

BOROUGH OF KETTERING

at a meeting of the Council of the Borough of Kettering held at the Municipal Offices, Bowling Green Road, Kettering on 18th July 2018

Present:

Councillor James Burton (Mayor)
“ Duncan Bain
“ Cedwien Brown
“ Michael Brown
“ Lloyd Bunday
“ John Currall
“ Andrew Dutton
“ Maggie Don
“ Scott Edwards
“ Ruth Groome
“ Jim Hakewill
“ Jenny Henson
“ Philip Hollobone
“ David Howes

Councillor Ian Jelley
“ Anne Lee
“ Paul Marks
“ Clark Mitchell
“ Cliff Moreton
“ Mark Rowley
“ Mick Scrimshaw
“ Jan Smith
“ Shirley Stanton
“ Margaret Talbot
“ Mike Tebbutt
“ Lesley Thurland
“ Greg Titcombe
“ Jonathan West

18.C.17 APOLOGIES

Apologies for absence were received from the Leader, Cllr Russell Roberts and Councillors Ash Davies, June Derbyshire, David Soans, Karl Sumpter and Deputy Mayor, Keli Watts.

The Mayor explained the Deputy Mayor's absence and stated that thoughts were with her and her family.

18.C.18 MINUTES

RESOLVED that the minutes of the meeting of Annual Council held on 16th May 2018 be approved as a correct record and signed by the Mayor.

18.C.19 DECLARATIONS OF INTEREST

Cllrs Cedwien Brown and Ian Jelley declared an interest in Item 10(iii) as Trustees for Rothwell Community Trust.

18.C.20 **MAYOR'S ANNOUNCEMENTS**

The Mayor announced that since his inauguration he and the Mayoress had attended over 40 engagements, with the initial civic duty taking place at Park Road Junior School, where children had been provided the opportunity to ask numerous questions regarding the role of mayor.

The Mayor thanked all those who had supported his Civic Service, which had raised nearly £400 to be shared between the mayoral charities and the church.

The meeting heard that the Mayoral Civic Ball would take place on 16th November at Wicksteed Park and members were encouraged to attend. A fundraising fashion show hosted by the Mayoress would take place in the Council Chamber on 10th October 2018.

The Mayor reported that he had received a consignment of jam that was for sale with the proceeds going to the mayoral charities.

The meeting was reminded that an Extraordinary Meeting of Council would be taking place on Wednesday 29th August with a single item agenda on the subject of public sector reform.

18.C.21 **LEADER'S ANNOUNCEMENTS**

Cllr Leslie Thurland addressed the meeting in the absence of Cllr Russell Roberts, noting that the Leader was making positive progress in his recovery following an operation and would hopefully be attending meetings again later in the week.

18.C.22 **REPORT OF THE MANAGING DIRECTOR**

The Managing Director reminded members that the Future of Local Government consultation was open for responses until 22nd July. Once analysis of the consultation results had been undertaken by the consultants involved, reports would be produced and provided to members well in advance of the Extraordinary Meeting of Council on 29th August.

All agenda papers and associated reports would be identical for the authorities involved in the process and would be published simultaneously on 20th August. On the same date a Member Information Session would be held at KBC, with the possibility of an additional session being organised prior to 29th August if it was deemed necessary.

18.C.23 **RIGHT TO SPEAK**

Five members of the public registered their intention to speak on items on the agenda.

18.C.24 **CHANGING THE CONSTITUTION**

A report was submitted which requested Council approval for a number of amendments to the Council's constitution. It was noted that the Council was legally required to adopt and maintain a constitution approved by full council. Amendments before members had previously been tabled and commented upon by both the Research and Development Committee and the Executive Committee.

Concerns were raised by opposition and independent members regarding one of the proposed amendments that sought to reduce speaking times from a maximum of eight minutes per speaker to five minutes for the mover of a motion and three minutes in all other cases, subject to the discretion of the Mayor. It was considered that this reduction could restrict debate and sought to fix a problem that did not exist.

The Leader of the Opposition proposed an amendment seconded by Cllr Maggie Don as follows:-

“That Council adopts the amendments to the Constitution as set out in Appendix A of the report, apart from the proposed change to Part 4 paragraph 16.4 which will remain the same as it is currently.”

During debate it was noted that the Mayor retained the discretion to allow speakers additional time should this be required. In addition, the amended speaking times would offer more members the opportunity to speak inside the two-hour running time of Council meetings. Furthermore, the meeting heard that such a reduction could result in more focussed and better prepared speeches from members.

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

Voting: 9 For; 19 Against

Therefore the amendment was lost.

It having been proposed by Cllr Lloyd Bunday and seconded by Cllr David Howes it was

RESOLVED

That Council adopted the amendments to the Constitution as set out in Appendix A of the report.

(Voting: 22 For; 6 Against)

(Council No. 3)
19.07.18

18.C.25 **CORPORATE PLAN 2018-2020**

A report was submitted which requested that Council adopt the Corporate Plan 2018-2020 in line with the Council's constitution

The meeting heard that the Corporate Plan set out the strategic objectives and key priorities for the Council moving forward and would assist the Council in maintaining its focus on providing effective services at a time of significant potential reform of public services in Northamptonshire.

The draft Corporate Plan had previously been submitted to and considered by both the Executive Committee and Research and Development Committee. The comments made by the Executive Committee at its meeting on 11th July were tabled, with the meeting noting one minor amendment to the plan in relation to the delivery of Section 106 funded projects.

It having been proposed by Cllr Ian Jelley and seconded by Cllr Mark Rowley, it was

RESOLVED

That the Council adopted the Corporate Plan 2018–2020 with the inclusion of the amendment recommended by the Executive Committee at its meeting on 11th July.

(Voting: Unanimous)

18.C.26 **CAPITAL PROGRAMME AMENDMENT**

A report was submitted which sought Council approval for a change in the capital budget for Housing and Homelessness Prevention.

It was noted that the Council's General Fund Account was broadly on target to be delivered in 2018/19. One specific area of volatility was in relation to homelessness whereby year end spend was projected to be approximately £300,000 more than currently budgeted, unless further interventions were carried out

There had been a significant rise in homeless applications and housing families in temporary accommodation cost up to three times more than utilising Council-owned accommodation. In that respect, the Council had embarked on a project to acquire more suitable properties for that purpose, as well as place more households within its own stock as properties became vacant.

As part of the 2018/19 capital budget process, the Council had approved a scheme of £4.5m for Housing and Homelessness Prevention, split equally over 2018/19 and 2019/20. It was heard that

should members be minded to approve the budget amendment by bringing forward £2.25m from 2019/20, it would allow the Council to pursue additional property acquisitions.

The Leader of the Opposition raised questions in relation to borrowing costs and the net benefit of the proposal. The Finance Portfolio Holder stated that he would endeavour to provide answers to these questions outside the meeting.

The meeting debated the issue of homelessness and efforts being made by the Council to tackle the issue in the Borough.

It was

RESOLVED

- i) That the changes to the Council's Capital Programme as outlined in paragraph 2.12 of the report be approved; and
- ii) That the changes to the Council's Prudential Indicators as outlined in paragraph 2.14 of the report be approved.

(Voting: Unanimous)

18.C.27 MOTION – MODERN SLAVERY

It was proposed by Cllr Mick Scrimshaw and seconded by Cllr Maggie Don that:-

“Kettering Borough council recognises its responsibilities under the Modern Slavery Act 2015 (MSA) and is fully committed to taking a robust approach in the prevention of slavery and human trafficking in its corporate activities and to ensuring that its supply chains are free from slavery and human trafficking.

The Council has a zero tolerance to slavery and human trafficking and is committed to ensuring that there is no modern slavery or human trafficking in our supply chains or in any part of our business and will work with partners and other organisations to ensure that any instances within the Borough of Kettering are rooted out and dealt with. This will include working with the local police and providing extra training for our front line staff and empowering them to report any instances they come across in their professional dealings with local businesses and the community that they become suspicious of, through a clear and easy to use reporting procedure.”

Peter Weston, secretary of Kettering Co-operative Party addressed the meeting to speak in support of the motion. Mr Weston outlined the issues constituting modern slavery and noted the work of the Co-

operative Party in standing against this complex matter. He asked the Council to sign up to the Co-operative Movement's Charter against Modern Day Slavery to ensure the continuation of the proud history of fighting slavery that Kettering had witnessed through the work of William Knibb and John Smith of Rothwell.

The motion was welcomed on all sides of the chamber and details were provided for reporting of any concerns residents or members may have in relation to possible examples of modern slavery.

It was

RESOLVED

that Kettering Borough council recognises its responsibilities under the Modern Slavery Act 2015 (MSA) and is fully committed to taking a robust approach in the prevention of slavery and human trafficking in its corporate activities and to ensuring that its supply chains are free from slavery and human trafficking.

The Council has a zero tolerance to slavery and human trafficking and is committed to ensuring that there is no modern slavery or human trafficking in our supply chains or in any part of our business and will work with partners and other organisations to ensure that any instances within the Borough of Kettering are rooted out and dealt with. This will include working with the local police and providing extra training for our front line staff and empowering them to report any instances they come across in their professional dealings with local businesses and the community that they become suspicious of, through a clear and easy to use reporting procedure.

(Voting on the Motion: Unanimous)

18.C.28 MOTION – REVIEW OF SCRUTINY FUNCTION

It was proposed by Cllr Mick Scrimshaw and seconded by Cllr Anne Lee that:-

“This council agrees to contact the Centre for Public Scrutiny and ask them to conduct a review of the council’s scrutiny function.”

Cllr Scrimshaw raised concerns he held with the operation of the scrutiny functions at KBC and considered that the present moment would be an opportune time to have an independent external evaluation of the scrutiny function.

Members of the opposition and independent members raised similar concerns and noted that scrutiny formed an integral part of democracy. It was heard that such a review by the Centre for Public Scrutiny would cost in the region of £2,000.

Members of the administration noted the transparency of existing scrutiny arrangements and the positive working relationship between members and officers. It was further noted that the organisation named in the motion aimed to assist authorities where there were serious governance or financial failings, neither of which were present at Kettering Borough Council. It was considered that the new unitary authorities would need to debate what governance and scrutiny arrangements they thought appropriate and that was where the focus of effort should lie in the next two years.

(Voting on the Motion: 9 for; 19 Against)

The Motion was therefore defeated.

18.C.29 MOTION – RURAL BUS SERVICES

It was proposed by Cllr Jim Hakewill and seconded by Cllr Mike Brown that:-

"This Council welcomes press reports of cooperation between Kettering and Corby Councils to help retain a rural bus service. (Northamptonshire Telegraph 3rd July 2018 article on the No. 67 Bus between Corby and Market Harborough)

Given the crucial lifeline that bus services offer to people, particularly in rural areas, this Council agrees to look Borough-wide at services that are affected by the imminent NCC subsidy withdrawal; to work with those interested in saving such services, Parish and Town Councils and adjoining Boroughs and Districts in order to secure services until the new Unitary Authority is able to review public transport provision."

Anita Porteous and Patricia Hobson addressed the meeting to speak in support of the motion given the impact the loss of bus services would have for residents of the Borough, both in Kettering itself and in rural areas.

Cllr Hakewill stated that the Council could show community leadership by discussing subsidisation of existing at risk bus routes with neighbouring authorities until any new unitary authority was in a position to assume these duties.

Cllr Mike Brown noted that subsidisation of bus routes would assist Borough residents, providing a lifeline to local communities both young and old.

Cllr David Howes stated that the motion contained factual inaccuracies and that KBC and Corby Borough Council were not in discussions to replace any bus services. Discussions were underway to examine the establishment of a brand new scheme, covering a revised rural route as a privately funded initiative, but there was nothing that could currently be announced in relation to these discussions. KBC was well aware of the importance of bus services; however as part of the council's financial "golden rules" it was unable to step into the breach and fund county council responsibilities that were no longer being funded.

Following extensive debate the motion was taken to the vote with the result as follows:-

(Voting on the Motion: 9 for; 19 Against)

The Motion was therefore defeated.

18.C.30 RESOLUTION TO CONTINUE

During the debate on the previous item (18.C.29), with the meeting closing on the two-hour guillotine, it was

RESOLVED that the meeting be extended until 9.30pm in order to conclude the remaining business on the agenda.

(Voting: Unanimous)

(Councillor Jonathan West left the meeting prior to consideration of the remaining agenda items)

18.C.31 MOTION – PURCHASE OF ROTHWELL AND DESBOROUGH LIBRARIES

It was proposed by Cllr Ruth Groome and seconded by Cllr Jim Hakewill that:-

“This council recognises the despair that the Friends of the Library Groups in Rothwell and Desborough feel in relation to securing the uninterrupted operation of the two libraries, following NCC’s announcement that they will close at the end of September. Given the favourable financial position of the Borough Council and the recently more amicable dialogue between the two councils this Council agrees to the immediate commencement of negotiations to purchase both buildings, to bring them into the safety of ownership by the Borough Council and future safe transfer into the new Unitary Authority”

Kate Ley addressed the council on behalf of Rothwell Community Library Trust (RCLT) and stated that the organisation wished for KBC to purchase the library building and lease it to RCLT which would then operate the library service for Rothwell, noting that the organisation itself could not afford to purchase the building.

