of insulation comparable to new build houses.

### 7. **RECOMMENDATION**

7.1 The Executive Committee is asked to:

- a) accept the tender from contractor A in the sum of £779,180.74 to refurbish 12 properties in Desborough and Rothwell under the Homes for the Future programme.
- b) delegate authority to the Chief Legal Officer and Deputy Monitoring Officer in consultation with the Head of Housing to conclude and sign the contract with the successful contractor.

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Background Papers:

Title

Date

Contact Officer

Previous Minutes/Reports:

Ref:

Date: