

BOROUGH OF KETTERING

at a meeting of the Council of the Borough of Kettering held at the Municipal Offices, Bowling Green Road, Kettering on 14th December 2016

Present:

Councillor	Scott Edwards (Mayor)	Councillor	Ian Jelley
"	Derek Zanger (Deputy Mayor)	"	Anne Lee
"	Linda Adams	"	Shirley Lynch
"	Steve Bellamy	"	Clark Mitchell
"	Cedwien Brown	"	Cliff Moreton
"	Michael Brown	"	Russell Roberts
"	Lloyd Bunday	"	Mark Rowley
"	James Burton	"	Mick Scrimshaw
"	Ashley Davies	"	Jan Smith
"	Mark Dearing	"	Margaret Talbot
"	June Derbyshire	"	Michael Tebbutt
"	Maggie Don	"	Lesley Thurland
"	Ruth Groome	"	Greg Titcombe
"	James Hakewill	"	Keli Watts
"	Jenny Henson	"	Jonathan West
"	Philip Hollobone	"	Derek Zanger
"	David Howes		

Prior to commencement of the meeting children from Greenfields Primary School performed festive songs

16.C.66 APOLOGIES

Apologies for absence were received from Councillors Mary Malin and David Soans. Apologies were also received from the Chief Executive, David Cook.

16.C.67 MINUTES

RESOLVED

that the minutes of Council held 28th September 2016 be approved as a correct record and signed by the Mayor.

16.C.68 DECLARATIONS OF INTEREST

Councillor Mike Brown declared a personal interest in Item 11(iii) as the operator of the “Find KTFC a Site” Facebook Group

16.C.69 MAYOR'S ANNOUNCEMENTS

The Mayor thanked Greenfield Primary School choir for attending the meeting and their wonderful performance. It was heard that over 350 entries had been received from the school as part of the competition to design the Mayor's Christmas Card with two designs chosen as overall winners. Presentations were made to the two winners, 5 year old Jake and Jessica aged 10.

The Mayor presented Cllr June Derbyshire with her Former Mayor's Badge.

The Mayor also offered thanks to all those who had been involved in his Civic Ball held on 18th November, noting that just under £2,500 had been raised on the night for the Mayor's charities.

The Mayor invited all Members to the Mayor's Parlour for refreshments after the conclusion of the meeting.

16.C.70 LEADER'S ANNOUNCEMENTS

The Leader of the Council wished all those in attendance a Merry Christmas and complemented Greenfield Primary School choir on their performance prior to the meeting.

The Leader also welcomed Councillor Cedwien Brown to the chamber, in what was her first full council meeting following her election in October

The Leader took the opportunity to outline some of the challenges faced by the Borough going forward including the maintenance of a balanced budget and new governance arrangements. He noted that the council had a strong sense of place which was at the heart of everything the council sought to do with its strategic partners, one of whom was Kettering Town Football Club. He noted that dialogue with the club had already commenced and although both sides may not always agree, there was a need to have all strategic partners on one side to help and support each other.

16.C.71 REPORT OF THE CHIEF EXECUTIVE

In the absence of the Chief Executive, the Deputy Chief Executive Graham Soulsby addressed the meeting and wished all those in attendance a Merry Christmas and peaceful New Year.

16.C.72 RIGHT TO SPEAK POLICY

Five members of the public wished to address Council as follows:-

Name	Item
Barbara Turner	Item 10 – Local Council Tax Support Scheme
Kirsty Woods	Item 10 – Local Council Tax Support Scheme
Mike Annable	Item 11(i) – Swimming Pool motion
Chris Nelson	Item 11(iii) – Frenches Field/Weekley Glebe Fields motion
Richard Atkinson	Item 11(iii) – Frenches Field/Weekley Glebe Fields motion & Item 11(iv) – ACV Delegated Decisions

16.C.73 APPOINTMENT OF THE INDEPENDENT PERSON

A report was submitted which sought Council approval for the extension of the term of the current Independent Person, Mr Mike Sawford, for a further period of up to two years.

