

BOROUGH OF KETTERING

at a meeting of the Council of the Borough of Kettering held at the Municipal Offices, Bowling Green Road, Kettering on 27th February 2019

Present:

Councillor James Burton (Mayor)

“ Linda Adams
“ Duncan Bain
“ Mike Brown
“ Lloyd Bunday
“ John Currall
“ Ash Davies
“ Mark Dearing
“ June Derbyshire
“ Maggie Don
“ Andrew Dutton
“ Scott Edwards
“ Ruth Groome
“ Jim Hakewill
“ David Howes
“ Ian Jelley

Councillor Anne Lee

“ Paul Marks
“ Clark Mitchell
“ Cliff Moreton
“ Russell Roberts
“ Mark Rowley
“ Mick Scrimshaw
“ Jan Smith
“ Karl Sumpter
“ Margaret Talbot
“ Mike Tebbutt
“ Lesley Thurland
“ Greg Titcombe
“ Keli Watts
“ Jonathan West

Prior to the commencement of the meeting it was announced that the proceedings would be audio recorded

18.C.87 APOLOGIES

Apologies for absence were received from Councillors Cedwien Brown, Jenny Henson, Philip Hollobone, David Soans and Shirley Stanton

18.C.88 MINUTES

RESOLVED

that the minutes of the meeting of 12th December 2018 be approved as a correct record and signed by the Mayor.

18.C.89 MINUTES OF THE BUDGET CONSULTATION MEETING

RESOLVED

that the minutes of the Budget Consultation meeting held on 24th January 2019 be approved as a correct record and signed by the Mayor.

18.C.90 DECLARATIONS OF INTEREST

The following Councillors made Declarations of Interest:-

- Cllr Ruth Groome declared an interest on Item 9, should the subject of libraries arise during debate and would withdraw from the debate
- Cllr Jim Hakewill declared an interest in Item 9 as a member of Rothwell North Link Road Group
- The Mayor, Deputy Mayor and Councillors Dearing, Howes, Moreton and Scrimshaw declared an interest on Item 9 as private landlords

18.C.91 MAYOR'S ANNOUNCEMENTS

The Mayor made a number of announcements as follows:

- A thank-you card had been received from the children at the Mayoress' Charity Autistic Children Embrace (ACE)
- The Mayor and Mayoress had attended a total of 191 Civic events to date
- The recent fundraising Sunday Lunch at Vivo's Restaurant had raised over £800. Thanks were extended to the councillors who supported the event
- Three additional diary dates for events were detailed:-
 - 29th March – A Bill Burton disco to take place at the Midland Band Club
 - 27th April – A concert had been organised at the parish church, Kettering in celebration of some of the Borough's musical talent.
 - 5th May – Afternoon Tea with entertainment at Westhill Park Care Home

Cllr Duncan Bain presented the Mayor with a commemorative shield on behalf of the Falkland Islands administration following his recent visit to the islands.

The Deputy Mayor, Cllr Keli Watts requested that members advise whether they were planning on attending the Mayor-Making Dinner on 15th May so that tickets could be allocated in good time.

18.C.92 LEADER'S ANNOUNCEMENTS

The Leader reported that the Joint Delivery Unit had recently received over £700,000 of enabling funding that would assist in furthering the growth agenda.

18.C.93 **REPORT OF THE MANAGING DIRECTOR**

The Managing Director reminded members that Wednesday 6th March would see an Extraordinary Meeting of Council, with three agenda items all relating to local government reform. A Member Information Session would be held on 4th March to go through elements that underpinned the three reports.

18.C.94 **RIGHT TO SPEAK**

None.

18.C.95 **NOMINATION OF DEPUTY MAYOR 2019/20**

Councillor Scott Edwards Stanton nominated and Councillor Mick Scrimshaw seconded the nomination of Councillor James Burton as Deputy Mayor for 2019/20.

18.C.96 **NAMED VOTE**

The Mayor advised Council that, in accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (Statutory Instrument No.165) (the Regulations) which came into effect on 25th February 2014, a named vote would be taken on the Council's budget.

18.C.97 **BUDGET PROPOSALS 2019/20: GENERAL FUND, CAPITAL PROGRAMME AND HOUSING REVENUE ACCOUNT**

A report was submitted which reported to Council the recommendations from the Executive Committee to enable the Council to make a formal decision in relation to each of the following:-

- The Revised General Fund budget 2018/19;
- The General Fund budget 2019/20;
- The Capital Programme 2018 – 2024;
- The Council Tax level for 2019/20;
- The Housing Revenue Account budget 2019/20

A balanced draft budget was presented to Council. The Portfolio Holder for Finance noted the level of work that had gone into producing a balanced budget and that a formidable level of savings had been achieved since 2010, which was testament to the hard work of the

officers of the Council. The Portfolio Holder stated that in the face of a number of pressures and challenges including homelessness, council house rent reductions and local government reorganisation, the budget before members exhibited control, sustainability and vision as well as being balanced.

Members had considered the professional advice of officers when reaching a decision in regard to Council Tax levels, which the Executive had recommended remain frozen for the ninth year in succession. Despite the freeze on Council Tax rates, no frontline services had been cut and the Council continued to support the voluntary sector.

The Opposition put forward an amendment to the draft budget as follows:-

- To provide two hours of free parking in Kettering Town Centre car parks, six days a week for a period of one year.

The Leader of the Opposition stated that the proposal would send a message to traders and residents of Kettering that the council took seriously the challenges faced by the town centre. The loss of income, equating to £390,000 per annum could be funded from an existing pot of Council funding reserves earmarked for economic development and regeneration. A review of the scheme could be undertaken after a period of nine months to ascertain the impact of the scheme.

Following discussion, it having been proposed by Councillor Scrimshaw and seconded by Councillor Mitchell, that the amendment as set out above be approved by Council, a named vote was taken as follows:

(For; 11 Against; 19 Not voting; 0)

Those Voting For the Motion

Councillors Adams, M Brown, Don, Dutton, Groome, Hakewill, Lee, Mitchell, Scrimshaw, Watts and West

Those Voting Against the Motion

Councillors Bain, Bunday, Currall, Davies, Dearing, Derbyshire, Edwards, Howes, Jelley, Marks, Moreton, Roberts, Rowley, Smith, Sumpter, Talbot, Tebbutt, Thurland and Titcombe

Those Not Voting

None

Therefore the amendment was lost.

Cllr Don put forward a further amendment to the draft budget as follows:-

- To increase the Housing and Homelessness Prevention element of the Capital Programme budget from £2m to £4m to allow for the purchase of private housing to use as temporary accommodation for homeless households

Councillor Don noted the rising issue of homelessness in the Borough and that by increasing the level of Council-owned temporary accommodation the reliance on nightly paid temporary accommodation would be reduced.

All parties praised the efforts of the Council's Housing Team for their work in tackling a challenging issue.

Following debate, it having been proposed by Councillor Don and seconded by Councillor Scrimshaw, that the amendment as set out above be approved by Council, a named vote was taken as follows:

(For; 11 Against; 19 Not voting 0)

Those Voting For the Motion

Councillors Adams, M Brown, Don, Dutton, Groome, Hakewill, Lee, Mitchell, Scrimshaw, Watts and West

Those Voting Against the Motion

Councillors Bain, Bunday, Currall, Davies, Dearing, Derbyshire, Edwards, Howes, Jelley, Marks, Moreton, Roberts, Rowley, Smith, Sumpter, Talbot, Tebbutt, Thurland and Titcombe

Those Not Voting

None

Therefore the amendment was lost.

Cllr Jim Hakewill proposed an amendment to the draft budget as follows:-

- Provision for the purchase of Rothwell and Desborough Libraries at £460,000 and £360,000 respectively. A backstop to ensure that the buildings remain within public ownership should Unitary reorganisation take place.

(Cllr Ruth Groome left the chamber during the debate and voting on this amendment)

Cllr Hakewill stated that the County Council could not guarantee that the libraries would be retained and suggested that should there be a

risk to the leases on either building in future, KBC would step in to purchase the buildings using a ring-fenced fund of £820,000.

During debate it was heard that Desborough Town Council was in the process of acquiring the library building in the town. It was also argued that the decision to cut library funding was a county council issue and it was not for KBC to pick up the shortfall.

Following debate, it having been proposed by Councillor Hakewill and seconded by Councillor Dutton, that the amendment as set out above be approved by Council, a named vote was taken as follows:

(For; 10 Against; 18 Not voting; 1)

Those Voting For the Motion

Councillors Adams, M Brown, Don, Dutton, Hakewill, Lee, Mitchell, Scrimshaw, Watts and West

Those Voting Against the Motion

Councillors Bain, Bunday, Currall, Davies, Dearing, Derbyshire, Edwards, Howes, Jelley, Marks, Moreton, Roberts, Rowley, Smith, Sumpter, Talbot, Tebbutt, Thurland and Titcombe

Those Not Voting

Councillor Sumpter

Therefore the amendment was lost.

Cllr Jim Hakewill proposed an amendment to the draft budget as follows:-

- £5,000,000 of ring-fenced capital borrowing for the partnership funding of Rothwell North Strategic Development Link, in the form of a loan to the developer

Councillor Hakewill stated that the link road was a long-standing issue and that negotiations with the developer had not progressed. The proposal would see a loan made to the developer and then reclaimed with interest once the road was complete.

During debate it was heard that the developer had already been approached to seek funding for the early delivery of the link road and the developer had declined that opportunity.

Following debate, it having been proposed by Councillor Hakewill and seconded by Councillor Mike Brown, that the amendment as set out above be approved by Council, a named vote was taken as follows:

(For; 4 Against; 20 Not voting; 6)

Those Voting For the Motion

Councillors M Brown, Dutton, Groome and Hakewill

Those Voting Against the Motion

Councillors Adams, Bain, Bunday, Currall, Davies, Dearing, Derbyshire, Edwards, Howes, Jelley, Marks, Moreton, Roberts, Rowley, Smith, Talbot, Tebbutt, Thurland, Titcombe and West

Those Not Voting

Councillor Don, Lee, Mitchell, Scrimshaw, Sumpter and Watts

Therefore the amendment was lost.

Cllr Jim Hakewill proposed an amendment to the draft budget as follows:-

- To employ three newly recruited Environmental Wardens - **£108,000**
- Additional scrutiny resources - **£25,000**
- Additional traffic ward with a focus on rural towns and villages, including training - **£33,000**
- Peer review preparation and facilitation of information - **£7,500**
- Planning application/building control rebates in the form of grants up to £500 per applicant where accommodation is being provided through building extensions for close family members - **£10,000**
- Community-led bus grants of up to £5,000 for replacement or new services particularly in the towns and villages most affected by subsidy and economic cuts by operators - **£15,000**
- **Total £198,500**

Councillor Hakewill proposed the amendment to the budget as set out above be funded by a 2.95% Council Tax increase.

Following debate, it having been proposed by Councillor Hakewill and seconded by Councillor Ruth Groome, that the amendment as set out above be approved by Council, a named vote was taken as follows:

(For; 4 Against; 18 Not voting; 8)

Those Voting For the Motion

Councillors M Brown, Dutton, Groome and Hakewill

Those Voting Against the Motion

Councillors Bain, Bunday, Currall, Davies, Dearing, Derbyshire, Edwards, Howes, Jelley, Marks, Roberts, Rowley, Smith, Sumpter, Talbot, Tebbutt, Thurland and Titcombe

Those Not Voting

Councillor Adams, Don, Lee, Mitchell, Moreton, Scrimshaw, Watts and West

Therefore the amendment was lost.

(Councillor Mike Brown left the meeting following the vote on this amendment)

It having been proposed by Councillor Bunday and seconded by Councillor Jelley, that the budget as presented be approved by Council, a named vote was taken as follows.

(For; 20 Against; 9 Not voting 0)

Those Voting For the Motion

Councillors Bain, Bunday, Currall, Davies, Dearing, Derbyshire, Edwards, Groome, Howes, Jelley, Marks, Moreton, Roberts, Rowley, Smith, Sumpter, Talbot, Tebbutt, Thurland and Titcombe

Those Voting Against the Motion

Councillor Adams, Don, Dutton, Hakewill, Lee, Mitchell, Scrimshaw, Watts and West

Those Not Voting

None

RESOLVED that Council approved:-

- (i) The General Fund Revised Budget (2018/19) and the General Fund Budget (2019/20) (as detailed at Appendix A Section 1);
- (ii) The HRA budget for 2019/20 (as detailed at Appendix A Section 2);
- (iii) The Capital Programme for 2018 – 2024 (as detailed at Appendix A Section 3);
- (iv) The Council Tax Resolution for 2019/20 (as detailed at Appendix D); and

That Council received:-

- (v) The Medium Term Financial Forecast (as detailed in Table 2)

(vi) The report of the Statutory Officer (as detailed at Appendix C).

The Council Tax resolution itself is attached to the minutes as **Appendix A**.

18.C.98 **RESOLUTION TO CONTINUE**

During the debate on the previous item (18.C.97), with the meeting closing on the two-hour guillotine, it was

RESOLVED that the meeting be extended to 9.00pm in order to conclude the remaining business on the agenda.

18.C.99 **TREASURY MANAGEMENT STRATEGY 2019/20**

A report was submitted which:-

- (a) Reported the Council's Prudential Indicators for approval (in accordance with statute and the Council's Constitution); and
- (b) Reported the Council's updated Treasury Management policy and Strategy for 2019/20 to full Council as background to the consideration of the Prudential Indicators – the Policy and Strategy were formally approved by the council's Executive Committee at its meeting of 13th February 2019.

It was noted that approval of the Prudential Indicators was a statutory requirement.

RESOLVED that:-

- (i) the Prudential Indicators (as detailed in Appendix A to the report) be approved; and
- (ii) the Treasury Management Policy and Strategy (as detailed in Appendix B to the report) be noted.

(Voting: Unanimous)

18.C.100 **CAPITAL STRATEGY 2019/20**

Council received a report that sought approval of the Capital Strategy 2019/20.

It was noted that the Council was required to consider and approve a Capital Strategy relating to the forthcoming financial year (2019/20) to comply with this new requirement of the prudential code. The code required authorities to outline the Council's approach to Non-Treasury investment decisions where non-financial assets were held primarily for financial benefit rather than service outcomes.

RESOLVED that Council approved the Capital Strategy as detailed in Appendix A to the report

(Voting: Unanimous)

18.C.101 APPOINTMENT TO JOINT COMMITTEE FOR STREET SCENE SERVICES

Council received a report that sought to update members in line with the Memorandum of Understanding of the need to establish the joint committee following the implementation of the shared Street Scene Service with Corby Borough Council. A revised set of recommendations was circulated to correct an error in the set originally published.

RESOLVED that:-

- i) Council agreed the establishment of a joint committee in line with the Memorandum of Understanding already agreed by both KBC and CBC ; and
- ii) That members agree to nominate two members from KBC, in line with Appendix 4 of the Memorandum of Understanding.

(Voting: Unanimous)

18.C.102 THE LOCALISM ACT 2011 – PAY POLICY STATEMENT

A report was submitted which sought approval for the Pay Policy Statement 2019/20.

It was noted that Trade Unions had been consulted as part of the review process.

RESOLVED that the Pay Policy Statement (2019/20) be approved.

(Voting: Unanimous)

18.C.103 **CODE OF CORPORATE GOVERNANCE**

Council received the draft Code of Corporate Governance 2019 for approval.

It was noted that the Code of Corporate Governance served to strengthen the Annual Governance Statement and was recommended best practice consistent with the framework and guidance published by the Chartered Institute of Public Finance and Accountancy.

The Council did not currently have an adopted Code of Corporate Governance and it was a recommendation of the Council's internal auditors that such a code be developed and adopted. The draft code before members was consistent with CIPFA guidance published in April 2016.

RESOLVED that Council approved the 2019 Code of Corporate Governance.

(Voting: Unanimous)

18.C.104 **REGULATION OF INVESTIGATORY POWERS (RIPA)**

Council received a report which provided a revised RIPA policy for approval.

It was heard that the revised policy complied with the recommendations of the Investigatory Powers Commissioner following a recent inspection. It was important that good standards were maintained along with a clear rationale behind the use and non-use of the powers.

A recent programme of staff training had been undertaken as per the Commissioner's recommendation and an annual report would be taken to Council in the event of RIPA being used in future.

RESOLVED that Council approved the revised RIPA Policy

(Voting: Unanimous)

18.C.105 **MOTION – LGA PEER REVIEW**

It was proposed by Councillor Jim Hakewill and seconded by Councillor Mick Scrimshaw that:-

“This Council requests an LGA Peer Review (as soon as it can be arranged this year) to give an ‘end of term’ and independent benchmark

of KBC's overall performance against other Councils. This particularly establishing those elements of its "DNA" that should be part of the basis for the anticipated change to Unitary status. Such a review would help set standards for future governance and customer service priorities".

Cllr Hakewill highlighted what he perceived as the positive benefits of such a peer review noting that valuable information could be obtained in regard to best practice and areas for service improvement. The Leader of the Opposition also spoke in favour of undertaking an LGA Peer Review.

Members of the administration noted that there were no corporate issues that required fixing and that such a review would take focus and resources away from Local Government Reform preparations. In addition, any recommendations arising as a result of the review would have little to no time for implementation as a result of the likely reforms.

(Voting on the Motion: 9 for; 18 against)

The Motion was therefore defeated.

18.C.106 RESOLUTION TO CONTINUE

During the debate on the previous item (18.C.105), with the meeting closing on the previously resolved guillotine (18.C.98), it was

RESOLVED that the meeting be extended for a maximum of 30 additional minutes (until 9.30pm) in order to conclude the remaining business on the agenda.

QUESTIONS FROM MEMBERS

18.C.107 TOWN CENTRE CAR PARKING CHARGES

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

"Does the Council Administration think that Town Centre Car Parking Charges have a negative impact on Town Centre footfall, yes or no?"

The Portfolio Holder for Regeneration responded as follows:

"Town centre footfall is influenced by a wide range of issues rather than just one."

18.C.108 ONLINE BUDGET CONSULTATION RESPONSES

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

“How many responses were submitted by the public online in response to budget consultation and of these responses how many were received after it was considered at the Executive Committee on the 13th of February?”

The Portfolio Holder for Finance responded as follows:-

“Two responses have been received online in the last few days. A response has been sent directly by the Portfolio Holder.”

18.C.109 SHEERNESS HOUSE ACQUISITION

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

“On what date was Sheerness House, Meadow Road acquired by KBC? What was the final price paid? What costs associated with ownership have been incurred to date and what total income generated?”

The Portfolio Holder for Finance responded as follows:-

“Sheerness House was acquired in April 2015 following a report to Executive Committee, for £460,000. The property is currently being renovated in order to make it acceptable to the rental market, and so no income has yet been generated.”

18.C.110 NEW HOMES BONUS SCHEMES

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

“What are the top three schemes (in the Portfolio Holder’s opinion), funded in the Borough, by the New Homes Bonus in order to give something back to communities for their acceptance of new homes and industrial development in their area?”

The Portfolio Holder for Finance responded as follows:-

“The New Homes Bonus Scheme can be used at the local authority’s discretion, because it was an incentive to accept growth, not

necessarily the means by which to pay for it. The current NHB Strategy was approved by the Executive in June 2017.”

18.C.111 CIVIL SERVANT ADVICE RE: SHADOW COMMITTEES

Councillor Jim Hakewill asked the Leader the following question:-

“What advice was given by Westminster civil servants as to the number of Borough/District and County Councillors that should sit on the shadow committees being set up? What political or other proportionality rules were advised?”

The Leader responded as follows:-

“I am not aware that any advice has been provided by civil servants.”

18.C.112 KETTERING TOWN FC – FRENCHES FIELD

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

“At what stage is the Council’s legal team at with the Purchase of Frenches Field by KTFC and when do we expect this to be completed?”

The Portfolio Holder for Finance responded as follows:-

“The matter is being progressed by both legal teams, and exchange of contracts should be achieved soon. Completion will be when the football club is ready to do so, once they have resolved their access and planning arrangements.”

18.C.113 POLLINATOR STRATEGY

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

“Thank you for partly answering my questions regarding the pollinator strategy. In your answer you indicate that no seed packets have been requested. How would anyone know that seed packets were available as a result of the Executive Committee’s decision?”

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

“This recommendation is yet to be implemented because of other workstreams; however over 25,000 bulbs beneficial to pollinators have been given away to local schools and community groups as part of Operation Spring Bloom.”

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

“What workstreams?”

The Portfolio Holder for Strategic Delivery and Environment replied as follows:-

“The work streams involved in the joint Street Scene Service between us and Corby.”

18.C.114 ELECTRIC CAR PLUG-IN POINTS

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

“When and where do we expect to see electric car plug-in points available in the Borough, facilitated by the Borough Council and complementing commercial installations already installed?”

The Portfolio Holder for Regeneration responded as follows:-

“We are currently looking at a number of options around the Borough – initially in Kettering then other areas. We are also assessing whether the infrastructure can be included in the planned Burton Latimer public realm work.

There is no fixed timescale as yet as this will depend on other partners (e.g. suppliers and utility providers) and satisfying OLEV (government funding agency) of the detail of our project. Officers are currently working to progress proposals.”

18.C.115 MEMBER INFORMATION EVENING – SYMMETRY PARK

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

“In the spirit of cross political borders cooperation, how can the Members Information evening regarding the DB Symmetry proposals be opened up to invite Town/Parish Councillors from Pytchley, Broughton, Burton Latimer and Isham, as well as Borough Council of

Wellingborough Councillors and County Councillors for the Ward/Division?"

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

"The Members Information Evening is being held to provide information for members of the Planning Committee, but has been widened to all KBC members, the evening is to be attended by the Council's Barrister and privileged information is likely to be provided so it would not be appropriate for external organisations to be present."

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

"Why can't we cooperate in the same way as we have with Corby with Wellingborough?"

The Portfolio Holder for Strategic Delivery and Environment replied as follows:-

"This is a totally different situation."

(The meeting started at 6.30pm and ended at 9.10pm)

Signed

The Mayor

DJP