Paula Holmes addressed the council and stated that she wished to provide Desborough with good and independent library offering that would form a vital community hub, especially for the most vulnerable residents. She noted that her organisation would prefer to have KBC as landlord for the building, rather than the county council.

The council's Monitoring Officer made a statement confirming the legal position in relation to Rothwell and Desborough libraries which was relevant to both the motion and subsequent questions on the agenda.

Council heard that the motion itself was perfectly valid, but mentioned the commencement of immediate negotiations to purchase both library buildings. KBC was not in a position to purchase either building at this time as both libraries were listed as Assets of Community Value (ACV). The county council had announced to KBC its intention to dispose of the buildings which automatically invoked a 6-week interim moratorium period during which community interest groups could register their interest in purchasing the ACV. Should this occur the remainder of the full 6-month moratorium would apply whereby arrangements for the sale of the properties could be undertaken to a bidding community interest group. KBC was not a community interest group and therefore could not bid to buy during this moratorium period. This restriction did not apply to town councils.

In response to debate on the matter, the Monitoring Officer clarified that KBC could undertake negotiations during the 6-month moratorium period, should it be invoked, however it was unable to purchase the buildings during this time.

Following extensive debate from both sides of the chamber a recorded vote was requested by Cllr Ruth Groome which received sufficient backing to be undertaken as follows:

Those Voting For the Motion:

Cllrs Mike Brown, Dutton, Don, Groome, Hakewill, Lee, Mitchell and Scrimshaw

Those Voting Against the Motion:

Cllrs Bain, Cedwien Brown, Bunday, Currall, Edwards, Henson, Hollobone, Howes, Jelley, Marks, Moreton, Rowley, Smith, Stanton, Talbot, Tebbutt, Thurland and Titcombe

(Voting on the Motion: 8 for; 18 Against)

The Motion was therefore defeated.

(Councillor Mike Brown left the meeting prior to consideration of the remaining agenda items)

QUESTIONS FROM MEMBERS

18.C.32 GYPSY & TRAVELLER ACCESS DEFENCES – NORTHAMPTON ROAD & ISE LODGE

Councillor Clark Mitchell asked the Portfolio Holder for Rural Affairs the following question:-

"Now that travellers have been known to utilise the Weekley Glebe Fields, will defences of the like added to Northampton Road and Ise Lodge be provided?"

The Portfolio Holder for Rural Affairs responded as follows:-

"Yes, as far as practicable"

Cllr Mitchell asked the following supplementary question:-

"When?"

The Portfolio Holder for Rural Affairs responded as follows:-

"As soon as possible"

18.C.33 MENTAL HEALTH AMBASSADOR - ACHIEVEMENTS

Councillor Anne Lee asked the Portfolio Holder for Finance the following question:-

"What have you done so far as mental health ambassador to boost mental health in Kettering?"

The Portfolio Holder for Finance responded as follows:-

"As the ambassador for Mental Health I am very pleased to confirm the following activity has been undertaken by this authority over the last year:-

Kettering One You Day – 4th July 2017 at Corn Market Hall offering free mini health assessments, health and welling information from KBC and partners

LSP Conference - 10th October 2017 was based on Mental Health raising its profile as it happened to fall on World Mental Health Day with a number of speakers highlighting local projects/initiatives within Kettering Borough a few of the speakers were Teamwork spoke about Mental Health Awareness, Dementia Garden at KGH, Social Prescribing at Groundwork and Inclusive Volunteering Project at KCU and we also had stalls from different organisation offering information and advice

In conjunction with LSP, KFP, its partners along with MIND held a pop up shop on the same day in the town centre raising the profile of mental health speaking to members of the public about mental health and what services are available.

We have a float of money co-ordinated by the social inclusion team with Mind Mixing Bowl to support customers to engage with Mind around potential mental health in a relaxed café environment.

Customer Service staff have received mental health awareness training from Mind to identify and support customers where they are able

We have a Housing Options Advisor based at St Marys Hospital (Mental Health Hospital) for a minimum two days per week

- We supported over 70 patients from St Marys hospital in finding suitable support and accommodation in the 12 months since the project started*
- In addition to supporting patients in St Marys we are also working with Patients in KGH who also struggle with mental health difficulties*
- This ranges from working with all ages ranging from young adults leaving child mental health services and care to older adults struggling with dementia.*

We also run Health Walks – regular weekly walks in Kettering, Desborough and Burton Latimer

Housing Options Advisors work closely with hospital staff and doctors to understand how social issues impact on a person's mental health and therefore solutions to poor mental health do not always have to be medical. For example setting someone up on the correct welfare benefits, finding them accommodation, finding some supported accommodation, Mediating between family members, arranging a deep clean on a person's home etc and for one person even just arranging for them to have some furniture in their flat stopped a series of repeated A&E Admissions.