It was

RESOLVED that Mr Mike Sawford be appointed as Independent Person for Kettering Borough Council for a further term of 12 months and authority be delegated to the Monitoring Officer in consultation with the Chair of the Standards Advisory Committee to extend the appointment for up to a further twelve months.

(Voting: Unanimous)

16.C.74 PROCESS FOR EXTERNAL AUDITOR APPOINTMENT

Council received a report which sought a decision on the process for appointing external auditors from 2018/19 as

required by Regulation 19 of the Local Audit (Appointing Person) Regulations 2015.

It was

RESOLVED that Council approved the opt-in to the appointing person arrangements made by Public Sector Audit Appointments (PSAA) for the appointment of external auditors from 2018/19.

(Voting: Unanimous)

16.C.75 FLEXIBLE RESOURCING UPDATE

A report was submitted which provided Council with an update in relation to the following:-

- The formal commencement date for the post of Managing Director
- An update on the transitional arrangements and the Statutory Officer designations
- The outcome of the recent Executive Director Recruitment process

Councillor Ian Jelley introduced the report and noted the overlap period between the current Chief Executive and the new Managing Director. It was announced that following a long and thorough external recruitment process, Lisa Hyde had been appointed to the vacant position of Executive Director. Councillor Jelley extended thanks to members of the cross-party working group for their involvement in the process of reviewing flexible resourcing arrangements.

Councillor Mick Scrimshaw proposed an amendment to the recommendation as he considered that the transitional arrangement overlap period from Chief Executive to managing Director was too long in duration at six months. The amendment proposed was to reduce this to a period of three months.

Having being proposed by Councillor Scrimshaw and seconded by Councillor Mitchell that the transitional arrangement overlap period be reduced to three months in duration, a vote was taken on the amendment as follows:-

10 For; Against 22; Not voting 1

Therefore the amendment was lost.

It having been proposed by Councillor Jelley and seconded by the Deputy Leader of the Council that the report as presented be approved by Council, it was

RESOLVED

that Council noted:-

- i) That the start date for the Managing Director post would be 1st January 2017;
- ii) The transitional arrangements that would be in place until June 2017;
- iii) The effective commencement date for the Executive Director roles is 1st January 2017.

that Council approved:-

- i) That the Proper Officer Functions currently with the Chief Executive in the Council Constitution, become the responsibility of the Managing Director with effect from June 2017;
- ii) The post of Managing Director would also have the delegated authority afforded to all Chief Officers within the Constitution;
- iii) The Executive Directors would have the delegated authority afforded to all Chief Officers within the Constitution;
- iv) That the statutory designation of 'Chief Finance Officer' (s151 officer) would remain with Mr Graham Soulsby until June 2017;
- v) That Council would receive a further report (in due course) in relation to the future designations of the statutory posts of Chief Finance Officer, and Monitoring Officer;
- vi) To authorise the Head of Democratic and Legal Services to amend the Constitution to reflect the changes in the management structure set out in the report.

(Voting: 30 For; Not voting 3)

Prior to this item being taken (minute 16.C.75), Graham Soulsby and Lisa Hyde left the meeting for the duration of the item.

16.C.76

LOCAL COUNCIL TAX SUPPORT

Kirsty Woods attended and addressed Council under the Council's Right to Speak policy on behalf of Kettering Mind mental health charity and outlined her concerns in regard to the rate of council tax support and the impact retaining such a taper rate could have on the mental health of local residents affected by the scheme.

Barbara Turner attended and addressed Council under the Council's Right to Speak policy on behalf of the Labour Party and raised concerns regarding the vulnerable members of society who were being asked to pay more towards their council tax bill.

The report was presented by Councillor Lesley Thurland which outlined the recommendations of the Executive Committee in respect of the Local Council Tax Support Scheme review. It was noted that there was a legal requirement to set the scheme by the end of January 2017. Councillor Thurland thanked Councillor Maggie Don for her involvement in the consultation process that had ensured that as many interested parties as possible had been provided with the opportunity to respond.

Councillor Mick Scrimshaw proposed an amendment to the recommendation as follows:-

“That the maximum amount that eligible people would have to pay towards the cost of their overall Council Tax bill be set at 25%”

Councillor Scrimshaw noted that the level as proposed in his amendment had previously been that charged by the council during 2015/16 and was more in line with the national average, with Kettering being only one of two councils nationally requiring claimants eligible for Council Tax Support to contribute more than 30% of the total charge.

Councillor Maggie Don seconded the amendment and spoke in support of it, as did Councillors Steve Bellamy, Anne Lee and Clark Mitchell.

Having being proposed by Councillor Scrimshaw and seconded by Councillor Don that the Council Tax Support Taper rate be set at 25%, a vote was taken on the amendment as follows: -

11 For; Against 22;

Therefore the amendment was lost.

It having been proposed by Councillor Thurland and seconded by Councillor Jelley that the report as presented be approved by Council, it was

It was

RESOLVED

That Council approved the following;

- 1) That with effect from 1st April 2017, the following changes are made to ensure that the scheme remains current and where appropriate in line with the Housing Benefit Scheme;
 - To limit the number of dependent children within the calculation for Council Tax Support to a maximum of two.
 - Reducing the period for which a person can be absent from Great Britain and still receive Council Tax Support to 4 weeks
 - To remove the element of a Work Related Activity Component in the calculation of the current scheme for new Employment and Support Allowance applicants
 - To remove entitlement to the Severe Disability Premium where another person is paid Universal Credit (Carers Element); and
- 2) Having considered the responses from the public consultation and the information contained within the officer report, Option 4 (continue with a 45% taper for a 12 month pilot) be agreed and implemented with effect from 1st April 2017.

(Voting: 24 For; Against 9)

16.C.77

NEW SWIMMING POOL VIABILITY

It was Proposed by Councillor Mick Scrimshaw and Seconded by Councillor Maggie Don that:-

“This council requests that officers prepare a report to go to the Research & Development Committee about the viability of building a new swimming pool for Kettering. It is clear that residents have concerns about the current facilities and also that Kettering is being left behind compared to other local towns. Given the recent success of our Olympic and Paralympics teams this could be an opportune moment to invest in the town’s future athletes.”

Mr Mike Annable addressed Council under the Council’s Right to Speak policy and noted concerns regarding existing facilities for swimmers and that construction of a new leisure facility could improve sport locally and would be valuable addition to the Borough.

During debate it was noted that there was cross-party support for the motion and it was

RESOLVED

that Council requested that officers prepare a report to go to the Research & Development Committee about the viability of building a new swimming pool for Kettering.

(Voting: Unanimous)

16.C.78

PEST CONTROL FEE REFUND WHEN NO WORK UNDERTAKEN IN RELATION TO BEES

It was Proposed by Councillor Mick Scrimshaw and Seconded by Councillor Maggie Don that:-

“This council asks the relevant scrutiny committee to consider the policy we have of not refunding the £50 payment to remove a wasps’ nest if it turns out they are actually bees and the council ends up doing no work”

It was

RESOLVED

that Council asked Research and Development Committee to consider the policy of KBC in not refunding the £50 payment to remove a wasps’ nest if it turned

out they were actually bees and the council ended up doing no work.

(Voting: Unanimous)

16.C.79 **KETTERING TOWN FOOTBALL CLUB (KTFC) – FRENCHES FIELD/WEEKLEY GLEBE PLAYING FIELDS**

It was Proposed by Councillor Mike Brown and Seconded by Councillor Steve Bellamy that:-

“This council will begin conversations with Kettering Town Football Club and/or Kettering Town Football Club Community CIC with an aim of using KBC-owned Frenches Field in conjunction with Weekley Glebe Fields to deliver a local sporting stadium without any loss to public playing pitches.”

Mr Richard Atkinson addressed Council under the Council’s Right to Speak policy and stated that he had met with members of the Executive to explain the concerns of supporters of KTFC. He asked elected members to send a message that the council wished to engage with the club by holding talks towards finding a mutually beneficial solution for all parties and to act in the best interests of the community.

Mr Chris Nelson addressed Council under the Council’s Right to Speak policy in his role as vice-chair of Kettering and Wellingborough Liberal Democrats. He stated that the Liberal Democrats were unanimous in supporting the motion on the condition that the football club was not intending to rely on public funding. He concluded that the reputation of individual elected members among KTFC supporters rested on the outcome of the motion.

Councillor Mike Brown stated that the motion sought a commitment from the council to begin meaningful talks regarding the delivery of a stadium for KTFC in the borough and to show willingness to move the long-running situation forward. There were several possible location options for a ground, and there appeared to be a cross-party consensus for finding a home for KTFC in the borough. He noted that the motion was not a commitment to give away council assets or funds, sign contracts or discount any other sites.

Councillor Bellamy and Councillor Groome both spoke in support of the motion.

The Deputy Leader of the Council proposed an amendment to the motion as follows:-

“This council will continue conversations with Kettering Town Football Club with an aim to investigate all options included in the Poppies Supporters Views document.”

The Deputy Leader of the Council noted a recent, positive meeting with KTFC supporters where a number of options for potential locations had been submitted. The original motion as it stood was considered to narrow these options, hence the amendment.

Councillor David Howes seconded the amendment and noted that it would be helpful to have conversations with the owners of the club regarding all potential sites in the borough.

Councillors Bellamy and Scrimshaw spoke in support of the original motion before Councillor Brown stated the amendment was a watering down of the original motion.

The Deputy Leader of the Council made a commitment to broker a meeting early in 2017 to consider all aspects of the “Poppies Supporters Views” document provided to the council by Richard Atkinson.

Following debate a vote was taken on the amendment as follows:-

Voting: 22 For; Against 11

The amendment therefore became the substantive motion, it having been proposed by the Deputy Leader of the Council and seconded by Councillor David Howes

It was

RESOLVED

This council will continue conversations with Kettering Town Football Club with an aim to investigate all options included in the Poppies Supporters Views document

(Voting: Unanimous)

16.C.80

RESOLUTION TO CONTINUE

During debate on the previous item (16.C.79) the meeting having reached the two-hour guillotine, it was

RESOLVED that the meeting continue in order to conclude the remaining business on the agenda

16.C.81 **ASSET OF COMMUNITY VALUE (ACV) – DELEGATED DECISIONS**

It was Proposed by Councillor Mike Brown and Seconded by Councillor Steve Bellamy that:-

“The Council requests that the Executive reconsider its decision to delegate ACV application decisions to officers and ask the Executive to consider bringing the decision making powers back to the Executive Committee, ensuring decisions are made by elected representatives in public, for the public, with the advice and support of a Council Officer report.”

Mr Richard Atkinson addressed Council under the Council’s Right to Speak policy and stated that he believed KBC officers involved in the ACV for the Rockingham Road stadium application had failed in their duty to adhere to the principles of decision making. In addition no public consultation had been undertaken in relation to the ACV and he requested to know what efforts had been made by ward councillors to engage with constituents on the matter.

Councillor Mike Brown stated that members were elected to make decisions and that officers should provide guiding reports with the Executive making its decisions in public, delegating decisions to officers cut out the public entirely. He concluded that the motion before members merely asked the Executive to reconsider its decision to delegate this particular power to officers.

Councillor Bellamy and Councillor Scrimshaw spoke in support of the motion.

The Deputy Leader of the Council stated that there was nothing in legislation that required the council to go out to consultation in relation to ACV applications. He noted that the ACV decision making process was not one of exercising political choice but one based on legal fact, with the final decision arrived at following receipt of external legal advice.

Councillor Brown stated that he considered it to be essential that councillors made such decisions rather than officers

(Voting: 11 For; Against 22)

The motion therefore fell.

16.C.81 **BURIAL FEES FOR NON-BOROUGH RESIDENTS**

It was Proposed by Councillor Anne Lee and Seconded by Councillor Maggie Don that:-

“Any person not in permanent residence within the Borough at the time of death but who had been resident and been required to move out of the area for circumstances beyond their control e.g. health care issues, armed forces etc. – subject to evidence of previous residency and reason for relocation may be buried in a cemetery of the Authority at the basic fees determined in the Authority’s fees and charges.

Any person not in permanent residence within the Borough at the time of death and not meeting the requirements of the paragraph above may be buried in a cemetery of the Authority at the basic fees determined in the Authority’s fees and charges at twice the fees (instead of four times), effective from January 2017.”

Cllr Lloyd Bunday suggested that the motion be removed and that the issue of burial fees would be taken to a meeting of the Research and Development Committee for consideration

Cllr Mike Brown proposed and Cllr Maggie Don seconded an amendment to the motion that proposed that the implementation date be removed from the motion and that the proposal be passed to the Research and Development Committee for its consideration.

It was

RESOLVED that the Research and Development Committee be asked to consider the burial charging policy, as it impacted on non-residents, and make recommendations to the Executive Committee.

(Voting: Unanimous)

16.C.82 **CAR PARKING CHARGES – IMPACT ON TOWN CENTRE FOOTFALL**

Councillor Mike Brown asked the Portfolio Holder for Finance the following question:-

“Does the Leader's Administration believe that relatively high car parking charges in Kettering town centre have a positive or negative effect on town centre footfall?”

The Portfolio Holder for Finance answered as follows:-

“Footfall in the town centre is influenced by many things, not least the offer that the town centre shops bring. Car parking charges have not increased for the last five years and, as I'm sure you are aware, we have a programme of “free parking” days across the year as well as free parking on Sundays and daily after 6pm.”

16.C.83 **DEEBLE ROAD PADDOCKS**

Councillor Mike Brown asked the Portfolio Holder for Finance the following question:-

“What are the Council's longer-term plans for the KBC-owned plot of land known as Deeble Road Paddocks?”

The Portfolio Holder for Finance answered as follows:-

“This site is used for pony grazing now. It is essentially a land locked site and cannot be opened up for any development until the Elizabeth Road link road is built, which will be probably be towards the end of the build out of the East Kettering urban extension.”

16.C.84 **PARTICIPATORY ACTIVITY FUNDING**

Councillor Mike Brown asked the Leader of the Council the following question:-

“At the last Full Council Meeting and subsequent BBC Radio Northampton interview, the Leader announced some funding towards Kettering Town Football Clubs community activities. What progress has been made towards delivering this announcement?”

The Leader of the Council, answered as follows:-

“I believe what I said was that the Council had some funding available in its budget to support participatory activities, and that the Football Club was welcome to apply for it.”

Councillor Brown asked the following supplementary question:-

“As part of the discussions in relation to the ground situation, will you raise this matter as well and be proactive?”

The Leader of the Council replied as follows:-

“What I said was, in regard to participatory sport funding the club need to get an application form and apply for it. It is really great that we are talking, I believe that this is just the sort of thing we can talk about, having that participatory funding there they can access for football.”

16.C.85 ELECTRIC CAR CHARGING POINTS IN THE BOROUGH

Councillor Keli Watts asked the Portfolio Holder for the Environment the following question:-

“How many public electric car charging points are there in the Borough?”

The Portfolio Holder for the Environment answered as follows:-

“We are aware of five at the Nissan garage in Northfield Avenue and three at the Euro Garage in Rockingham Road.”

(The Mayor was able to advise members that two points have recently been installed at the Newlands Centre)

Councillor Watts asked the following supplementary question:-

“Just two charging locations on private property and no public points at all, are the council doing enough to positively look at this issue?”

The Portfolio Holder for the Environment answered as follows:-

“. It is disappointing that there are only a few points, but this is down to demand, as yet there is no real demand but going forward if there is, I am happy to look at the issue further.”

16.C.86

PARKING FEE REFUNDS FOR BLOOD DONORS

Councillor Maggie Don asked the Portfolio Holder for Regeneration the following question:-

“It is pleasing to know that a system is now in place to refund the parking charge for blood donors in the London Road car park. However, it appears to be a ‘best kept secret’. How will the portfolio holder promote and publicise this scheme to encourage more people to do their civic duty in donating their blood?”

The Portfolio Holder for Regeneration answered as follows:-

“The agreement with the Blood Donor Service is that they would handle the publicity for this, as they can communicate more easily with their regular customers.”

Councillor Don made the following supplementary comment:-

“I thank Cllr Dearing for the reply, I have been in touch with Blood Donor Services asking them to promote refunds, but surely we can put up some posters to say if you are donating blood you can get your parking fee back? What happens on Saturday afternoons when the council offices are closed?”

The Portfolio Holder for Regeneration replied as follows:-

“In relation to Saturdays, I do not know, but I will look into what should happen. I will see if we can do anything regarding promotion on the council website and will look at putting signs up”

16.C.87

PARKING ENFORCEMENT

Councillor Ruth Groome asked the Portfolio Holder for Regeneration the following question:-

“We need more parking enforcement in the Borough, especially outside schools. Which of the two options is the council going to adopt?”

- 1. Bringing in the county-wide enforcement team;*
- 2. Getting KBC enforcement extended to parking”*

The Portfolio Holder for Regeneration replied as follows:-

“We are still waiting for the County Council to respond to our bid to manage a fully decriminalised parking system in the Borough”

Councillor Groome asked the following supplementary question:-

“What will the timescale be for this, please?”

The Portfolio Holder for Regeneration responded as follows:-

“This is down to NCC, I can ask officers to go back to NCC and ask.”

16.C.88 **DEMENTIA VILLAGES**

Councillor Jim Hakewill asked the Leader of the Council the following question:-

“Would the Leader and Cabinet join me in welcoming the concept of Dementia Villages in the county, and in particular the potential for one within Kettering Borough in the future?”

The Leader of the Council, answered as follows:-

“I am sure we would want to welcome any improvement in care for the elderly and those suffering from dementia, although at this stage, I am unaware of any detailed proposals”

Councillor Hakewill asked the following supplementary question:-

“Would leader ensure that whenever colleagues meet with landowners or care providers, this idea is discussed?”

The Leader of the Council replied as follows:-

“I am happy to make that commitment”

16.C.89 **PUBLIC CONSULTATION RESPONSES**

Councillor Linda Adams asked the Deputy Leader of the Council the following question:-

“Is the portfolio holder aware that there appears to be a lack of/poor responses to the council’s consultations? How will the new website address this issue?”

The Deputy Leader of the Council responded as follows:-

“I don’t think we would support the premise that there is a lack of responses to consultations. We can, I am sure, always do better. Websites, on their own, are only a part of the answer. The new website will have an easy to find consultation section; we will continue to highlight new consultations on the home page as main news items and we intend to be more proactive in contacting residents directly online”

Councillor Adams asked the following supplementary question:-

“Can you assure the chamber you will begin to investigate and extend other methods of consultation so those who are electronically challenged can participate meaningfully?”

The Deputy Leader of the Council answered as follows:-

“We are discussing the concept of getting communications over to people. This is an ongoing piece of work and we do need to be more proactive.”

(The meeting started at 6.30 pm and ended at 9.22 pm)

Signed
The Mayor

djp