Cllr Lee asked the following supplementary question:-

“Would you please back use of The Silver Line free phone number?”

The Portfolio Holder for Finance responded as follows:-

"I will take that away and respond directly to Councillor Lee"

18.C.34 COMMUNITY ENGAGEMENT ON PLANNING APPLICATIONS

Councillor Jim Hakewill asked the Portfolio Holder for Strategic Delivery & Environment the following question:-

"When will the recommendations of the Task and Finish Group "Community engagement on Planning Applications" Chaired by Cllr Hollobone, be incorporated into the constitution, particularly those recommendations for greater advance notice of major applications coming to the Planning committee meeting and the increased opportunity (to 15 minutes) for representations to the committee?"

The Portfolio Holder for Strategic Delivery & Environment responded as follows:-

"I am satisfied that our current processes comply with the law and good practice on determining planning applications; and there are no plans to add anything further into the constitution."

Cllr Hakewill asked the following supplementary question:-

"Would Cllr Jelley agree that should Max Caller inspect our scrutiny function he would be likely to say that scrutiny is not welcome here?"

The Portfolio Holder for Strategic Delivery & Environment responded as follows:-

"No"

18.C.35 ROTHWELL AND DESBOROUGH LIBRARIES – REPORT TO EXECUTIVE

Councillor Jim Hakewill asked the Portfolio Holder for Strategic Delivery & Environment the following question:-

"What due diligence and financial appraisal has already taken place in order to enable a detailed report to be presented to the Executive Committee relating to the purchase, and therefore securing for the community's use, of the Rothwell and Desborough libraries?"

The Portfolio Holder for Strategic Delivery & Environment responded as follows:-

"None"

Cllr Hakewill asked the following supplementary question:-

“Why?”

The Portfolio Holder for Strategic Delivery & Environment responded as follows:-

“I will respond to Cllr Hakewill in writing”

18.C.36 **ROTHWELL AND DESBOROUGH LIBRARIES – CONTINUED FUNDING AND OPERATION**

Councillor Jim Hakewill asked the Portfolio Holder for Strategic Delivery & Environment the following question:-

“When will the fall-back decision be made, as verbalised by Cllr Jelley at last week’s Executive Committee meeting, that will secure the continued funding and operation of the Rothwell and Desborough Libraries, to avoid closure before longer-term sustainable arrangements are in place?”

The Portfolio Holder for Strategic Delivery & Environment responded as follows:-

“When we know what the County Council’s decisions are and what timetable they are working to, then we will seek to have a conversation with them about avoiding temporary closure, if one appears to be inevitable.”

Cllr Hakewill asked the following supplementary question:-

“How would the portfolio holder ensure that budgetary decisions are in place in time before the libraries shut?”

The Portfolio Holder for Strategic Delivery & Environment responded as follows:-

“We have agreed we will have a discussion with NCC once they have made a decision on bids that have been submitted.”

18.C.37 **ROTHWELL AND DESBOROUGH LIBRARIES - PURCHASE**

Councillor Jim Hakewill asked the Portfolio Holder for Finance the following question:-

“What actions will the portfolio holder be taking, now that the County Council have confirmed that the Libraries in Rothwell and Desborough are available for purchase by KBC, and that under the terms of the Asset of Community Value (ACV) rules this can be achieved without going to the open-market?”

The Portfolio Holder for Finance responded as follows:-

“None”

Cllr Hakewill asked the following supplementary question:-

“What criteria need to be met for a decision to purchase the libraries through the Asset Management Board?”

The Portfolio Holder for Finance responded as follows:-

“I will send Cllr Hakewill the relevant documentation regarding the Asset Management Board”

18.C.38 **CAR PARKING CHARGES**

Councillor Mick Scrimshaw asked the Portfolio Holder for Regeneration the following question:-

“It was reported in the press that the executive Committee were told the new changes to the car park pricing bands “had worked and shoppers were staying longer in the town”. Could you please share the evidence of that please?”

The Portfolio Holder for Regeneration responded as follows:-

“I have no recollection of those statements being made.”

(The meeting started at 7.00pm and ended at 9.34pm)

Signed

The Mayor

DJP